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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 43. NO. 75 NEW YORK, FRIDAY, APRIL 1, 1938 TEN CENTS

New Theatre Building Up In February

Contracts in 37 States Total $2,369,000

The record of theatre building contracts awarded in February shows an upswing from January. The valuation of new and major alteration projects reported for last month for the 37 states east of the Rockies totaled $2,369,000.

The figures are reported by the Dodge Reports division of the F. W. Dodge Corp. In a grouping of all theatre construction for which actual contracts were awarded in February, Dodge finds 67 projects, including 255,000 square feet of floor space.

A similar resume by Dodge for January shows 43 projects, with 153,000 square feet, valued at a total of $1,187,000.

The February figures are approximately at the same average level of theatre construction in 1937, when

(Continued on page 6)

Aylesworth Is Head Of World-Telegram

Merlin H. Aylesworth, former head of NBC and RKO, yesterday was appointed publisher of the *New York World-Telegram,* by Roy W. Howard, president and editor. The appointment is effective Monday.

M. H. Aylesworth

Aylesworth became associated with the Scripps-Howard Newspapers a little over a year ago as a member of the general management, and devoted himself, in particular, to the development of national advertising for the newspaper chain. He succeeds Ray A. Huber, who came to the *World-Telegram* during its organizational period from the general management of the parent Scripps-Howard organization, and who now returns to his former post. Howard continues as editor of the *World-Telegram* and

(Continued on page 6)

20th-Fox Lists 52 Films; 22 Titles Are Announced

KANSAS CITY, March 31.—Fifty-two features will be produced on the coast by 20th Century-Fox for 1938-'39 release, it was said here today by John D. Clark, vice-president in charge of distribution, on the eve of the company's sales conference which starts officially tomorrow. Titles were announced for 22.

These will be in addition to the six films announced for production in England by Robert T. Kane. No outside production is scheduled.

"Alexander's Ragtime Band," originally on the 1937-'38 list, will start off the new season's releases. This film is now in production. In a telegram to be read at the convention, Darryl F. Zanuck, in charge of coast production, said that the coming year's program would be "the most ambitious in the company's history," with elaborate musicals and dramatic and romantic spectacles planned.

A departure will be the use of color in Hollywood production, two Technicolor features being announced, "Kentucky" and "Jesse James." Outdoor action films, currently being supplied by Sol Lesser, are not scheduled.

Shirley Temple is down for three films, as this year, the titles being "Sunnyside Up," "Susannah of the Mounties" and "Little Princess." Sonja Henie will make two, "They Met in College" being one. The three Ritz Brothers will appear in "Straight, Place and Show," "Moonstruck" and Alexander Dumas' "The Three Musketeers."

Other titles announced are "Suez," "Stanley and Livingstone," "King of the Khyber Rifles," "Splinter Fleet," "The Life of Alexander Graham Bell," "Ellis Island," "Falling Star," "Dance Hall," "Night Before the Divorce," "He Married His Wife," "Song of the Island," "What the Public Wants." In addition there will be a Dionne Quintuplet musical, a football musical, four Jane Withers films, three "Charlie Chan" productions, three in the "Mr. Moto" series, four "Jones Family" pictures, three True Stories, three Sports Dramas, four in the Romantic Adventures series and three others which are not yet set.

The new program, as announced, represents a reduction from the current year's 66 features, 52 of which

(Continued on page 3)

QUOTA COST HIGH, STUDY DISCLOSES

HOW IT WORKS

Year	Features	Shorts
DISTRIBUTORS		
1938	15%	15%
1939	20	15
1940	22½	17½
1941	22½	17½
1942	25	20
1943	25	20
1944	27½	22½
1945	27½	22½
1946	30	25
1947	30	25
EXHIBITORS		
1938	12½%	12½%
1939	15	12½
1940	17½	15
1941	17½	15
1942	20	17½
1943	20	17½
1944	22½	20
1945	22½	20
1946	25	22½
1947	25	22½

Must Amount to $600,000 For Distributor of 52 Features

A major American distributor who seeks to sell 52 features in England, under the new Films Act which became effective today, will be faced with the necessity of distributing a total of eight pictures of British origin, computation based on the new quota percentages indicates. Under the quota regulations, this total of eight pictures must represent a total minimum negative cost of $600,000.

This is based on the distributor quota percentage which starts today at 15 per cent, but which also is based on that phase of the new legislation which is considered most drastic for American companies, the minimum cost clause. That clause provides that a film, to be eligible under the distributor quota, must have entailed a labor cost of £7,500 ($37,500). The labor cost is reckoned as one-half of the total negative cost of each feature. In other words, each quota film of British origin must represent a total cost of approximately $75,000.

Under the law just expiring, there was no minimum cost requirement on quota product.

As far as could be ascertained, it

(Continued on page 9)

Mary Pickford Off For London Talks

Mary Pickford sailed on the *Normandie* yesterday to attend a meeting in London at which, it was said, the United Artists partners will discuss reorganization of their participating interest in the company. The move was proposed by Samuel Goldwyn and is designed to give active producers a larger return as well as meet Alexander Korda's objections to the revenue he is obtaining from this country, it is understood.

This will be the first time that the partners have held a meeting outside the United States. Goldwyn arrived

(Continued on page 9)

SEC Reports Hertz Sale of Para. Stock

WASHINGTON, March 31.—Disposition by John D. Hertz, Paramount Pictures director, of 1,700 shares of Paramount second preferred stock held through Lehman Brothers was reported today by the Securities and Exchange Commission in its first February report on the transactions of officers and directors in the securities of their corporations.

At the close of the month, it was

(Continued on page 6)

All Games Lotteries, Wisconsin Declares

MILWAUKEE, March 31.—All theatre games, whether or not admission is charged, today were declared to be illegal lotteries by State Attorney General O. S. Loomis.

The ruling is expected to pave the way for legal action against 21 Milwaukee theatres for which warrants were sought last January by the Chief of Police.

No April Meet for Producers, Unions

HOLLYWOOD, March 31.—The annual labor conferences which usually are held in March or April between officers of the five international unions which are parties to the current labor pact and the producers' representatives will not be held during April and they may be delayed for months, it was learned today.

Victor Clarke, aide to Pat Casey,

(Continued on page 9)

Radio News—P. 10

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DAILY
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Vol. 43 April 1, 1938 No. 75

MARTIN QUIGLEY
Editor-in-Chief and Publisher
A-MIKE VOGEL, *Editor*
J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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MEXICO CITY: Apartado 269, James Lockhart, Representative.
MONTEVIDEO: P. O. Box 664; Paul Bodo, Representative.
MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2; Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54, Vienna VII; Hans Lorant, Representative.

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Variety Deal

Broadway rumor reports that the publishers of *Esquire* are negotiating for the purchase of *Variety*.

Hays Meeting Monday

An adjourned meeting of the M.P.P.D.A. board is scheduled for Monday to transact business which remained unfinished at the end of the annual meeting last Monday.

Theatres' Meet Starts

Introductory discussions were on the agenda at the National Theatres divisional managers' meeting which started here yesterday with Spyros Skouras. Today the conferences will take up specific matters of product and operation. Six division managers and others are attending.

Canada Holds RKO Lead

With the Ned E. Depinet Drive conducted by RKO now past its halfway mark, M. Plottel's Montreal branch continues to hold first place, while Vancouver, under the direction of W. S. Jones, is still in second position. The Canadian territories are followed in order by San Francisco, Buffalo, Cleveland, Indianapolis, Washington and Seattle.

Expect 1,000 Will Attend ITOA Dance

Arrangements have been made for an attendance of 1,000 at the fifth annual dinner and ball of the I.T.O.A. tomorrow night at the Hotel Astor. In addition to industry representation, many tickets have been sold to the public for the first time.

Six plaques, emblematic of the six "best pictures of 1937" selected by fans in the *Daily Mirror* contest, as well as five cups to individual stars, will be awarded. The cups will go to Paul Muni, selected in the poll as "most popular hero"; Myrna Loy, "most popular actress"; Hugh Herbert, "most popular comedian"; Joan Davis, "most popular comedienne," and Basil Rathbone, "most popular villain."

Eddie Cantor will be master of ceremonies and present the trophies. Also scheduled to appear are Jack Pearl, Milton Berle, Block and Sully, Ted Lewis, Allan Jones, Irene Dunne, Bill Robinson and others.

Eli Dantzig's orchestra and Godoy's Cuban-Rhythm Band will play for dancing. The film companies have taken boxes. Cocktails will be served in the lounge before dinner. Doors will open at 10 P. M.

Dave Weinstock is chairman of the ball committee and Maurice Fleischman chairman of the program committee.

Rosenberg Calls for Allied Buying Delay

Pittsburgh, March 31.—"Notwithstanding that theatre grosses are off from 20 to 35 per cent and the fact that most of the producing companies are cutting down their studio expenses, all of the film distributing companies have initiated their 1938-'39 sales drives by demanding as much or more money for their new product," M. A. Rosenberg, general chairman of the National Allied Convention, declared today.

"Exhibitors will save themselves money if they will withhold signing any contracts for next year's product until after the National Allied Convention, May 17 to 19, at which time we will all have a better line on what business conditions will be during the next year," Rosenberg declared.

Chairman Rosenberg stated that all indications point to a well attended convention. The convention headquarters will be at the William Penn Hotel, and a number of large manufacturers of theatre equipment and accessories have made arrangements to display their product at the building show which will be held in conjunction with the convention.

Set Night Club Pact

The American Federation of Actors' first contract for night club performers since being awarded jurisdiction over that entertainment field several weeks ago was signed with Billy Rose's Casa Manana during an open meeting of A.F.A. members at the Edison yesterday.

Set Another Gable-Loy

Hollywood, March 31.—M-G-M will co-star Myrna Loy and Clark Gable in "Too Hot to Handle" following completion of "Test Pilot." Jack Conway will be director; Lawrence Weingarten, producer.

Pennsylvania Chain Tax Case Reopened

Harrisburg, March 31.—The state chain stores and theatre tax case, which was believed closed, was reopened in the Dauphin County Court today to admit testimony offered by three theatre circuits affected by the act which imposes a license fee of from $1 to $500 on each store or theatre of a chain, dependent on the number of units.

The testimony today was offered in behalf of the Stanley Co. of America, Warner Brothers Theatres and Warner Brothers Pictures. There are 187 theatres controlled by the Stanley and Warner companies in Pennsylvania, the testimony showed, 99 of which are owned by the companies, and 88 are leased. Three others are leased to Warner Brothers Pictures. Figures were submitted on seating capacity, receipts and expenditures in an effort to show that the tax is unjust and unequal, and would be particularly unjustifiable in the case of smaller theatres, most of which are leased.

Judge William M. Hargest revealed that so far he has received only one brief, although argument ended Feb. 17. There will be no argument on the testimony submitted today.

High Court to Hear Dallas Case Monday

The U. S. Supreme Court will hear the distributors' appeal from the Dallas Federal Court decision in the Interstate Circuit case on Monday, home office attorneys were told yesterday.

Indications are that the case will be the first one called on the court's calendar Monday morning. The court's decision is expected to be handed down in three to seven weeks after the hearing. The case involves the right of distributors to regulate subsequent run admission prices and prohibit double featuring by means of contract clauses.

Lowered Quebec Age Limit Off for Year

Toronto, March 31.—The film industry's drive to secure a reduction under 16 years in the Quebec ban on the attendance of juveniles at theatres has met a temporary setback, according to word received here by Famous Players Canadian Corp.

Premier J. A. Duplessis of Quebec has stated that he had intended to urge a reduction in the age limit because films are a fine educational medium, but the problem is so complicated that it has been decided to postpone action for a year.

In the meantime juveniles are seeing "Snow White and the Seven Dwarfs" when accompanied by an adult outside of school hours.

Music Suit Against Erpi Dated April 25

Federal Judge John C. Knox yesterday set April 25 as the date of trial of the suit of John G. Paine as assignee and trustee of approximately 100 music publishing houses against Erpi. The suit is for $149,949 for alleged failure to pay royalties on a contract whereby the music publishers had licensed Erpi to reproduce various songs in pictures.

◂ Purely Personal ▸

Giuseppe Di Ruggiero, owner operator of the Di Ruggiero circuit, Colombia, which includes the Rex, Colombia's largest and newest theatre, leaves tonight on the *Conte Di Savoia* for a two-month vacation in Nice, France. Upon his return f[illegible] Europe, Di Ruggiero plans to visit New York again in order to induce Hollywood stars to make personal appearances in his theatres.

•

Irving Asher, former head of Warners' British production activities, is expected in New York on Monday on the *Queen Mary* to discuss deals for quota production abroad. Recent London reports stated that Asher would negotiate with Columbia.

•

Lily Pons has booked passage on the *Queen Mary*, sailing for Europe next Wednesday. Harry Green, actor, will arrive on the ship on Monday.

•

Matthew J. Fox, Universal vice-president, relinguished a wisdom tooth to his dentist yesterday with discomforting results.

•

Ned E. Depinet has returned to New York after an eventful western trip. Leo Spitz is expected back early next week.

•

Cliff and Mrs. Reid, who flew east to attend the funeral of the latter's father on Monday, have left for the coast by plane.

•

Mel Heymann of the M-G-M publicity department is due to return today by boat from Florida.

Two Poster Awards Are Won by Warners

Warners won first and second awards in the first annual exhibition of one, two and three-sheet posters sponsored by Transit Advertisers, Inc., in the west concourse of the RCA Building.

The awards were for two First National pictures—"Alcatraz Island," first, and "Marked Woman," second. "Virginia" was third. Honorable mention certificates went to the following: "Woman Chases Man," United Artists; "Victoria Regina," Gilbert Miller; "Yes, My Darling Daughter," Alfred deLiagre; "Peter the First," Amkino; New York World's Fair; "The Women," Max Gordon, and "Wide Open Spaces," Columbia.

Norman Bel Geddes and W. G. Van Schmus were special judges in the theatrical and film divisions.

The exhibition is open from 10 A. M. to 10 P. M. from March 30 to April 12 inclusive.

Deny Davis Suspension

Hollywood, March 31.—Warners today denied that Bette Davis has been suspended because of her refusal to play a part in "Comet Over Broadway." The studio stated that the star's act resulted from her dissatisfaction with the story. No successor has been named. Shooting is tentatively scheduled to start Monday.

Executives at 20th Century-Fox Convention

JOHN D. CLARK
General Manager
of Distribution

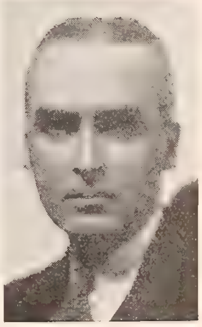
WM. SUSSMAN
Eastern Division
Manager

WM. C. GEHRING
Central Division
Manager

WM. J. KUPPER
Western Division
Manager

J. P. O'LOGHLIN
Canadian District
Manager

T. H. TALLEY
Movietone News
Producer


C. E. McCARTHY
Heads Advertising
and Publicity

Flashes from 20th Century-Fox

KANSAS CITY, March 31.—The current conference here of 20th Century-Fox starts a round of sales meetings for Walter J. Hutchinson, foreign manager. With S. R. Kent he will sail from New York on April 16 for the Continental meeting in Paris, May 5 to 7 and the British convention in London, May 12 to 14. The London meeting will officially open the company's new six-story building in Soho Square.

✚

The foreign delegation also includes Edward F. Lomba, Hutchinson's assistant; Irving A. Maas, foreign service manager; Leslie Whalen, foreign publicity manager, and Charles Mayer, manager of the branch at Batavia, Java. Mayer is vacationing. He spent some time in Hollywood. After the concention he will go to New York to see relatives.

✚

Sam Gross and Alfred J. Davis, Philadelphia delegates, issued a challenge to all comers on the convention train, which arrived here today, to grapple with them in the new five-suit bridge game. Their special bridge decks bear the imprint of 20th Century-Fox as symbols on the fifth suit. They had it easy until the experts among the eastern delegation adjusted themselves to the five-suit variation.

✚

Since the meeting is being held in their own bailiwick, Kansas City's salesmen are the only ones to attend the convention. Otherwise attendance is limited to home office sales staffs, district and branch managers in the United States and Canada.

✚

James P. O'Loghlin, Canadian district manager, will hold the spotlight tomorrow night at the banquet. He will hand out the prizes in the 1937 S. R. Kent Drive and receive the president's prize, a platinum watch, for having the winning district.

✚

Jack Sichelman, assistant to John D. Clark, is in charge of convention arrangements. Irving Lincer, transportation manager, took all convention arrangements under his wing.

20th-Fox Lists 52 Films; 22 Titles Are Announced

(*Continued from page 1*)

were made at the west coast studios.

Sol M. Wurtzel and Harry Joe Brown will continue as executive producers responsible for part of the product and Edward Ebele will remain as production manager. The new program will be made by 66 stars and featured players, 18 directors, 11 associate producers and 63 writers.

Five of the players are on loan from other studios, Freddie Bartholomew, Robert Young, Myrna Loy from M-G-M; Joel McCrea from Goldwyn and Randolph Scott from Paramount.

Player List Lengthy

Others important in the company's plans are: Don Ameche, George Barbier, Warner Baxter, Tom Beck, Dick Baldwin, J. Edward Bromberg, John Carradine, Eddie Cantor, Chick Chandler, Brian Donlevy, Ralph Forbes, Richard Greene, Jack Haley, Jean Hersholt, Bert Lahr, Peter Lorre, Tony Martin, Victor McLaglen, George Murphy, Warner Oland, Reginald Owen, Tyrone Power, Gregory Ratoff, William "Bill" Robinson, Cesar Romero, Three Ritz Brothers, George Sanders, Joseph Schildkraut, Slim Summerville, Arthur Treacher, Michael Whalen, Annabella, Lynn Bari, Phyllis Brooks, Spring Byington, Jane Darwell, Joan Davis, Alice Faye, Gracie Fields, Virginia Field, Sonja Henie, Louise Hovick, June Lang, Mary Maguire, Ethel Merman, Edna Mae Oliver, Simone Simon, Gloria Stuart, Ruth Terry, Shirley Temple, Claire Trevor, Helen Westley, Arleen Whelan, Jane Withers, Marjorie Weaver, Loretta Young, Fred Allen and Portland Hoffa, Raymond Scott and Quintet.

Associate producers will be Sam Engel, Max Golden, Howard J. Green, Raymond Griffith, David Hempstead, Jerry Hoffman, Nunnally Johnson, Leslie Landau, Kenneth Macgowan, Gene Markey and John Stone.

The roster of directors includes: Otto Brower, David Butler, Irving Cummings, Roy Del Ruth, Allan Dwan, John Ford, Eugene J. Forde, Norman Foster, H. Bruce Humberstone, Herbert I. Leeds, Henry King, Walter Lang, Sidney Lanfield, George Marshall, Gregory Ratoff, William A. Seiter, Malcolm St. Clair and Alfred Werker.

Plan 58 Shorts

Kansas City, March 31.—Fifty-eight shorts, all one reel, will be distributed by 20th Century-Fox next year. Of these, 32 will be made by Truman Talley, head of Movietone News, and Paul Terry will supply 26 Terrytoon cartoons, six of which will be in Technicolor. The cartoon feature which Terry plans is not set for 20th Century-Fox release. Talley will continue in charge of the newsreel, of which there will be twice-weekly releases, as usual.

Ratoff, Gibney Among Writers

Writers will include: Arthur Arthur, Charles A. Belden, John Balderston, Edward Berkman, Lou Breslow, Jerry Cady, Robert Chapin, Alfred Cohn, Karen de Wolf, S. G. Duncan, Philip Dunne, Kenneth Earl, Walter D. Edmonds, Robert Ellis, Don Ettlinger, Frank Fenton, Walter Ferris, Sheridan Gibney, Ray Harris, Brown Holmes, Eleanor Harris, Sam Hellman, Anne Herendeen, Joseph Hoffman, Ethel Hill, Frances Hyland, Boris Ingster, Rian James, Julian Josephson, Curtis Kenyon, Jr., Charles Kenyon, Fidel La Barba, Jack Lait, Jr., Hal Long, Henry Lehrman, Sonya Levien, Helen Logan, Phil MacDonald, Harry Lloyd Morris, Morris M. Musselman, Jane Murfin, Commander Noville, Ernest Pascal, John Patrick, Albert Ray, John Reinhardt, Maurice Rapf, Lynn Root, Gregory Ratoff, Allen Rivkin, Kathryn Scola, Lynn Starling, Howard Smith, Edith Skouras, Milton Sperling, Richard Sherman, Lamar Trotti, Harry Tugend, Karl Tunberg, Darrell Ware, Commander Weed, Jack Yellen and Lester Ziffren.

Titles for 22 Named in List

The 20th Century-Fox program for 1938-'39 as announced follows:

"Alexander's Ragtime Band"
"Suez"
"Kentucky" (in Technicolor)
"Stanley and Livingstone"
"Jesse James" (in Technicolor)
"King of the Khyber Rifles"
"Splinter Fleet"
"The Life of Alexander Graham Bell"
"Ellis Island"
"Falling Star"
"Dance Hall'
"Night Before the Divorce"
"He Married His Wife"
"Song of the Island"
"What the Public Wants"
Dionne Quintuplet musical
Football musical
Three for Shirley Temple—"Sunnyside Up," "Susannah of the Mounties," "Little Princess"
Two Sonja Henie productions: "They Met in College" and one other
Three Ritz Brothers productions: "Straight, Place and Show," "Moonstruck," "The Three Musketeers"
Four Jane Withers productions
Three "Charlie Chan" productions
Three "Mr. Moto" productions
Four "Jones Family" productions
Three True Stories pictures
Three Sports Dramas
Four Romantic Adventure Series
Three additional productions to be announced later.

Projection Leaflet Out

Twentieth Century-Fox is publishing and distributing to projectionists an eight-page leaflet, six inches by nine inches, containing rules of procedure to decrease instances of damage to film while in use.

Asher Is Due Monday

Irving Asher, who recently resigned as production head at Warners' Teddington studios in London, is due here Monday on the *Queen Mary*.

$39,500 on "Rebecca"

"Rebecca of Sunnybrook Farm" grossed $39,500 in its first week at the Roxy, ending last night.

"IN OLD CHICAGO" BLAZES INTO A 3RD BLASTING SAN FRAN

BUFFALO

Sets new *all-time* high for both dollars and attendance!

ROCHESTER

Smashed every record in theatre's history, including gross and tickets sold!

SYRACUSE

Shattering every record ever made, and by thousands of dollars!

PROVING ITSELF TH

RECORD-
CISCO WEEK!

First of pre-release engagements leads hold-over parade...as later openings prove equally sensational!

OMAHA

Running away with *all* records—including top figures of "Happy Landing," "Thin Ice"!

DALLAS

Held over... after first week topped *all* 20th's greatest by more than $2,500!

REATEST HIT YOUR GREATEST MAKER OF HITS HAS MADE!

IN OLD CHICAGO

Darryl F. Zanuck's Supreme Achievement

20th CENTURY-FOX

THE KEYSTONE OF YOUR FUTURE

New Theatre Building Up In February

(Continued from page 1)

Dodge reported, for 12 months, 885 projects valued at $27,225,000.

A comparison of the two-month period of this year with that of 1937 makes an interesting disclosure, says the reporting company. In 1938 fewer theatre projects, for new and major alteration work, with a smaller total area, had a higher total contract valuation than was recorded for the two months of 1937.

The Dodge Corp. shows this in the following table:

	2 Months 1938	2 Months 1937
No. of projects.. (*New and major alteration work*)	110	118
Sq. ft. floor area.	408,000	412,000
Total contract valuation	$3,556,000	$3,393,000

These figures, as indicated, are for 37 states. Figures for the 11 Pacific slope states are not available from the reporting company.

Aylesworth Is Head Of World-Telegram

(Continued from page 1)

Lee B. Wood as its executive editor.

Aylesworth founded NBC about 12 years ago and became its first president. During his tenure he was credited with contributing much to the present healthy status of commercial broadcasting through network development and his success in interesting national advertisers in the sponsorship of programs. In 1931, when he was serving as chairman of the board of NBC, he was elected to the same post in RKO and occupied the dual positions until 1935. In that year he resigned from NBC to give his entire time to RKO, which he continued to do until early last year when he withdrew to join the Scripps-Howard organization.

W.B. in Home Film Tieup

Warners have completed arrangements for a three-way tieup with Street & Smith Publications and the Universal Camera Corp. in which makers of home moving pictures will be invited, through *Picture Play*, to compete in a home film test contest, the winners of which will be invited to Hollywood by Warners to make tests at the studio.

Palmerton to London

P. L. Palmerton has been elected managing director of Western Electric Co., Ltd., of London, and at the same time has been named European manager for Erpi with headquarters in London. Palmerton replaces William A. Bach, who is seriously ill. Clifford Smith has assumed the position of general foreign manager, the post formerly held by Palmerton.

Trailer-Made Expands

Trailer-Made, Inc., has leased the eighth floor at 35 W. 45th St., according to E. Schwartz.

The Newsreel Parade

Movietone News

Vol. 20, No. 58

(*20th Century-Fox*)

The aerial attack on Barcelona opens the World Events division of this issue. The Duke of Gloucester follows presenting a new flag to the Inniskilling Dragoons and the big moment comes with the Army Day celebration at Fort Benning, Ga. It is a varied lead with plenty of interest and action.

The rest of the reel offers Herbert Hoover talking on the danger of a heavy armament race, a number of clever Vyvyan Donner compositions in which Eve Symington, the night club singer, models and sings in Easter hat fashions; the 17th Attack Squadron maneuvers over the Yosemite Valley and Lew (Fresh Bait) Lehr frolics vocally as Del Monte, Cal., girls play at being fish while anglers try to land them on the banks of a swimming pool. A sequence on the Grand National showing Battleship winning the English turf classic will be sent out separately. Running time, 8 mins. P.

News of the Day

Vol. 9, No. 256

(*M-G-M*)

Excitement in military maneuvers, the havoc of war, a bit of novelty and a laugh are all blended in this issue. Army Day sham battle at Fort Benning, Ga., was filmed with spectacular success. The action, noise and excitement involved in this sequence give it plenty of audience appeal.

News snapshots offers noseprinting of dogs, a demonstration of a new life-saving device for swimmers and shots of students at Harrow, an English school, parading in ludicrous straw hats. The Barcelona bombing is made vivid by the insertion of stock shots. The running of the Grand National at Aintree will be shipped separately. Running time, 7½ mins.

F.

Paramount News

Issue No. 69

(*Paramount*)

The war games staged at Fort Benning, Ga., will be a highlight in the week's screen excitement. They provide more than the necessary thrills for this issue. The bombing of Barcelona occupies the lead. It is good camera reporting, but there is little action. There are many glimpses of destruction and death.

There is a comical note in the shots of a new game now the rage in London. Contestants blow darts at a target. Herbert Hoover says a brief piece on the occasion of his return from Europe and the King and Queen of England inspect a new low-cost housing development. A sequence on the recently run Grand National will be sent out today.

Running time, 7 mins. P.

RKO Pathe News

Vol. 9, No. 73

(*RKO*)

A varied assortment of items makes for an interesting issue. As reviewed, it lacked the clip on the Grand National Steeplechase in England which Battleship, an American-owned horse, won. Army maneuvers in Georgia pack a powerful wallop. This is an outstanding piece of photography.

Shots of the havoc caused by Rebel bombing planes in Spain, Herbert Hoover's report on conditions in Europe, the pro and con on the reorganization bill battle in Congress and how a town in Maine beat the depression complete a lively reel. The Grand National clip was due on the *Bremen* last night and was to have been shipped to accounts shortly thereafter. Full running time, 8½ mins. F.

Universal Newsreel

Vol. 10, No. 645

(*Universal*)

The war show put on at Fort Benning, Ga., for the benefit of the President with tanks, bombs, machine guns, charges, crossing of foot bridges under fire and planes sweeping low is a pictorial humdinger. Hollywood producers could get ideas from the officer who staged this show.

A novel feature of the prison break scenes from Petros, Tenn., is a sketch showing the relation of the adjacent coal mine to the side hill from which the prisoners tunneled.

Herbert Hoover, just back from Europe, discusses democracy and dictatorships with his customary animation. Fishermen may get a spring kick out of seeing trout dished into a Connecticut stream. A humorous note—also seasonal—is an attempt by six fishermen standing at the end of a pool to reel in six girl swimmers to which their lines have been attached. They do it.

In the sports division a youngster does some amazing things with a cue on a billiard table, and the hockey game between the Americans and Black Hawks is exciting. A notation on the continuity sheet says the Grand National race at Aintree will be included later. Running time, without the race, 6½ mins. J.

Minnesota Using Altec

MINNEAPOLIS, March 31.—The 76 theatres of Minnesota Amusement Co. will be serviced by Altec under a deal just closed by R. Hilton, Altec's Chicago branch manager, and L. J. Ludwig, assistant secretary of Minnesota.

Frank Phelps' Kin Dies

Frank Phelps, in charge of labor relations for Warners, yesterday received word of the death of a sister, Mrs. Tom Caughey, at Ft. Dodge, Ia.

Warner Song Folio Out

Harms, Inc., has published and copyrighted a 48-page Warner Bros. Song Folio. It contains words and music of the 12 most popular tunes controlled by Harms and the film producers and features biographies and photographs of Warner players.

"Express" Release Set

HOLLYWOOD, March 31. — "The Overland Express," formerly called "The Trail Blazer," will be released nationally by Columbia on April 11.

SEC Reports Hertz Sale of Para. Stock

(Continued from page 1)

shown, Hertz still held 1,000 shares of Paramount second preferred through Lehman Brothers.

The report also disclosed the disposition by Isaac D. Levy, Philadelphia director in Columbia Broadcasting System, by gift, of 702 shares of Columbia Class A and 65 shares of Class B stock, leaving him with 64,200 shares of the former and 23[illegible] shares of the latter at the close of the month.

Leon Levy, Philadelphia, also a Columbia director, disposed of 250 shares of Class A stock during the month and at the end of February held 37,850 shares of Class A and 44,900 shares of Class B stock, it was reported.

Fog Delays Arrival Of Newsreels' Film

Newsreel shots of the running of the Grand National at Aintree, England, were not made up with the rest of the reel by the various companies because of a dense fog in lower New York Bay which caused the *Bremen* to anchor. At a late hour yesterday no definite time had been set for the ship to dock.

Newsreel offices reported the sequence will go out as soon as it can be printed and shipped.

Honor Pitt, Pergola

A bronze plaque in memory of William Harold Pitt, Pathe News editor, and James Pergola, cameraman, who were killed in an air crash in the west on Oct. 17, has been placed in the Pathe Building lobby on West 45th St. The plaque, which was obtained by the newsreel employes' subscription, bears the likeness of the two men in relief and the inscription: "In life and death they brought honor to Pathe News." Pergola was the reel's oldest cameraman in point of service.

Wall Street

Paramount in Board Gain

	Open	High	Low	Close	Net Change
Col.	9	9	9	9	.....
Cons. pfd..	4⅝	4⅝	4½	4½	.....
E. K.	128	128¾	121½	122	—5
G. T. E.....	9⅛	9⅛	9	9	+ ¼
Loew	34⅜	35½	33	33¾	— ½
Loew pfd...	104	104	104	104	.....
Para.	6⅛	6⅜	5¾	5⅞	— ⅛
Para. 1.....	66½	68	66½	68	+2
Para. 2.....	7⅛	7⅛	6⅝	6¾	— ⅜
Pathe	4⅛	4⅛	3⅝	3⅝	.....
RKO	2¼	2⅜	2⅛	2⅛	— ⅛
20th Fox ..	16¾	17½	16½	17	.....
Univ. pfd...	27½	27½	27½	27½	.....
W. B.	3⅞	4	3¾	3¾	— ⅛

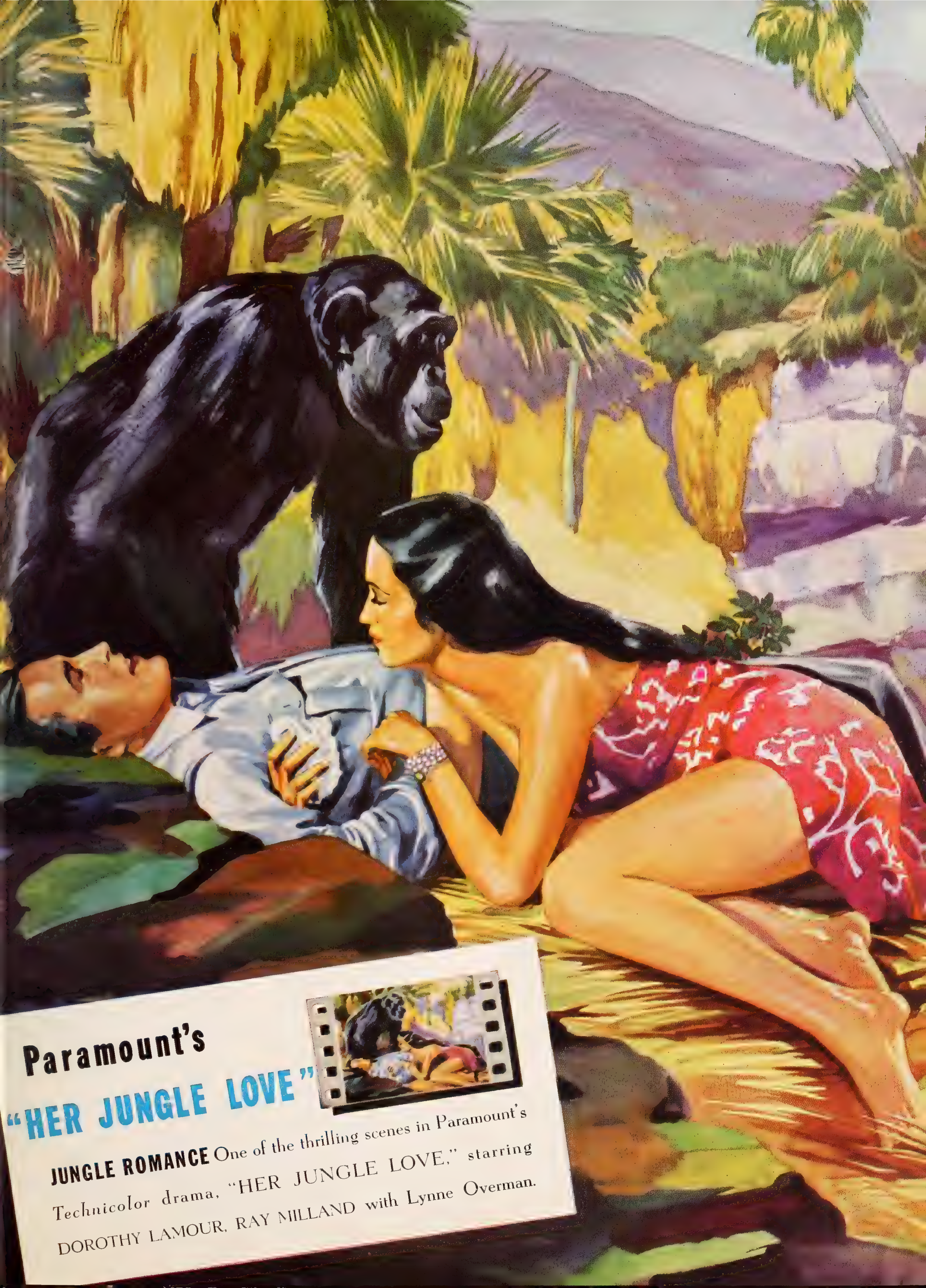
Curb Has Light Rise

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	5/16	5/16	—1/16
Sonotone ..	1⅜	1⅜	1¼	1⅜	.....
Tech.	14¼	15¼	14¼	14⅞	+ ⅝
Trans-Lux	2⅜	2⅜	2¼	2¼	+ ⅛
Univ. Corp.	1¾	1⅞	1¾	1⅞	+ ⅛

Paramount Bonds Drop Sharply

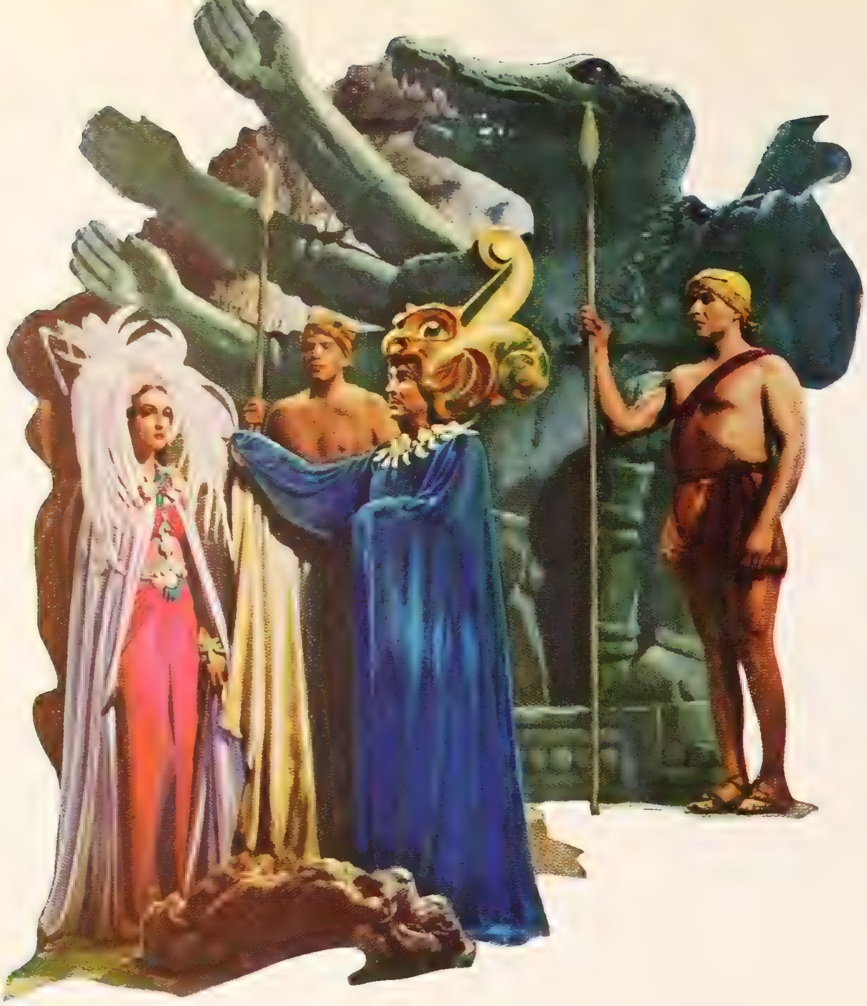
	High	Low	Close	Net Change
Keith 6s '46......	81½	81½	81½	— ½
Loew 3½s '46.....	94⅝	94½	94½	—1
Para. B'way 3s '55...........	57	56⅞	56⅞	— ⅞
Para. Pict. 6s '55	81	81	81	—9
Para. Pict. '47....	57	57	57	—3
W. B. 6s '39......	64½	64	64	.....

(Quotations at close of March 31)



Paramount's
"HER JUNGLE LOVE"

JUNGLE ROMANCE One of the thrilling scenes in Paramount's Technicolor drama, "HER JUNGLE LOVE," starring DOROTHY LAMOUR, RAY MILLAND with Lynne Overman.



Mysterious White Goddess of the Jungle bares her Heart!

Better than any true story, with more punch, more box-office sock even than Paramount's "The Jungle Princess," which, overnight, made a star of Dorothy Lamour. For, added to a terrific thrill-packed script which has all the suspense, the spine-tickling thrills that audiences demand of this kind of picture, it has glamorous characterizations by Miss Lamour and by fan-popular Ray Milland, plus really impressive production-value (don't miss seeing the great earthquake sequence) and a love interest which means a hit in any language including the Malayan.

Add to all this the fact Paramount gives you "HER JUNGLE LOVE" in Technicolor, and you will understand why preview audiences insist this is another one of Paramount's parade of sure-fire box-office hit pictures.

Dorothy Lamour and Ray Milland
in "HER JUNGLE LOVE"
with LYNNE OVERMAN • Directed by George Archainbaud • Screen Play by Joseph Moncure March, Lillie Hayward and Eddie Welch Based on a Story by Gerald Geraghty and Kurt Siodmak • A Paramount Picture • In Technicolor

PARAMOUNT FILMS THE FIRST JUNGLE PICTURE IN

TECHNICOLOR

PRINTED IN USA

Quota Costs High, Study Demonstrates

(*Continued from page 1*)

was the general feeling in distributor circles here yesterday that the new [illegible] regulations, at least insofar as starting percentages are concerned, are not too serious a problem for those companies which can take advantage of the double and triple quota and reciprocity clauses, but is much more serious for the majority of all companies sending product to England.

It was pointed out also that the quota will result in a considerable migration of finances to England from Hollywood. In other words, a large amount of money now spent for production in Hollywood will be spent in England under the new Films Act.

Quota Doubled, Tripled

Under the double quota provision, a film costing £22,500 for labor may count for two features under the distributor quota, and one with £37,500 labor costs may count for three under the same quota. Likewise under the reciprocal provision, where an American distributor is entitled to credit if he takes a British film for distribution anywhere else in the world, he gets single reciprocal credit if the film he takes totals £22,500 in labor cost, and double reciprocal credit if the film's labor cost amounts to £$37,500. In the case of the single reciprocal credit the distributor also must pay £20,000 for foreign rights, and in the case of the triple reciprocal credit a foreign rights' total of £30,000 must be paid.

In all cases where advantage is taken of these provisions, not more than 50 per cent of the distributor's total quota requirement must be satisfied through the use of them.

Blind Booking Forbidden

The law also provides that films available for the distributors' quota are also available for the exhibitors' quota, but the converse is not true. Likewise, the law prohibits blind and advance booking and sets heavy penalties for violation of the clauses. Booking agreements are prohibited before the trade showings of the pictures involved. Bookings are limited to six months in advance of playing under heavy penalties which are applicable to distributors only.

The distributor and exhibitor quotas both operate under a graduated scale, increasing to highs of 30 and 25 per cent for features, respectively, in the last two years of the 10 years of the new law. The new distributor quota went into effect today, the old having expired yesterday, while the exhibitor quota will not become effective until October 1, the present exhibitor quota running until September 30. However, the exhibitor quota had been lowered from the previous 20 per cent to 15 per cent during the current season and until expiration of the old schedule.

Warner Club to Dance

New Haven, March 28.—The Warner Club will stage its annual semi-formal spring dinner-dance at the Seven Gables Inn, April 30.

"Up the Ladder"

Mary Pickford, sailing for London yesterday, said she would take advantage of the ocean voyage to start her autobiography, which she has planned for a long time. Reporters asked what the title would be. "Anything but 'My Life'," she responded. "Have you any suggestions?" The reporters had none. Then she confided she probably would call it "Up the Ladder."

Fight Looms Over Grading Proposal

London, March 31.—The threat of a decisive battle between distributors of the Kinematograph Renters' Society and the Cinematograph Exhibitors' Association was seen in informed quarters here as the result of the reported decision of the distributors not to agree to any plan aimed at cutting the length of theater programs which would interfere with their claimed right to book on percentage.

The London Branch of the C.E.A. was addressed yesterday by Ken Nyman, president, and other officials who issued a call for action in the matter.

The official organ of the C.E.A. yesterday contained a plea that exhibitor members place all their bookings with 20th Century-Fox, General Film Distributors, Pathe and Associated British Pictures, as the four distributors not imposing the plan of classifying or grading films to which the C.E.A. objects.

At the last joint conference on the problem between representatives of the C.E.A. and K.R.S., the distributors were at variance on the grading plan.

No April Meet for Coast Labor Talks

(*Continued from page 1*)

producer labor contact, today said that inability of the conferees to set a time when all would be free to discuss the annual wage scale and working condition problems was responsible for the delay. However, it was definitely ascertained that the officers of the teamsters, carpenters, electricians and musicians internationals want the pact meetings delayed because of the current slump in production and the recession in box-office returns, both of which would hurt their chances of obtaining increases and possibly might force a reduction in the wage scales.

Harold Smith, local officer of the I.A.T.S.E., today said that the delay was due to the press of other business for George Browne, international president.

It was reported in other quarters that the I.A.T.S.E., which obtained an agreement for the Screen Actors Guild last year, wants the Guild to go ahead with its own discussions on the pact and to engage in the jurisdictional battle in which the I.A.T.S.E. claims actors and all other film crafts having to do with production.

Guild officers and producers are preparing for conferences on the actors' agreement. The producers will meet this week to name a committee to negotiate with the actors.

Mary Pickford Off For London Talks

(*Continued from page 1*)

in London with Douglas Fairbanks on Monday. After a talk with Korda Monday night he called Miss Pickford by transatlantic telephone and asked her to attend the meeting.

Charles Chaplin will be the only one of the five partners missing from the conferences. He will be represented by proxy given either to Fairbanks or Miss Pickford.

Miss Pickford yesterday confirmed that all negotiations with David Selznick, either for purchase of a partnership interest in United Artists or to continue as a producer, "have been stopped."

Miss Pickford said the London conferences "definitely do not" concern the sale of three-fifths' stock interest to Goldwyn and Korda. She indicated, however, that the possibility of a sale at some future time has not been entirely closed.

Will Visit Paris

Miss Pickford said she expected the London meetings to last a week and then she would visit in Paris for a few days, probably returning here with Goldwyn and David Rose in about three weeks. Buddy Rogers, her husband, was on the pier to see her off, as was Arthur W. Kelly, U. A. general foreign manager. Miss Pickford told reporters she planned the production of a feature in England next summer in which Buddy would be starred.

M. A. Schlesinger, president of General Talking Pictures, sailed on the *Normandie* for conferences at the London office of the Schlesinger enterprises, which control the large share of the film business in South Africa. He said he would return in about two weeks. Karl Macdonald of Warners' foreign department saw him off.

Beatrice Lillie, another passenger, will have the lead in a C. B. Cochran revue in London.

Points Out Schools As Shorts' Market

Methods of cultivating the cooperation of schools in exploiting pictures are discussed in an article in the current issue of *M-G-M Shortstory*, published by the company's shorts department. The article is by Dr. C. M. Koon, formerly senior specialist in visual education in the U. S. Office of Education and author of "Motion Pictures in Education."

Dr. Koon says that "if exhibitors neglect to enlist the support of the American schools, they are missing a plus audience of 33,000,000 potential patrons."

Many shorts are suitable for exploitation through schools, Dr. Koon points out, and declares, "In preparation for his approach to schools, the exhibitor should familiarize himself with the organization and policies of the school system."

Child Work Law Seen

London, March 31.—Sir Samuel Hoare declared today in the House of Commons that it is the Government's intention to introduce legislation designed to control the employment of young persons in unregulated industries. It is believed in some quarters that such legislation may be applied to the film industry.

NAPOLEON HAD JOSEPHINE!

There's Always a Woman

Hear the Radio City Music Hall resound to the gayest laughter since "The Awful Truth"—opening April 28th!

A COLUMBIA PICTURE

Banner LINES

In releasing its calendar of sports events to be broadcast this summer, NBC was guilty of a lot of wishful thinking and writing.

NBC's release started by saying it would broadcast the North American zone Davis Cup matches, the Interzone Davis Cup matches and the Davis Cup challenge round.

It won't—because CBS has exclusive rights to all United States Lawn Tennis Association matches.

Also in tennis, NBC said it would have the National Singles. In the light of the preceding paragraph, NBC of course will not be able to broadcast this match either.

In golf, NBC claimed it will broadcast two of the three outstanding championships, the National Amateur and the National Open.

NBC won't have these matches, because CBS has an exclusive agreement with the United States Golf Association.

In rowing, NBC claimed the Poughkeepsie regatta, the biggest crew event. NBC will broadcast this one all right, but CBS will have the only microphone aboard the boat train which follows the crews, and will also have shortwave connections with the judges' boats, both of which are closed to NBC.

It was all accomplished by ambiguous phrasing. NBC said it would "describe or summarize" the U.S.L.T.A. and U.S.G.A. matches. Actually, and for the record, NBC will be able only to give a report of the matches in the form of a summary after the events are over. CBS will give the on-the-scene, play-by-play accounts of the games.

▼

Of the 13 "True or False" contests between men and women broadcast to date, the "gals" have won only three times. Proving what?

▼

It sometimes works out this way: Recently, Stoopnagle and Budd split their long-standing partnership to achieve individual success. They're still apart, but beginning shortly they'll be broadcasting over the same station, WOR. Budd is currently on the Philip Morris show over that station, and on Sunday the Colonel will be broadcasting over WOR for Bromo Seltzer.

▼

The only male tenor voice to be heard hereafter on the transcribed Chevrolet show will be Jimmy Melton's. Jimmy held out for this stipulation when he signed with Vic Arden and won his point.

▼

The William Morris office has procured a script for the Gish sisters, Lillian and Dorothy, and if all goes well, the girls will be heard on the networks shortly. Carlo de Angelo is doing the production.

—JACK BANNER

Cantor Reports Threats

WASHINGTON, March 31.—Eddie Cantor, speaking before the Hadassah Society on the dangers of Nazi-ism, stated that he and his family have been threatened by persons who have phoned his home saying, "Tell Cantor to get out of Los Angeles before he is carried out in a pine box."

Permit for First Educational Air Station Granted

WASHINGTON, March 31.—The Federal Communications Commission has granted the first construction permit for a non-commercial educational broadcast station in the high-frequency band recently set aside for that service.

A permit has been granted to Charles H. Lake, superintendent of the Cleveland Board of Education, for a station to operate on 41,500 kilocycles with power of 500 watts.

The commission also authorized KAWM, Gallup, N. M., to increase day power from 100 to 250 watts.

Examiners' reports recommended the granting of applications of the the Piedmont Broadcasting Corp. for a new 1,500-kilocycle station at Salisbury, N. C., with 100 watts night, 250 watts day, provided a competing application of Burl V. Hedrick is denied; KSRO, Santa Rosa, Cal., for increase of time from day to unlimited with 100 watts night, 250 watts day, and WILL, Urbana, Ill., for increase of power from 1,000 to 5,000 watts.

Other reports recommended the denial of applications of J. T. Griffin for an 880-kilocycle, 1,000-watt day station at Fort Smith, Ark.; WDNC, Durham, N. C., for change of frequency from 1,500 to 600 kilocycles and increase of power from 100 to 1,000 watts, and KTSM, El Paso, for change of frequency from 1,310 to 1,350 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night and day.

FCC Reports Favor Four Applications

WASHINGTON, March 31.—Granting of four broadcasting applications has been recommended by examiners of the Federal Communications Commission in reports submitted to the commissioners.

Examiner George H. Hill recommended the granting of the applications of WKAR, East Lansing, Mich., for an increase of power from 1,000 to 5,000 watts, and WDZ, Tuscola, Ill., for an increase of power from 250 to 1,000 watts.

Examiner Tyler Berry recommended the granting of applications of Sherman V. Coultas, Milton Edge and Hobart Stephenson for a new 1,310-kilocycle, 100-watt station at Jacksonville, Ill., and Y. W. Scarborough and J. W. Orvin for a new 1,210-kilocycle station at Charleston, S. C., with 100 watts night, 250 watts day.

New WOR Show to Start

A new commercial featuring Col. Stoopnagle, Donald Dickson and a piano team will bow in over WOR and the stations of the New England Yankee network Sunday from 6:45 to 7 P.M. Bromo Seltzer will sponsor, through the J. Walter Thompson agency.

Plan Sealtest Series

A new series of summer programs will be launched by Sealtest Laboratories with a five-time-a-week dramatic show starting over the NBC-Red network on April 25. The agency on the account is McKee, Albright & Ivey of New York.

A Sellout!

When Lanny Ross gave his concert appearance in Moscow, Idaho, which is the home of the University of Idaho, there were 4,137 tickets sold.

The population of Moscow is 4,476.

Turbulent NAB Meet Ends; Board Reticent

WASHINGTON, March 31.—Members of the executive board of the National Association of Broadcasters refused to discuss their proceedings in detail following the close here today of their two-day session, but indications were that the discussions of the organization's future were heated and that a number of the smaller stations are highly dissatisfied with the situation.

Other members sought to ease the tension in order that the association might present united front during the chain investigation which the Federal Communications Commission has initiated.

During yesterday's session, the N.A.B. board voted to continue Philip G. Loucks as special counsel, pending the setting up of a permanent administration. At Wednesday's opening meeting, Mark Ethridge, president of the Louisville *Courier-Journal* and *Times* and president of WHAS, was elected president pro tem of the N.A.B to serve without pay until a permanent administration can be selected.

Transradio Not for Sale, States Moore

"Transradio is not for sale at any price," was the way Herbert Moore, president of the news service, yesterday scotched a report that control of Transradio Press Service may be bought by a national network.

Moore admitted that Isaac Levy of CBS recently had offered to buy a small block of Transradio stock if it could be obtained. "Up until this time," Moore said, "it has not been possible to make any stock available to Levy's group. Although we do not need financing, and have never had to borrow a single cent, we wish to have it clearly understood that if we can accommodate Levy's group, we will certainly do so, for our good and the general good of the radio industry." Levy is a director of CBS, and an executive of WCAU, Philadelphia.

The general position of Transradio is good, Moore said. He admitted, however, several losses in certain sections of the country but pointed to noteworthy gains. The controlling stock of Transradio is held by Moore and two associates.

Score Dr. Damrosch For Labor Charges

Local 802 of the Musicians' Union yesterday placed Dr. Walter Damrosch, NBC conductor and composer, on the carpet for two recent addresses in which he is alleged to have said that wage demands of the union were responsible for much unemployment of musicians.

Neither Jacob Rosenberg, president of the union, nor Dr. Damrosch would make any comment concerning the the hearing following its conclusion.

▸ Radio Personals ◂

HAROLD E. CHASE, JR., has joined the recording department of WOR. He was formerly with CBS. . . Paul White, special events director for CBS, left yesterday for Louisville. . . . "Singin' Sam' will appear as guest on the "Song Sh[illegible]" show April 15. . . . Ed Duke [illegible] been hired to do the publicity [illegible] Jimmy Dorsey's band, now at the New Yorker. . . . Jimmy Saphier is in town, to remain here for three weeks before returning to Hollywood. . . . Sam Jaffe will be David Loew's guest on the "Sound Track" on WNEW April 2. Jaffe is currently featured in Jed Harris' production "A Doll's House."

✚

New Haven

Bill Farley, conductor of "WELI Does the Town" programs, now presents an orchid to an outstanding lady from the New Haven Feminine Hall of Fame on each broadcast. The orchid is delivered to her door by Rosebud Flower Shop.

WBRY resumes the New Haven Catholic Hour, presented by Russell Council, Knights of Columbus, with Rev. John J. Riley of St. Ann's Church in charge, and choir work by churches participating.

Pat Bunyan and his Instrumentalists are now heard in a WELI popular melody program, Sundays at 10:45 A.M.

New Station Sought By Syracuse Firm

WASHINGTON, March 31.—Application for authority to construct a new broadcasting station to operate on 1,210 kilocycles with 100 watts power has been filed with the Federal Communications Commission by the Civic Broacasting Corp., Syracuse.

Also received at the commission are the resubmitted application of WCKY, Covington, Ky., seeking an increase in power from 10,000 to 50,000 watts, and an amended application from KMED, Medford, Ore., for abandonment of a request for a change of frequency from 1,410 to 1,320 kilocycles.

A request for a change of frequency from 900 to 600 kilocycles and an increase in night power from 250 to 1,000 watts was filed by KSEI, Pocatello, Idaho.

Takes KSFO Schedule

SAN FRANCISCO, March 31.—Axton Fisher Tobacco C. has placed a summer schedule on KSFO, local CBS outlet, using three evening quarter-hours a week. The program, for Twenty Grand cigarettes, features Joe Rines' orchestra, the Pickens Sisters, Morton Bowe and Martin Bloch (transcribed).

Huntley Adds 2 Shows

MONTREAL, March 31. — Lloyd Huntley, "em cee" at the Normandie Roof atop the Mount Royal Hotel, has added two more Canadian coast-to-coast programs to his already heavy schedule. He will go on the air over the CBC national network from CBM Thursdays at 11:30 P.M. and Fridays at 10:30 P.M.

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AT & T Curb Is Asked in Probe Report

Proposes Phone Rates Be Slashed by 25%

By BERTRAM F. LINZ

WASHINGTON, April 1.—Suggested mposition by Congress of strict regulatory supervision over the American Telephone & Telegraph Co., and a proposal that all telephone rates might be slashed by 25 per cent without impairing the utility company's present arning standard, were embodied in a entative report of the Federal Communications Commission today by Commissioner Paul Walker.

Walker was in charge of the exhaustive study of the affairs and history of the A. T. & T., part of which was conducted in New York, which occupied three years and cost $1,500,000. Copies of the report were sent to the Senate and House Interstate Commerce Committees.

As submitted, the report, which is in

(Continued on page 2)

Raftery to Share in United Artist Talks

Edward Raftery of O'Brien, Driscoll & Raftery, United Artists' attorneys, is en route to London on the *Normandie* to participate in the conferences there next week of United Artists partners. Mary Pickford is on the same ship.

It was reported here yesterday that Raftery will represent Charles Chaplin at the London conferences. Chaplin is the only United Artists partner who will not be present at the meetings. Company policy, particularly with respect to United Artists' subsidiaries and affiliates in England, will be determined at the conferences.

WOR to Open Early For News Program

WOR, beginning Monday. will open its transmitter five minutes earlier than heretofore, at 6:40 A. M., daily except Sunday, and daily will close five minutes later than usual, at 2:05 A. M., to accommodate 13 five-minute news broadcasts weekly. Transradio news will be used exclusively for the periods.

The innovation is due to the belief

(Continued on page 4)

More Radio—P. 4

Clark Reports Record Sales For 20th-Fox

Contracts 600 Over Last Year at This Time

KANSAS CITY, April 1.—More than 10,000 contracts were sold by 20th Century-Fox during 1937-'38—a record year for the company, John D. Clark, vice-president in charge of distribution, told the delegates at the opening session of the annual sales conference here today.

The 1938-'39 selling season, which started in January, has produced 600 more contracts than were sold by this time last year, Clark said.

Attendance at the two-day convention has been boosted to 105. Joseph M. Schenck, chairman of the board, and Darryl F. Zanuck, production chief, telegraphed that the new season's program would contain a larger percentage of big pictures. Schenck's message also said that the exchange improvement program will continue during the next two years and that new projection equipment will be installed in all branches.

Speakers at today's sessions included

(Continued on page 3)

Convention Told Two-Reelers Out Because of Duals

KANSAS CITY, April 1.—The double billing situation has impelled 20th Century-Fox to reduce the number of shorts for distribution in the new season, convention delegates were told here today. At last year's sales meeting a program of 100 shorts was announced, including 42 two-reelers. For next season the company will have only one-reelers.

Truman H. Talley will have executive supervision over shorts production with Lew Lehr as producer of the 26 shorts the company will make itself. There will also be 26 TerryToon cartoons, at least six in color.

The "Magic Carpet" and "Adventures of a Cameraman" series will be continued, with six of the former and four of the latter scheduled. The "Magic Carpets," with Lowell Thomas as commentator, will be in magazine feature style, dealing with topics of current interest. Several may be in color.

Also scheduled are six "Sport Re-

(Continued on page 3)

KENT REITERATES NEELY BILL STAND

Replies to Myers; Says Allied Bulletin Was "Personal Attack"

Sidney R. Kent, president of 20th Century-Fox, reiterates his statements that the Neely Bill would force the sale of completed pictures only, and at increased rentals, in a letter to Abram F. Myers, chairman of Allied States Association, yesterday, replying to the latter's recent bulletin to Allied members.

"If this bill simply stated that pictures should be sold hereafter one at a time, and be bought hereafter one at a time, I would not oppose it," Kent declares. His letter reviews his record of service in the interest of industry trade practices and challenges statements contained in Myer's bulletin which Kent says he regards as "a personal attack upon me and my good faith."

"I said," Kent's letter to Myers states, "that I thought that our company could survive a bill which required pictures to be sold only after they are made. There are companies in this industry, however, who cannot afford to take the same position that

(Continued on page 3)

Judge Skeptical

Detroit, April 1. — First effort of the local police department to convict an allegedly drunken driver by means of motion pictures taken by the police with equipment recently installed at headquarters failed when Traffic Judge Maher ruled that the developed films failed to show that the defendant was drunk.

Undaunted, however, Sergeant Joseph Kollar, police theatre censor, in charge of taking the films, said the department would continue to use the equipment.

Neely to Ask for Senate Action on His Booking Bill

WASHINGTON, April 1.—Consideration of the Neely Block Booking Bill will be demanded of the Senate in the near future by Senator Matthew M. Neely (Dem.) of West Virginia, following two failures to secure debate on the measure when it was reached on the regular calendar.

Following the refusal yesterday, for the second time within a week, to take the bill up, Senator Neely served notice he would demand special consideration of the legislation at the earliest opportunity.

"It is manifest that unanimous consent cannot be obtained to pass or even take up this bill," he said. "Therefore, in the near future I shall move that the Senate proceed to the

(Continued on page 3)

Will Award Plaques At ITO Ball Tonight

Plaques for the six "best pictures" shown in New York during the current season, to date, will be presented to the producing companies at the fifth annual "movie ball" of the I.T.O.A. at the Hotel Astor tonight.

The films were selected in a poll conducted by the *Daily Mirror* in cooperation with theatres in Greater New York. In the order in which they ranked, the pictures are: "Life of Emile Zola," "Hurricane," "The Good Earth," "Snow White and the Seven

(Continued on page 3)

Kansas City I. T. O. Hits Neely Measure

KANSAS CITY, April 1.—The I. T. O. of Kansas City, meeting here today, sent a wire to State Senator Harry S. Truman expressing opposition to the Neely-Pettengill bill now before Congress. The message said:

"Although the independent exhibitors of Kansas City are in desperate need of relief, the Neely-Pettengill bill would not give the desired results. We exhibitors feel that we must be assured of a continuous supply of product which this bill would disrupt."

The organization voted against asking patrons for contributions to the Will Rogers Memorial Fund.

Ohio ITO Lining Up Fight on Tax Jump

COLUMBUS, April 1.—With the Independent Theatre Owners of Ohio leading the movement, theatre men throughout the state were preparing today to fight the newest legislative threat to increase the admissions tax.

At a meeting of city officials in Cleveland to discuss the poor relief

(Continued on page 2)

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

Vol. 43 April 2, 1938 No. 76

MARTIN QUIGLEY
Editor-in-Chief and Publisher
A-MIKE VOGEL, *Editor*
J. M. JERAULD, *Managing Editor*
JAMES A. CRON, *Advertising Manager*

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MOSCOW: Petrovski Per 8; Beatrice Stern, Representative.
PARIS: 29 Rue Marsoulan; Pierre Autre, Representative.
PRAGUE: Uhelny trh 2; Prague 1; Harry Knopf, Representative.
RIO DE JANEIRO: Caixa Postal 3558; L. S. Marinho, Representative.
ROME: 54 Via Della Mercede; Joseph D. Ravotto, Representative.
SANTIAGO de CHILE: Casilla 13300; A. Weissmann, Representative.
SHANGHAI: Rooms 38-41; Capital Theatre Building, 142 Museum Road; J. P. Koehler, Representative.
STOCKHOLM: Kungsgatan 36; Ragnar Allberg, Representative.
TOKYO: 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. Tominaga, Representative.
VIENNA: Neustiftgasse 54, Vienna VII; Hans Lorant, Representative.

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Ohio ITO Lining Up Fight on Tax Jump

(*Continued from page* 1)

crisis which will require action at a special session of the Legislature in the near future, Representative Lody Huml, one of the House leaders in relief legislation, told the group that when a special session is called he will introduce a five-point relief program which would include increasing the admissions tax by 10 per cent.

Following a bitter fight, the independent theatre men were able to force reduction of the tax to the present three per cent, although a 12 per cent rate had been in effect for 16 months.

Schwartz to Move Soon

Trailer-Made, Inc., will move in about three weeks into its new quarters at 35 W. 45th St., where it will have its own safety vaults, cutting and projection rooms and printing equipment to take care of special announcements and titles. E. Schwartz, president of the company, has signed a five-year lease for the premises. Temporary offices will be maintained at the Film Center Building.

Curb on AT & T Asked in Probe Report to Congress

(*Continued from page* 1)

tentative form, was approved only by Walker, and by no other member of the F. C. C. Walker indicated that the report "suggested" the commission's position in the matter.

Recommendations of the report, in addition to those applying directly to telephone company financing, operation, etc., include:

Amendment of the Communications Act to prohibit discrimination not only of services and charges in connection with the use of wires in chain broadcasting or incidental to radio communication of any kind, but also of practices, classifications, regulations and facilities, which would assist the F.C.C. in dealing with any future discriminations in the use of wires in chain broadcasting or radio communication.

Limitation of Scope Asked

The granting to the commission of jurisdiction and authority to limit the scope of Bell System activities to the communications field, including the power to prohibit any company from devoting its assets and energies to commercial exploitation of non-communications fields when it appears that such activities may be detrimental to the public interest.

In submitting the report, Chairman Frank R. McNinch, reviewing the investigation, which began in 1935 and continued until last June, pointed out that the activities of the commission bore concrete fruit even while the investigation was going on, citing, among other things, the revision of wire service charges to radio stations, effecting savings calculated at $530,000 a year and removing certain discriminations, and liberalization of licensing policies in non-communications fields by Erpi and Western Electric to permit others to manufacture such equipment.

The report points out that the Bell System controls "practically all wire facilities used in radio program transmission" and "with the exception of wire and radio telegraph service, communication by wire and wireless, including transmission of broadcasts (but not the operation of radio stations) is now a monopoly" controlled by the American Telephone & Telegraph Co.

Film Activities Recounted

"A large number of the most important motion picture producers in the United States have depended, since 1927, upon Western Electric sound recording equipment," it continued. "In addition, a large number of motion picture houses use sound reproduction equipment manufactured by Western Electric and leased through a subsidiary, Electrical Research Products, Inc. The Bell System divides this business with Radio Corporation of America. In addition to the manufacture, lease, and servicing of recording and reproducing equipment for picture exhibition, Erpi has engaged directly or through subsidiaries, in the consulting business with reference to technical problems in motion picture production, has serviced reproducing equipment in theatres, and has undertaken to promote and finance industrial and educational pictures. In some notable instances, it has also advanced millions of dollars of funds to producers and exhibitors of sound motion pictures using Western Electric equipment."

The telephone company early engaged in research in the radio field and in these efforts, the commission charges, was shaping its research policy to "afford it a controlling patent position in radio." Television work began in 1926 and as yet has had no practical application in the Bell System and, the report charged, "although officials of the American company have testified that their company is at present interested solely in the transmission of television rather than the production of sending and receiving apparatus, by far the largest part of the expenditure has been its project No. 33089, on 'Systems of Television,' largely devoted to television sending and receiving apparatus." This effort constituted about 65 per cent of the total television research expense; approximately another 15 per cent was expended in demonstration of the advances accomplished, and some 12 per cent directly concerned the wire transmission of television, it was said.

Called Television Factor

"Through its radio telephone developments it exercises a strong influence upon the present radio industry, in which other blocks of private capital are invested," it was pointed out. Its future influence in television, as that industry eventually develops, may be considerable, and will rest in no small degree upon its present research activities, which are underwritten by the Bell System's wire telephone subscriber."

License agreements with producers and exhibitors have been the chief device in effecting the Bell System's exploitation of the sound film field, the report charged. Various revenue figures of Erpi are listed, and mention is made of the sale by Erpi of theatre service contracts to Altec Service Corp. last December. With that sale and the granting of non-exclusive patent licenses to General Theatres Equipment and Motiograph, Inc., the commission said, it appears that Erpi is restricting rather than extending its direct exploitation of the sound film field.

Erpi Criticised

"Confinement of the resources of the Bell System to the rendition of communications service does not mean necessarily that such resources may not be used in part for purposes of improvement in the art in fields related to wire communications, such as perhaps television, because the transmission of images may eventually become a necessary part of improved telephony.

"It does mean, however, that attempts by the Bell System to control or exploit, through research and the activities of Electrical Research Products, Inc., or other subsidiaries, and patent protection activities, developments in non-communications fields should be prevented."

Transmission of the report in its

Purely Personal

Eddie Schnitzer, Warner's eastern district manager, observed another birthday yesterday and a number of friends celebrated with him at luncheon at the Tavern. They were: **Harry Shiffman**, **Morris Smo**[illegible] **Ray Johnston**, **Eddie Gol**[illegible] **Charles Moses**, **Mitchell Klupt**, **Louis Frisch**, **Ben Kalmenson**, **Max A. Cohen**, **Morris Jacks** and **Edward Rugoff**.

•

Frances Webb and **Katherine Bennett**, secretaries to **William Goetz** and **Robert Fairbanks**, respectively, at the 20th Century-Fox studios on the coast, left yesterday following a vacation here.

•

Leo Hungerford, formerly with Fox West Coast theatres, has joined the J. Herman Co. He will head the air conditioning division.

•

Norton V. Richey foreign export manager of Monogram, has arrived at Santiago, Chile, in the course of his tour of South America.

•

Jascha and **Mrs. Heifetz**, who was **Florence Vidor**, will arrive on the *Queen Mary* Monday.

○

C. Aubrey Smith will sail today on the *Carinthia* for Scotland.

•

Rochelle Hudson has rented an apartment at the Savoy-Plaza.

Bette Davis Suspended

Hollywood, April 1.—Warners, after stating last night that Bette Davis had not been suspended for refusing a role in "Comet Over Broadway," tonight reversed themselves and suspended the star. The company has Irene Dunne and Miriam Hopkins reading the script of the production, but may decide to give the part to Gloria Dickson.

Howard Strickling Wed

Hollywood, April 1. — Howard Strickling, publicity director of M-G-M, is honeymooning with Gail Greenstreet of the J. Walter Thompson publicity bureau, at the Flying V Ranch, Tucson, Ariz., it was disclosed here today. They were married Saturday.

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tentative form, it was disclosed in a statement by Commissioner T. A. M. Craven, was decided upon because partial information concerning its contents "has reached a limited number of persons including a part of the public press" while at the same time "members of Congress, which appropriated the funds to conduct the investigation, have not been permitted to receive such information, despite repeated individual requests therefor."

Craven, not a member of the commission during the investigation, criticised it for denial to the telephone company of the right of cross-examination and rebuttal, and disclosed that he did not agree with some of the recommendations in the report.

It was made clear by Chairman McNinch that the "proposed report is not a report by the commission" and that the formal report, as has been predicted, would be submitted later.

Kent Repeats Stand Against Neely Measure

(*Continued from page 1*)

am taking with regard to individual [illegible], and I do not wish to inflict ships upon producers now strug- ing to make both ends meet. The gument has been advanced that I ould not oppose this bill because it ould probably throw more business r way. That argument is short- ghted. I don't want that kind of siness or any business that comes to e as a result of legislation of this nd."

Myers' bulletin was issued in answer a letter sent by Kent to 20th Cen- ry-Fox's exhibitor accounts on arch 10 setting forth Kent's reasons r opposing the Neely bill, detailing e harm he believed would result om its enactment and urging those hibitors who agreed with him to dress their senators in opposition to e measure. The Myers' bulletin nied that the Neely bill would force stributors to sell pictures only after ey were completed, and at higher ntals. It stated that it was neces- ry "to test out the statements" made Kent "in the light of his past per- rmance" and because he has taken upon himself "to carry the fight of e major distributors against the eely bill."

Letter to Accounts Only

He points out that his letter was dressed solely to his company's cus- mers and "only incidentally carried e fight of those who, with me, elieve in the viciousness of the Neely ll and its harmful effect upon those ith investments in the industry." ent denies that there is any contra- iction in his testimony before the ouse committee on the Pettengill bill 1936 and in statements made in his tter to the company's exhibitor ac- ounts. He points out that he stated both instances that he preferred the nglish anti-block booking law to the eely bill, which he regards as "twice s drastic" as the former.

Kent states that he recalls that yers, as a Federal Trade Commis- oner, endeavored to get the industry adopt a principle of a 35 per cent ifferential between what could be aid for a picture sold in a group and hat could be asked for the same icture sold individually.

Defends Own Record

"It is my firm belief," Kent observes Myers, "that you, yourself, are not nxious to kill block booking because ou have always tried to preserve the rinciple of the wholesale price at- ached to the individual picture. In ther words, you want to strangle lock booking on one hand but have ne benefit of a wholesale price on the ther."

This, Kent asserts, is impossible nder the Neely bill.

Defending his own record in ex- ibitor-distributor efforts at trade ractice regulation, Kent declares that the main reason" voluntary programs ere not adopted in the past "was the elief of other distributing companies hat the anti-trust laws presented in- uperable obstacles." As to his personal opposition to legislative efforts sponsored by Allied under Myers' leadership, Kent says they were due to his belief that such measures were "unworkable, punitive in intent and not in furtherance of the best interest of all those who had investments in the industry. They were bills presented to 'ham-string' the producers and distributors, while giving nothing to the independent exhibitors along the line indicated by the sponsors."

Charges Tactlessness

Kent declares that the establishment of 20th Century-Fox as a dependable source of product has been "as important to the independent exhibitors of this country as anything that you (Myers) have accomplished for them during the past five years." Recalling other services in the interest of exhibitors "rendered on a no-pay basis," Kent remarks that "I do not see where you, of all persons, who get paid for your services, have any right to complain and point out a lack of results on my part. I could just as consistently, and just as fairly challenge your record of accomplishment throughout all these years, for which you did get paid."

Replying to Myers' advancement of the "moral issue" as an argument for passage of the Neely bill, Kent observes that if the argument is advanced sincerely, "Why should you object to imposing the same penalties of fine and imprisonment to prohibit any exhibitor from buying and booking any pictures until he has seen the picture screened and really knows what it is all about? Why doesn't your law, under the same criminal penalties, require the exhibitor to publish this synopsis in the local newspaper so that the community can know just what the picture is before they pay admission to the theatre to see it?"

Cites Responsibility

"Of course," Kent states, "I have no objection to your pointedly reminding the exhibitors of the country to bear in mind for future use my opposition to the Neely bill. I have likewise pointed out in my letter where the responsibility will have to rest for what I deem to be the harm that will be caused them and the rest of the industry if the bill is enacted."

Neely to Ask Action On His Booking Bill

(*Continued from page 1*)

consideration of this important measure in circumstances which will permit freedom of debate."

In the House, the block booking legislation is tied up in the Interstate and Foreign Commerce Committee, with no indication that efforts will be made to pry it loose during this session of Congress.

Godshaw, Safier to G. B.

CHICAGO, April 1.—Arthur A. Lee, general manager of G. B., stated during a short stop here today that he has named M. M. Godshaw and Edward Safier to the G. B. sales force. Godshaw formerly was with Universal and Safier was for many years with United Artists.

Lee stated that the business of neighborhood houses is generally ahead of that of their downtown rivals. The public, he said, is shopping around for better films at bargain prices.

Clark Reports Record Sales For 20th-Fox

(*Continued from page 1*)

William Sussman, eastern division manager, on sales policies; Felix Jenkins, general counsel, on legal phraseology in contracts; Alan Freedman, president of De Luxe Laboratories, New York, and Michael Leshing in charge of the coast laboratory. Freedman said his laboratories had handled 200 million feet of film in the last 15 months.

Clark, who is presiding, outlined the new season's feature product, while Truman Talley, Movietone News head who will supervise the shorts production, and Lew Lehr, who has been made shorts subject director, discussed their new program. Charles E. McCarthy, director of advertising and publicity, will speak tomorrow. Roger Ferri, editor of the *Dynamo*, the company's house organ, is here publishing a convention edition to be distributed tomorrow afternoon.

Hold "Victory Banquet"

The 1937 S. R. Kent Drive was celebrated at a "victory banquet" tonight which Fox Midwest Theatres helped to arrange. Cash awards were presented by James P. O'Loghlin, drive leader, to branch manager for 478 employes in 15 branches in the United States and Canada. O'Loghlin's district placed first in the district classification, for which he received the President's prize. This was the first time in the history of the company that a drive leader was able to hand his own district the top laurels for the contest.

Branch managers who received checks included Edward English, Montreal; J. H. Huber, Winnipeg; G. T. Landis, Indianapolis; J. E. Patterson, Vancouver; Ira H. Cohn, Pittsburgh; I. J. Schmertz, Cleveland; Charles E. Powers, Portland; E. X. Callahan, Boston; Moe Grassgreen, Albany; B. A. Simon, New Haven; J. J. Grady, Cincinnati; Sam Gross, Philadelphia; V. M. Skorey, Calgary; Herndon Edmond, Seattle; J. M. Podoloff, Minneapolis; H. R. Beiersdorf, Dallas; John N. Dillon, Los Angeles; Charles L. Walker, Salt Lake City; S. N. Wheeler, Washington; C. W. Clark, Oklahoma City.

Convention Is Told Duals Kill 2-Reelers

(*Continued from page 1*)

views" featuring Ed Thorgersen; four "Fashion Features" in color forecasting women's styles preceding each of the seasons, and six Lew Lehr comedies probably titled "Lehr's Kindergarten," with the comedian as "teacher."

Korda Has Three Here

With the opening of "The Divorce of Lady X" at the Music Hall Thursday, the total number of London Films playing in the Broadway area was brought up to three. "The Gaiety Girls" is current at the Rivoli and "Storm in a Teacup" will have a third week at the Little Carnegie.

Will Award Plaques At ITO Ball Tonight

(*Continued from page 1*)

Dwarfs," "In Old Chicago" and "Captains Courageous."

Cups will be presented to representatives acting for Paul Muni, Myrna Loy, Hugh Herbert, Joan Davis and Basil Rathbone, chosen in the balloting as "the most popular stars." Eddie Cantor will be master of ceremonies.

Among those expected to appear are Fifi Dorsay, Bert Wheeler, Walter Woolf King, Block and Sully, Ted Lewis, Milton Berle, Allan Jones, Bill Robinson, Gregory Ratoff, Jean Muir and Joy Hodges.

Table reservations have been made by George Skouras, Walter Reade, Marvin Schenck, Sam Rinzler, Louis Frisch, Commissioner Paul Moss, Milton C. Weisman, Harry Brandt, State Senator Elmer Quinn and others.

The proceedings will be broadcast from 11:30 P. M. to 2 A. M. over WMCA.

"Wall" Grosses $25,000

"Over the Wall" finished with $25,000 for the first week at the Strand and is being held. "Tip-Off Girls" did $10,000 at the Criterion in eight days. "King of the Newsboys" will start at the theatre today, to be followed by "The Stadium Murders" on April 9. The second week of "Radio City Revels" gave the Globe $5,500, against the first week's $7,500 on the same picture.

Scranton Honors Jones

SCRANTON, April 1.—Allan Jones, singing star of "The Firefly" and "Everybody Sing" was given a riotous welcome to this, his home town, when he returned for his first visit in eight years. The actor visited the high school and made personal appearances at the Comerford Theatre.

Wall Street

Many Revive on Board

	Open	High	Low	Close	Net Change
Col.	9¼	9¾	9¼	9¾	+ ¾
Col pfd....	27½	27½	27½	27½	—1
Cons.	1⅛	1⅛	1⅛	1⅛	.....
Cons. pfd...	4⅝	4⅝	4⅝	4⅝	+ ⅛
E. K.	124	126	124	126	+4
G. T. E.....	9¼	9½	9¼	9½	+ ½
Loew	34⅝	35¼	34½	35⅛	+1⅜
Para.	6⅜	6½	6⅛	6⅜	+ ½
Para. 1.....	68	68	68	68	.....
Para. 2.....	7¼	7⅝	7¼	7⅜	+ ⅝
Pathe	4	4	3⅝	3⅝	.....
RKO	2⅜	2⅜	2¼	2⅜	+ ¼
20th Fox ...	17⅛	17½	17	17½	+ ½
20th pfd...	26½	26½	26½	26½	.....
Univ. pfd...	29	29⅞	29	29⅞	+2⅜
W. B.	3⅞	4	3⅞	4	+ ¼
W. B. pfd..	25¼	25¼	25¼	25¼	+1¼

Curb Increases Fractionally

	Open	High	Low	Close	Net Change
G. N.	5/16	5/16	¼	5/16	.....
Monogram	1½	1½	1½	1½	+ ⅛
Sonotone ..	1½	1½	1½	1½	+ ⅛
Tech.	15½	16	15¼	15¼	+ ¾
Univ. Corp.	2	2	2	2	+ ⅛

RKO Bonds Off; Others Up

	High	Low	Close	Net Change
Keith 6s '46.......	81½	81½	81½	.....
Loew 3½s '46.....	95	94½	94¾	+ ¼
Para. B'way 3s '55	56⅞	56⅞	56⅞	.....
Para. Pict. 6s '55.............	82	82	82	.....
Para. Pict. '47...	57½	57½	57½	+ ½
RKO 6s '41.......	52½	52½	52½	—5½
W. B. 6s '39......	64	63¼	64	+ ¼

(Quotations at close of April 1)

Banner LINES

Ken Stowman of WCAU in Philadelphia phoned this department yesterday with the following statement made by Leon Levy, president of WCAU, concerning the naming of Mark Ethridge as president pro tem of the N. A. B.:

"The board of directors of the N. A. B. is to be commended upon its ability to induce Mark Ethridge to become its temporary president. Ethridge is a sound business man and is awake to the problems of the N. A. B. It is now imperative that all stations join the N. A. B. and support Ethridge."

We think it fine that the Levys, Leon and Isaac, or "Ike" as the latter is known in the business, are once more actively in the ranks of the N. A. B., bending every effort to boost the organization. It wasn't so long ago that the Levys were bitter antagonists of the N. A. B., because they deemed it a supine, helpless organization. The N. A. B. could use more members with as much spirit as they have.

◆

No grass grows under the feet of Bill Schudt, general manager of WBT, the CBS station in Charlotte, N. C. Bill has met the attack of southeastern newspaper publishers against radio as an advertising medium in their area with a brochure called "Here Are the Facts." Because of obvious space limitations this department cannot go into the contents of the brochure, but it quite effectively spikes the guns of the publishers.

We particularly admire the good taste of Bill's foreword. He states: "The purpose (of the brochure) is not to 'build up a case' for radio. It needs no buildup. Nor is it our purpose to 'tear down' any other medium. . . We merely seek to throw light on statements recently made, in bitterness, by southeastern newspapers. In our opinion, these statements are destructive to all business because they are destructive to advertising . . . and harmful to the southeast because, through distortion of facts, they create a picture of our section that we who live and work here know to be untrue."

◆

The *New Yorker* again has attempted to reach William S. Paley for a profile, but the CBS president still is personal publicity shy.

◆

A wire from Bill Bailey, publicity director of WLW, referring to a recent story in the news columns of Motion Picture Daily, *states that the Floyd Gibbons flood broadcast of last year, for which Gibbons was sued, did not go out over WLW's facilities. Bill says that as a courtesy gesture WLW offered the use of its studios to the local Cincinnati station which originated the broadcast, and that WLW did not build, produce nor broadcast the program in question.*

O. K., Bill.

—Jack Banner

Merle Oberon as Guest

Merle Oberon will be a guest star on the Radio City Music Hall of the Air at 12:30 tomorrow over WJZ.

Films, Radio Figure In Campaign on Milk

Albany, April 1.—Radio and films will figure in the expenditure of $310,000 to promote milk consumption in New York State as a result of the signing of the Rogers Bill to extend the Milk Publicity Campaign by Governor Lehman.

Commissioner of Agriculture H. V. Noyes will receive bids from advertising agencies to utilize an appropriation of $262,000 for broadcasting and film ideas. Proposals must be received before midnight, April 5.

WOR to Open Early For News Program

(Continued from page 1)

of Johnnie Johnston, publicity director of the station, that listener interest in news is at one of its highest levels at the opening and closing of the day's broadcasting.

The news periods will begin as sustaining spots, with sponsorship indicated for the near future.

WOW Adds 7 Contracts

Omaha, April 1.—The "Business is good" sign has been hung out at WOW with seven new contracts signed by H. O. Peterson, local sales manager. Deals include four food shows.

The new business includes: "Corntussle News," 15-minute daily transcribed show, sponsored by P. F. Petersen Bakers, placed by Earl Allen Co.; "Man on the Street," 15-minutes daily, sponsored by Iten-Barmettler Biscuit Co., placed direct; "Junior Roundtable," 15-minute once-a-week show, sponsored by Uncle Sam's Breakfast Food; "Musical Clock," half hour daily, Paxton & Gallagher Co., placed by Buchanan & Thomas; Rosicrucians Society, 52-week contract for quarter-hour weekly.

Rename Crosley Officers

Cincinnati, April 1.—The present officers and directors of the Crosley Radio Corp. were reelected at the annual meeting of the stockholders.

Officers are: Powel Crosley, Jr., president and treasurer; L. K. Kellogg, secretary and assistant treasurer, and the following vice-presidents: Lewis M. Crosley, Powel Crosley, III, James D. Shouse, Robert G. Jennings, Charles Sawyer, James P. Rogers and Charles D'Olive.

These officers and James M. Heekin, J. A. Barnard and R. A. Field compose the board of directors.

Wildman to Katz Agency

Nat C. Wildman has joined the Joseph Katz advertising agency as vice-president of the New York office. He was formerly an executive with a drug company.

Close Deal with WHN

Alka-dent Products Co. has entered into a four-week contract with WHN for spot announcements to start April 4. Ruthrauff & Ryan is the agency.

Gets Post with Ayer

J. P. H. Johnson has been appointed editor of the Ayer Directory of Newspapers and Periodicals, published by N. W. Ayer & Son, Inc.

Radio Personals

John J. Anthony of the "Original Good Will Hour" will receive the Pilot Radio Award on the program this Sunday . . . Beginning Saturday, Jimmy Dorsey's orchestra will be heard a third time each week over Mutual, and twice over CBS . . . Judy Garland will be back on the "Good News" show next Thursday.

* * *

Truman Bradley, the announcer, has been tested for pictures by M-G-M. . . . Terry La Franconi returned from Miami yesterday and will open at the park Plaza in St. Louis next week. . . . Pauline Swanson and Tom Fizdale left for Chicago yesterday.

* * *

Hollywood

Oscar Burke, president of the Manhattan Soap Co., has returned east following arrangements here with the Milton Weinberg Advertising Co., to expand the radio activities of Commentator Thomas Conrad Sawyer to 18 of the major cities of the United States via transcription . . . Sawyer's current KNX program Friday afternoons has been extended to a twice weekly schedule, starting April 12, and his pact renewed for 39 weeks . . . Nick Harris, the detective, is snickering at fifth and 10th anniversaries of working for radio. Without any fuss, he has celebrated his 15th year on KFI-KECA.

Childs Starts Program

Childs Restaurants has begun sponsorship of John B. Gambling's "Musical Gym Clock" over WOR, 7:15 to 8 A.M., three times weekly. This augments the present newspaper campaign, which will be increased. Blackett-Sample-Hummert is the agency.

Des Moines Men Dine

Des Moines, April 1.—The annual banquet of the Des Moines radio service engineers was held yesterday at the Argonne supper club. Paul Loyet, chief engineer of WHO talked on facsmile broadcasting.

Kadderly to Government

Portland, April 1.—Wallace Kadderly, former manager of Oregon's state-owned radio station on the Oregon State college campus at Corvallis, has recently been made head of the radio service in the U. S. Department of Agriculture.

Van Winkle Joins WKRC

Cincinnati, April 1.—Walter Van Winkle, baseball coach at University of Cincinnati, will join WKRC, local CBS outlet, as sports commentator April 4.

Arnold on Lux Program

Hollywood, April 1.—Edward Arnold will serve as producer of the Lux "Radio Theatre" pending the return of Cecil B. De Mille, now convalescing from an operation.

Gray on WBBM Program

Pensacola, Fla., April 1.—John G. Gray, formerly connected with WBBM, Chicago, has been named program director of WCOA by Henry Wells, general manager.

Trade Body Bans Ad On Fireproof Scree

Washington, April 1.—Issuance c a formal complaint, charging Sales-on Sound Corp. of New York, with unfai methods of competition in the sale o theatre equipment, in violation of th Federal Trade Commission Act, wa announced today by the Federal Trad Commission.

The company, engaged in the [illegible] screens in the U. S. and abro alleged by the commission, in advertising in circulars and catalogs, wit representing that certain sound screen were flame-proof and of top quality whereas in fact, according to scientifi authority, they were neither.

J. A. Tanney, president of Sales-on Sound Corp., said yesterday that th matter has been pending about tw years and that the company filed stipulation agreeing to discontinue th "flame-proof" description more than year ago. He said further tha S-O-S is merely a distributor of th screens and relied on manufacturers statements as to their qualities.

There was no intent to defraud, he said, and while the company is willing to file another stipulation concerning the advertising, it will contest the allegation of fraudulent intent. The complaint resulted from a controversy in the trade over the meaning and origin of the descriptions complained of, which are considered to be ambiguous, he said, and he expressed the opinion that the F. C. C. ruling will apply to similar advertising by other companies.

Oscar Strauss Sued

A $20,000 suit against Oscar Strauss was revealed yesterday in N. Y. Supreme Court when Select Theatres Corp., the plaintiff, filed application to examine Strauss before trial. Select brought suit as assignee of Jacob J. Shubert, charging that Strauss breached a contract in which he granted exclusive rights to Shubert to present "Marietta" for five years in the United States and Canada. Select alleged that at the time when Strauss sought to grant the rights to Shubert, Les Editions Salabert and not he was the true owner.

Musart Sets Product

Musart Film Producers, Inc., will make two musical features, the first, "Life of Tschaikovsky," to go into production in May under the direction of R. E. Von Allen, and featuring a 120-piece symphonic orchestra. Michael J. Gann, president of the company, also said that production on the series of musical shorts based on Russian and Gypsy Folk songs will start this summer.

Chas. Starrett Injured

Hollywood, April 1.—Charles Starrett today was kicked by a horse and seriously injured while working on Columbia's "Swingtime." The accident occurred on the Morrison ranch near Agoura. Starrett was taken to the hospital unconscious.

Maguire Pact Approved

Hollywood, April 1.—Mary Maguire, young Australian actress, appeared in court today and heard legal approval of her new contract with 20th Century-Fox.

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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 77 NEW YORK, MONDAY, APRIL 4, 1938 TEN CENTS

cademy May xtend Scope To Air Talent

ledhill Studying Ways of Aiding Industry

By VANCE KING

Hollywood, April 3.—The Acade- y of Motion Picture Arts and iences may broaden its service ac- ities to include radio.

The plan is to service the radio dustry in the same manner as the m industry with the publication of hievement reference records and sting directories.

Leaders of the Academy are mak- g a survey of the need for radio hievement reference keeping, such those made by the Academy for m producers, writers and directors d the Academy casting directory, hich contains photographs of play- s, their telephone numbers and their gents.

Extending the casting directory idea rther, Academy officers are study-

(Continued on page 8)

Additional developments in radio yesterday on page 8.

Irene Kuhn Joins Staff of the Daily

Motion Picture Daily **announces the appointment of Irene Kuhn to its editorial staff, effective today.**

Irene Kuhn is the author of the current best-seller, "Assigned to Adventure," a chronicle of her 18 years' newspaper experience in Europe, the Orient, Hawaii and the United States. She had been a member of the editorial staffs of the New York *Mirror*, the *News* and the *World-Telegram* and a contributor to magazines and newspaper syndicates.

During her newspaper work here and abroad she followed motion pictures as a special interest. For two and one-half years she engaged in scenario writing in Hollywood. While on the staff of the *World-Telegram* in New York she covered motion pictures, radio and stage personalities and went to London to do a series of stories on British production.

Paramount Cash on Hand Increases to $12,000,000

With consolidated cash and marketable securities of approximately $12,000,000 now on hand, the cash position of Paramount Pictures, Inc., is better currently than it has been at any time during the past year, Stanton Griffis, chairman of the executive committee, stated yesterday. Cash at this time a year ago amounted to $10,782,171.

An improvement in the company's current cash position amounting to approximately $3,500,000 has been recorded since last September, Griffis reported. The current improved cash position is after the payment last Friday of the first quarter dividends on the company's six per cent first and second preferred stocks, amounting to $300,000. The results noted are credited to fiscal planning and the revision of general operations to contend with lower theatre receipts which have prevailed for some months past.

Taking cognizance of current reports, Griffis said that no executive changes are contemplated in Paramount, either at the studio or in the home office. The terms of all members of the board of directors expire in June, necessitating the election of 15 directors at the annual meeting, which is set by the company's bylaws for June 21. Indications are that all or most of the present directorate will be reelected.

Union Pact to Tip Exchange Cost Heavily

An increase of approximately $400,000 a year in exchange operating costs for the eight major companies is estimated by a distributor home office official on the basis of the contracts in effect with the Film Exchange Employes' Union. A basic agreement implementing the local pacts is soon to be ratified by the film companies and George E. Browne, president of the I.A.T.S.E.

The estimate of costs, made by an executive who attended the protracted conferences, is calculated on the employment of 3,000 persons in the

(Continued on page 5)

KRS Refutes CEA Views on Grading

By AUBREY FLANAGAN

London, April 3.—The Cinematograph Exhibitors' Association officially has been notified by the Kinematograph Renters' Society (distributors) of the distribution organization's inflexible refusal to agree to the views of the exhibitors relative to the proposal of the distributors that features be graded by them.

The C.E.A. will hold another meeting on Tuesday to discuss the position of the organization in the matter. An open fight is threatened between the two major trade organizations over the situation.

Myers Calm on Kent Claim of Rent Increase

Washington, April 3.—Abram F. Meyers, chairman of Allied States Association, asserts in a letter sent to Sidney R. Kent, president of 20th Century-Fox, made public on Saturday, that Allied leaders "have not been greatly concerned by the claims that the Neely bill would disturb or destroy the price structure of the industry because it would entail pricing on the basis of groups less than the total block."

One of Kent's principal contentions, in his opposition to the Neely bill, has been that the measure would force

(Continued on page 5)

Sale of Cochrane's Stock Is Set Back

Negotiations for the purchase of several syndicates of R. H. Cochrane's stock holdings in Universal Pictures have been delayed indefinitely because of prevailing conditions in the securities market, a spokesman for one of several syndicates formed to negotiate a purchase stated on Saturday.

Cochrane returned to New York late last week from a vacation in Arizona. He is now reported to be studying several proposals which have been submitted to him for resuming activities in this industry and allied fields. It is also said that he may return to advertising agency work in association with his brother, P. D. Cochrane.

Name Dembow To Executive Post in F & M

Acquires Interest; Also Made Vice-President

Sam Dembow, Jr.

Sam Dembow, Jr., on Saturday left his post as general manager of National Screen Service Corp. and will start today as a vice-president of Fanchon & Marco in executive charge of contact with film companies and the industry generally. He has acquired an interest in F. & M.

It was announced at the same time that Harry Koplar, for many years prominent in St. Louis theatre operations, has severed his connection with the company and that his stock interest in the St. Louis group of theatres

(Continued on page 5)

Expect 20th-Fox to Continue G.B. Deal

Indications at present are that 20th Century-Fox will continue to handle physical distribution of GB pictures next season on the same basis as it is now doing.

Arthur Lee, GB managing director, stated Saturday on his return from a visit to coast and western sales representatives that the company's sales and collections in those areas were showing definite improvement. He anticipates the release of 24 features during 1938-'39, or about eight more than are scheduled for release this season.

Lee plans to leave for London at the end of the month to discuss new season's plans with Gaumont British officials.

Inform 20th-Fox Men Of Record Ad Budget

Kansas City, April 3.—The largest promotion budget in the history of the company yesterday was announced to the 20th Century-Fox convention by Charles E. McCarthy, advertising and publicity director. The campaigns will cover special handling of big pictures and will include pre-re-

(Continued on page 2)

◂ Purely Personal ▸

SAM D. COCALIS, independent circuit operator, is en route to Athens, Greece, for a visit with relatives. He is expected back in May and may bring back his two children who have been visiting there.

•

Si Seadler, M-G-M advertising manager, is expected to return April 11 from the coast. He will arrive at the studio today from B-Bar-H ranch at Garnet, Cal., where he has been vacationing.

•

Fred Quimby, head of M-G-M's short subject sales, is scheduled to arrive here in about three weeks to complete details for the new program. He is now resting in Arizona.

•

Nicholas M. and Mrs. **Schenck** are due Wednesday from Florida where they spent three months, mostly at their home in Miami Beach.

•

Dick Walsh, I.A.T.S.E., vice-president, has been conferring on union matters in the field and is due back today.

•

Leslie and Mrs. **Banks** and **Lucrezia Bori** are aboard the eastbound *Bremen*.

•

. . . Detroit

Mac Krim has returned from Florida and his brother, **Sol**, partner in the Krim Circuit, has left for a few weeks at Miami.

Irving and **Adolph Goldberg** of the Komer-Goldberg Circuit, who have been on the coast for some time, have returned.

Sixteen New Films Approved by Legion

All of the 16 new pictures reviewed and classified for the current week by the National Legion of Decency have been approved, nine for general patronage and seven for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Arson Gang Busters," "The Feud Maker," "Goodbye, Broadway," "Lone Wolf in Paris," "Nobleza Baturra" (Spanish), "Over the Wall," "Rawhide," "Seine Tochter ist der Peter" (German), "A Trip to Paris." Class A-2, Unobjectionable for Adults—"Fools for Scandal," "King of the Newsboys," "Law of the Underworld," "Mr. Moto's Gamble," "Port of the Seven Seas," "Storm in a Teacup," "Walking Down Broadway."

Quits Review Writing

Pittsburgh, April 3.—Florence Fisher Parry, film critic and columnist for the *Pittsburgh Press*, is no longer doing screen reviews, confining herself to the writing of her daily column, "I Dare Say."

Muni to Sign New Pact

Hollywood, April 3.—Paul Muni will sign a new long term contract with Warners in a few days, abandoning his previous intention of performing only on a free-lance basis.

Insiders' Outlook

LONDON insiders pass along to this department some gossip in Wardour Street that the patent infringement suit against Western Electric and RCA, which was filed in Federal court at Wilmington, Del., in January, by the Gaumont British wholly owned subsidiary, British Acoustics Films, Ltd., has more to do with coloration (of the right kind) of a distressed financial picture than with serious litigation. The chatter points out that no harm is done, especially in times like these, by the addition of $10,000,000 to $20,000,000 of contingent assets to a financial statement even though it is based upon as nebulous a foundation as an unadjudicated damage claim. Figures like that can cast a lot of sunshine on an otherwise beclouded financial picture.

▼

However that may be, Western Electric officials here state flatly that "this is one damage suit which we will not settle." A reply to the British company's complaint making general denials of all allegations will be filed by the defendants in the near future and the case will be left to British Acoustics Films to prosecute, it was said.

This, in itself, is a significant deviation from Western Electric policy of the past year which has been to settle or otherwise dispose of all actions for damages based on alleged infringement of sound equipment patents and other legal actions arising from equipment licensing and royalty collections. The policy is an integral part of A. T. & T.'s decision to separate itself and subsidiaries from all direct ties with the theatre industry, an objective which already has been virtually attained.

The British company's action alleges that devices utilized in Western Electric and RCA equipment for feeding film through the sound head at a constant speed infringe on patents owned by Acoustics Films, Ltd. Potential damages are estimated at between $10,000,000 and $20,000,000.

▼ ▼

There is no likelihood of distributor action on the M. P. T. O. A. 10-point plan of industry self-regulation, or on any other proposal for arbitration or conciliation of industry disputes at this time. The reason: Executive opinion leans toward the view that action at this time might be misinterpreted in Congressional circles as an evasive makeshift and thereby influence support for the Neely-Pettengill Bill.

Moreover, if that bill were to be enacted during the present session any self-regulatory machinery which antedated it would, of course, be rendered useless.

However, there are numerous official indications to be had that distributors will take up the subject of adjustment of trade disputes with exhibitors promptly after the adjournment of Congress and that favorable action may be expected.

▼ ▼

That new booking bill introduced in the House last week by Representative Edmiston of West Virginia was a bit of strategy — presumably Allied — it turns out, because Representative Pettengill will retire from Congress at the end of this session.

For years the booking bill has been known as the Neely-Pettengill bill. Hereafter, if it fails to pass at this session, it will be called the Neely-Edmiston bill.

Grand National to Add Many Salesmen

Grand National this week will add 50 to 60 salesmen in preparation for the selling of the product which will go into release now and which will be released during May, June and July. Grand National branch managers in the 29 exchanges throughout the country have been instructed to take on the additional salesmen this week, according to home office officials.

Crowd at ITOA Ball

About 800 persons attended the fifth annual "movie ball" of the I.T.O.A. at the Hotel Astor Saturday night. The local industry was well represented, all major companies having reserved boxes. Pathe News cameramen were on hand to take pictures of the presentation of awards by Eddie Cantor in the "best films and stars" poll conducted by the *Daily Mirror* in conjunction with metropolitan theatres.

Inform 20th-Fox Men Of Record Ad Budget

(*Continued from page* 1)

lease showings in selected spots with buildups similar to that of roadshows.

The company, it was said, has not changed its attitude on radio promotion or radio appearance of stars with picture tieins.

John D. Clark further detailed sales plans Saturday morning. Others who talked here were: Walter Hutchinson, foreign manager; William Gehring, William Kupper, Herman Wobber, Harry Brand and Charles Mayer of Batavia, who traveled farthest to get here and who now is on his way to Hollywood for a vacation.

Edward Lomba, who will be the foreign Kent Drive manager, and Jim O'Loghlin, Kent Drive manager, presented prizes at a banquet Friday night.

The convention ended with a luncheon at noon today.

Clark is due in New York on Monday morning.

Another Short Delay Coming on RKO Plan

Another brief adjournment of th hearing on the RKO reorganizatio plan, scheduled for today before Federal Judge William Bondy, will be requested by counsel for Atlas Corp. proponent of the plan, it was state on Saturday.

Judge Bondy advised counsel at th last scheduled hearing two week[illegible] that if the reorganizers were no[illegible] pared to proceed with the hearing today the court would be disposed t grant no more than a one-week adjournment and that thereafter, adjournments would be for progressivel shorter periods.

The necessity of petitioning anothe adjournment is due to the fact that the reorganizers have not yet reached an agreement with all of the primary creditor and security holders groups on amendments to the reorganization plan which are in process of negotiation. Although amendments affecting some of the larger secured and unsecured creditors have been substantially approved, indications on Saturday were that representatives of RKO stockholders have not agreed with the reorganizers yet on the modified provisions for the exchange of the present stock for new. Moreover, prevailing market conditions are regarded as a serious obstacle to the feasibility of the amended plan's provisions for making available approximately $5,000,000 of new cash to the reorganized company.

Warner Denver Shifts

Denver, April 3.—Paul Gundy heads ad sales at the Warner exchange here, succeeding M. R. Austin, now in the booking department.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, *Editor-in-Chief and Publisher;* J. M. JERAULD, *Managing Editor;* JAMES A. CRON, *Advertising Manager.* EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone, Thomas Fitzsimmons, Sherwin A. Kane, Irene Kuhn, Joseph Priore.

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Subscription rates per year $6 in the Americas, and foreign $12. Single copies: 10 cents.

DU PONT

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BETTER THINGS for BETTER LIVING through CHEMISTRY

New Producing Firm Is Organized Here

Production of "exploitation" pictures is planned by Pictures Corp. of America, which has been organized to produce features in the east.

Ira Greene, head of Continental Film Industries, which finances independent producers, is president of the new company. Victor Halperin, whose pictures have been released by major companies, is vice-president in charge of production and J. Burgi Contner, president of Motion Picture Supply Co., is secretary-treasurer.

Production will be at Film Art Studios here, formerly known as the Edison Studios, which were recently modernized. The company's headquarters will be at 723 Seventh Ave. Distribution will be on a states right basis. Budd Getschal is handling advertising and publicity.

Civic Repertory Going

Demolition of the famous Civic Repertory Theatre on 14th St. will begin today. At one time, when the amusement center of the city was located downtown, the theatre featured Edwin Booth and John M. Haverly and his minstrels. Later, in 1926 Eva Le Gallienne leased the property. It is reported that a modern film theatre will rise on the site.

Omaha Women Rate Film

OMAHA, April 3. — Films being shown here are being classified by a committee of the Omaha Council of Federated Church Women, just appointed. The group will rate films as to suitability for adults or children and will publish ratings in a local shopping guide distributed free over the city.

Form Theatre Companies

DOVER, Del., April 3.—New Mexico Theatres, Inc., has been formed here, listing capital stock of 1,000 shares, no par value. Griffith Arizona Theatres, Inc., has been formed with a capital of 2,000 shares, no par value.

Wall Street

All on Board Gain

	Open	High	Low	Close	Net Change
Col.	9¾	9⅞	9¾	9⅞	+ ⅛
Col., pfd.,..	29	29	29	29	+1½
Cons.	1⅛	1⅛	1⅛	1⅛	.....
Cons., pfd..	4⅞	5¼	4⅞	5¼	+ ⅝
E. K..	127½	129¾	127½	129¾	+3¾
E. K., pfd..	167	167	167	167	+2
G. T. E.....	9⅝	9¾	9⅝	9¾	+ ¼
Loew	35¼	36½	35¾	36⅜	+1¼
Loew, pfd...	104	104	104	104	.....
Para.	6⅝	7⅛	6⅝	7	+ ⅝
Para. 1.....	70	70	70	70	+2
Para. 2.....	8	8	7⅝	7⅝	+ ¼
Pathe	4⅛	4⅛	4	4	+ ⅜
R. K. O....	2½	3	2½	3	+ ⅝
20th Fox....	17¾	18¼	17¾	18¼	+ ¾
20th pfd.....	26½	27	26½	27	+ ½
W. B.......	4⅛	4⅝	4⅛	4⅝	+ ⅝

Curb Up Slightly

	Open	High	Low	Close	Net Change
G. N........	5/16	5/16	5/16	5/16	.....
Technicolor.	16	16¼	16	16⅛	+ ⅝
Trans-Lux..	2½	2½	2½	2½	+ ¼

Little Bond Movement

	High	Low	Close	Net Change
Keith 6s '46.......	81	81	81	— ½
Paramount Broadway 3s '55.......	57	57	57	+ ⅛

(Quotations at close of April 2.)

Hollywood Previews

"Penrod's Double Trouble"

(*Warners*)

HOLLYWOOD, April 3.—"Penrod's Double Trouble," a story about youngsters, played by youngsters with Billy and Bobby Mauch the principal figures, is a picture primarily for youngsters in and below the "teen" ages. The play, in which are combined elements of comedy, puppy love romance, excitement, melodrama and suspense, is done naturally. Under Lewis Seiler's thoughtful direction, the Mauch twins and their cohorts go about their work as average, everyday boys would were they acting out the show in the back yard. Consequently the picture should be a good attraction for kid matinees and all family patronage.

Because of a prank played on Jackie Morrow (Rodney Bitts), Billy Mauch (Penrod) is forbidden to go to a carnival. He goes anyway and hides in a captive balloon which is permitted to escape. Although lost and feared dead, a reward for his return is posted by Jackie's father, Charles Halton, and Billy's, Gene Lockhart. This brings into the picture a pair of conniving rival show owners, Hugh O'Connell and Dick Purcell, who have a Bobby who looks exactly like Billy, to attempt to palm him off as the missing boy and claim the reward. But Billy lands safely and makes his way home, only to be captured and held by O'Connell and Purcell. However, as Bobby begins to understand the deception, he teams up with Billy and the pair, with the aid of the "Juvenile G Men," affect the capture and imprisonment of the kidnappers. When Billy is returned home, Bobby is adopted by Gene and Katherine Lockhart.

Using the famous Booth Tarkington characters, the original screenplay by Crane Wilber and Ernest Booth combines plenty of exciting action with a minimum of dialogue. Showmen have plenty of available exploitation material with which to fire the interests of kids in the same ages as the Mauch boys.

Running time, 60 minutes. "G."

"State Police"

(*Universal*)

HOLLYWOOD, April 3.—Against the sometimes topical subject of Pennsylvania bootleg coal mine racketeering with its consequent violence and murder, "State Police" tells a story of melodramatic heroics. There isn't much romance or comedy in the piece, but what there is of both serves the purpose of contrasting the he-man action. Mainly featuring a group of younger Universal players, with only one woman, Constance Moore, in the cast, but with a sprinkling of veteran performers to help with their experience, the show is a little slow in getting started, but when it once gets into its main plot it's crowded with excitement which action fans have often demonstrated they understand and appreciate.

Undisciplined William Lundigan continues disobedient when he joins the troopers, culminating his erratic carryings-on when, despite Sergeant John King's sensible admonitions, he turns renegade. Meanwhile the racketeers, headed by pseudo respectable Ted Osborne, with Larry Blake as the trigger man, have committed a murder and are cracking down on the honest miners. Situations in which good use is made of suspense threaten explosive consequences when Blake, who has been double-crossed, kills Osborn and the miners threaten to resort to the lynch law. King, however, holds off the mob, as David Oliver kills Blake, until state police arrive to reestablish law and order. King gives credit to Lundigan for the coup and he is rewarded by having a clear field in the race for Miss Moore's favor.

King, Lundigan and Oliver turn in good jobs, with Blake and Osborn being particularly effective. Miss Moore's work is of minor importance, and the veterans, J. Farrell McDonald, Pierre Watkin, Guy Usher, Charles Wilson and Sam Flint, are in pitching whenever called upon. George Waggner wrote the original screenplay and John Rawlins directed.

Running time, 60 minutes. "G."

Milwaukee Theatres Face Zoning Problem

MILWAUKEE, April 3.—Zoning and clearance again has become a subject of discussion among Milwaukee exhibitors in view of availability being granted downtown subsequent houses by rival circuits.

One meeting of exhibitors, exchange managers and bookers has already been held to agree upon definite availability rules under the zoning and clearance schedule, but the downtown subsequent house situation still remains in a tangle.

Exhibitors hope that a representative committee will be able to straighten out the dispute so that all exchanges and exhibitors will have a definite understanding concerning availability features of the current schedule.

Roper, McAdoo Will Speak Before SMPE

Daniel C. Roper, Secretary of Commerce; Senator William G. McAdo of California, and Col. Dan I. Sultan, Engineer Commissioner for th District of Columbia, will address th members of the Society of Motion Picture Engineers at the luncheon o April 25, during the organization' annual spring convention, to b at the Wardman Park Hot Washington.

The meeting will occupy four days starting Monday, April 25. One o the chief speakers at the semi-annual banquet will be Dr. C. E. Kenneth Mees, vice-president in charge of research for Eastman Kodak Co. The arrangements for the luncheon were in the hands of Nate Golden, chief of the Motion Picture Division of the Department of Commerce.

Milwaukee Delaying On Bank Night Ban

MILWAUKEE, April 3.—Both Chief of Police Joseph T. Kluchesky and District Attorney Herbert J. Steffes have declared their desire to study the opinion of Attorney General Orland S. Loomis holding theatre Bank Nights illegal lotteries before taking action on the theatres visited by the police in January for evidence.

While Loomis' opinion to District Attorney Harold Dakin of Jefferson County referred specifically to Bank Night, it is believed that it also covers Hollywood, Bingo and similar games being used by local and state theatres. Counsel for the various games involved have indicated that they will fight the decision.

K-A-O Directors Are Slated for Renaming

All directors of Keith-Albee-Orpheum Corp. are scheduled to be reelected at the annual meeting of stockholders to be held here April 13.

Under prevailing conditions involving three years of arrears on dividends on the company's preferred stock, holders of those shares are entitled to elect a majority of the directors, while holders of the common are entitled to elect the remainder. M. J. Meehan controls a majority of the preferred stock and RKO a majority of the common.

The meeting is also scheduled to act on a proposal to decrease the company's authorized common shares from 2,000,000 to 1,400,000 shares.

Geza Halmi in Denver

DENVER, April 3. — Geza Halmi, who sold his Royal Theatre in Budapest, has arrived here and expects to reenter the theatre business in this country. He is spending several weeks visiting with his son, Ted, who is publicity director for the Orpheum. The two had not seen each other in 16 years.

Colin C. Taylor Dead

SANTA MONICA, April 3.—Colin Campbell Taylor, actor, director and playwright who retired 20 years ago; is dead of pneumonia here. He was 74 years old. He appeared in silent films and was the author of many stage plays.

yers Calm on Kent Claim of Rent Increase

(*Continued from page 1*)

stributors to sell only completed pic- and those at a substantial rease in cost.

Myers replies that, "It seems to us Allied) that most of the price trans- rmation has been already accom- ished by the distributors in their n interest in comparatively recent ars, because the contracts today ovide for separate price groups less an the entire block. The main dif- rence," Myers contends, "would be at the distributors would have to entify in a binding fashion the pic- res offered and this, it now develops, the main bone of contention."

Asks Simple Synopses

The Allied leader's communication inimizes the difficulties of supplying hibitors with advance synopses of ctures under the Neely bill's pro- sions, difficulties which Kent con- nds are so great that they would rce the sale of completed pictures ly. Myers' contention is that "a orkable outline, made in good faith, d with particular attention paid to alogue and scenes concerning vice, ime, etc., will fill the bill." He serts it to be his belief that dis- ibutors are less afraid of having the iminal penalties of the bill invoked this respect than they are of exhibi- r cancellations resulting from a livered picture being "substantially fferent" from the synopsis supplied advance.

Myers observes in this connection, wever, that if last-minute changes shooting scripts were made in order improve a picture's quality, "and ich is the result," exhibitors would unlikely to cancel it because of the eparture. He adds that, in his opinion, e sum total of cancellations under e Neely bill would be of no moment the industry since, he states, "the nning time in the theatres is not oing to be curtailed and the exhibi- rs must have pictures." The pictures, yers says, must be supplied from the ame sources—"at least, until new istributing organizations enter the eld."

Comments on "Viciousness"

Replying to Kent's characterization the Neely bill as a "vicious" mea- ure, Myers reviews sales practices hich he views as "vicious" and vers the Neely bill would remedy, nplying that like begets like.

Admitting that he has received pay r his Allied work, Myers observes at the independent exhibitors have a ght "to retain a lawyer" and implies at his position in relation to the xhibitor is comparable to that of the .P.P.D.A. to the distributor.

Answering Kent's assertion that he elieved Myers did not desire the abo- tion of block booking because the llied leader's record showed him to e an advocate of the maintenance of holesale prices for films bought in locks, Myers admits the accuracy of he statement in asserting that he is pposed only to "compulsory" block ooking.

"I am not against selling and buying in wholesale lots," Myers writes, "so long as the exhibitors in buying can exercise a free and informed discretion."

The familiar Allied contention that block booking leaves the exhibitor with no choice in the showing of morally objectionable pictures is repeated by Myers in support of the Neely bill's vaunted aid to community freedom in the selection of films. No mention is made of improvements registered under the Production Code Administration nor of the established right of cancellation of pictures on moral grounds.

Myers concludes with the statement that he is "very sorry that our interchange has gotten so far away from facts and principles and has concerned itself so much with personalities and innuendoes," but adds that he hopes Kent will some day "lead a successful movement to bring all factions and branches of the industry into harmony to correct existing abuses and evils and restore confidence, and to erect machinery for the adjustment of intra-industry differences which would make 'self-regulation' an actuality and not an empty phrase."

Two Daily Papers Attack Neely Bill

Two sharp newspaper criticisms of the Neely block booking bill have been issued within the past few days, one an unsigned editorial in the Lincoln *Journal-Star* and the other a comment by Florence Fisher Parry, who conducts a column in the *Pittsburgh Press.*

"Leave Block Booking Alone"

LINCOLN, April 3. — "Better we leave block booking alone," says the Lincoln *Journal-Star* in an editorial, which follows: "Cry of the censor groups for years has been the need for outlawing block booking and blind selling of motion pictures. The Senate's Neely bill asks that a complete synopsis, development of gags and sequences be submitted on the annual contract, so the exhibitor can know what kind of film he's buying. Any one with an ounce of familiarity with motion picture production knows how silly and impractical this is—just like asking as nebulous a thing as Broadway to tell in August the play names, dialogues and stars to be presented from that time until August comes again.

"The trouble with the movie industry today is not block booking and blind selling driving quality down, but the demand from the squealing public for two and three features for which they refuse to pay more than 10 or 15 cents."

Calls Bill "Preposterous"

PITTSBURGH, April 3.—Calling the Neely bill "preposterous," Florence Fisher Parry, writing in the *Pittsburgh Press,* comments on the legislation as follows: "That means closing down the industry. It can't function without block booking. It can't produce pictures and it can't distribute them without this system of wholesale selling. Every other major industry employs it. It sells its goods in bulk. The more goods it sells, the more cheaply it can sell it. This is the very structure of buying and selling.

"The bill simply doesn't hold water. It leaks like a sieve."

Union Pact to Tip Exchange Cost Heavily

(*Continued from page 1*)

"back rooms" of the eight companies' film exchanges in 31 distribution cities. John Gatelee, New England organizer, who has been representing the I.A.T.S.E. in the negotiations, has estimated the total employment as between 4,500 and 5,000. On this basis the increased cost would be about $500,000 a year, figuring wage increases provided in the local agreements.

About 80 per cent of the employes involved are inspectors and inspectresses, it was said, and others are shippers and poster clerks. Wage increases were not granted in all instances, chief benefits going to the lower-salaried workers.

The basic agreement is expected to be ratified within two weeks, after a meeting of exchange operations heads and I.A.T.S.E. representatives in New York at which a proof of the printed form will be read for possible adjustment. A proof of the contract has been sent to the I.A.T.S.E. for inspection. It sets up the machinery under which the local unions will operate and, among other things, provides for a 40-hour week.

Opens Baltimore House

BALTIMORE, April 3.—Morris Shapiro has opened his new Radio Theatre, all done in the modern manner, for colored people. It contains 750 seats.

Name Dembow To Executive Post in F & M

(*Continued from page 1*)

operated by F. & M. has been acquired by the company.

Dembow was with National Screen about three years. Previous to this connection he was executive vice-president of Publix Theatres and a director of the parent Paramount company. John F. Bannan, associated with him the past 10 years, will accompany him to F. & M. as assistant.

Jack Partington, president of F. & M., says that no immediate expansion in the east is planned as a result of Dembow's joining the company. The company is, however, adding more theatres and now operates about 60 houses, 32 of which are in St. Louis. In addition to Partington and Dembow, the executive roster includes Harry Arthur, who manages the Roxy and the St. Louis houses, and Marco Wolff, better known as Mike Marco, heading west coast operations.

Dembow will also be a member of the board. He has been in the business 25 years, starting as salesman for Fox in 1913. He later became assistant general sales manager for that company. His affiliations thereafter were with Goldwyn Pictures as west coast district manager, R. L. Rothschild Theatres in San Francisco in which Paramount had a minority interest, and buyer and booker for the Paramount circuit, eventually heading all Publix operations.

Melvyn DOUGLAS has Joan BLONDELL!

There's Always a Woman

New York's grandest spring tonic will be uncorked with a bang at the Radio City Music Hall on April 28th!

A COLUMBIA PICTURE

A practical working tool for every projectionist

Revised Sixth Edition

F. H. RICHARDSON'S BLUEBOOK OF PROJECTION

The sixth edition of F. H. Richardson's Bluebook is now in its second printing, for which it has been extensively revised. In addition to revisions in text, it contains a supplementary chapter devoted to developments which have become important in projection room technique and servicing methods since the first printing.

The revised edition includes 736 pages of up-to-the-minute text, charts and data with detailed description of assembly, wiring and functioning of all modern sound and projection apparatus. It is a practical "trouble shooter," cross indexed for immediate reference in any projection room emergency.

$6.25 Postpaid

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GENTLEMEN:
Please send me F. H. RICHARDSON'S BLUEBOOK OF PROJECTION. (Revised Sixth Edition.) Enclosed find remittance of $6.25.

NAME ....

ADDRESS ....

CITY ....

STATE ....

Lent Hits Key City Takes; Latest Total $1,418,494

Lent has hit key city first run grosses with cumulative effect. For the first week of Lent the total take for 144 houses in 23 cities was $1,521,797, a drop of $60,488 from the peak of $1,582,285 reached the previous week when a number of big pictures began to click nationally.

During the second week of Lent, the theatre week ending March 11-12, the total was $1,485,345, a further decline of $36,452. The decrease was still greater for the week ending March 18-19 when the total fell off another $41,947 to $1,443,398. Last week the total was $1,418,494.

The decline was not uniform, as strong releases in Boston, Detroit, Los Angeles, New York, Oklahoma City, Philadelphia, San Francisco and Seattle kept the totals up in those spots.

Estimated takings for the latest available periods:

	Week Ending March 18-19		*Week Ending March 25-26*	
	No. Theatres	***Gross***	***No. Theatres***	***Gross***
Boston	7	$94,000	7	$85,000
Buffalo	5	52,200	5	44,700
Chicago	8	128,000	8	135,000
Cincinnati	8	54,700	8	59,700
Cleveland	5	49,380	5	46,000
Denver	7	36,500	7	38,500
Detroit	6	80,400	6	75,800
Indianapolis	5	28,000	5	34,500
Kansas City	5	41,400	5	39,700
Los Angeles	11	113,535	11	104,761
Milwaukee	5	24,800	5	31,300
Minneapolis	5	27,900	5	29,400
Montreal	5	38,500	5	35,500
New Haven	7	19,100	4	26,600
New York	9	232,133	9	231,833
Oklahoma City	6	22,550	5	15,300
Omaha	3	28,500	3	24,700
Philadelphia	10	109,800	10	102,200
Pittsburgh	5	47,250	5	51,900
San Francisco	9	93,400	9	88,400
St. Paul	4	15,400	4	10,700
Seattle	7	44,750	7	34,100
Washington	6	61,200	6	72,800
	145	$1,443,398	144	$1,418,494

Key city grosses up to the week ending March 25-26.

Week Ending	***No. Theatres***	***Gross***
Sept. 3- 4, 1937	142	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Oct. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682
Nov. 5- 6	147	1,510,291
Nov. 12-13	151	1,519,420
Nov. 19-20	152	1,544,974
Nov. 26-27	138	1,419,301
Dec. 3- 4	136	1,612,773
Dec. 10-11	137	1,300,818
Dec. 17-18	137	1,193,642
Dec. 24-25	136	1,076,657
Dec. 31-Jan. 1, 1938....................	136	1,597,409
Jan. 7- 8	150	1,852,759
Jan. 14-15	145	1,482,955
Jan. 21-22	149	1,535,087
Jan. 28-29	147	1,528,720
Feb. 4- 5	147	1,593,065
Feb. 11-12	149	1,519,866
Feb. 18-19	149	1,520,357
Feb. 25-26	145	1,582,285
Mar. 4- 5	144	1,521,797
Mar. 11-12	144	1,485,345
Mar. 18-19	145	1,443,398
Mar. 25-26	144	1,418,494

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E. V. Dinerman a Father

CINCINNATI, April 3.—A daughter, their first child, was born to Mr. and Mrs. E. V. Dinerman at the Good Samaritan Hospital late last week. Dinerman is regional director of advertising and publicity RKO Midwest.

Meyerson Transferred

BOSTON, April 3.—Edward Meyerson is now manager of the Davis Square. He succeeds John McConville, who has replaced Groves Burkhardt at the Gayety. The theatres belong to E. M. Loew.

Muni Explains Why He Declined Awar

HOLLYWOOD, April 3.—Paul Mur does not speak to strangers, especiall when the stranger has a package unde his arm, and whispers somethin about "I have an award to give yo that we can get a lot of publicit for."

Muni, arriving in Hollywood afte a five-month tour with Mrs. [illegible] in Europe, expressed amazeme[illegible] his reported refusal to accept a award for his performance in "Th Life of Emile Zola" on the day whe his ship docked in New York las weekend.

So, through the Warners' studi publicity department, he issued statement, telling of his "surprise" that so much fuss was made of th incident.

"Frankly," he said, "I was approached by a man whom I had neve met representing an organization o which I had never heard. Under his arm was tucked a package and in hoarse whispers the man said to me in effect:

"'I have an award here to give you that we can get a lot of publicity for, because the photographers are here.'

"The entire procedure seemed to me to be so uncalled for that I disregarded the stranger and returned to my stateroom."

Oklahoma Newsreels On 16mm Stock Gain

OKLAHOMA CITY, April 3.—MBM Production is producing 16-millimeter newsreels of home town events in several cities in Oklahoma, according to John Miller, who is associated with his brother, Ray Miller, and Jack Merkes in the enterprise. Six crews have been engaged for shooting and developing the reels, according to Miller.

The company furnishes 300 feet of developed film per week to theatres it services, getting 50 per cent of the gross after a certain guarantee has been given, Miller explained.

Theatres in the following Oklahoma cities and towns are reported to be sponsoring the newsreels at the present time: Enid, Blackwell, Sapulpa, Pawnee, Stillwater, Sand Springs, Wewoka, Ada, Norman, Marlow, Anadarko, Shawnee, Ponca City, Lawton, Tulsa and Bartlesville.

The following theatres will begin to be serviced with local newsreels immediately according to Miller: Rex, Elk City; Ritz, Clinton; A-Mus-U, Cordell; Rogue, Erick, and the Rogue, Tipton, and the Capitol in Mangum.

The Griffith Amusement Co., operators of 200 theatres in Oklahoma, Texas and New Mexico, reported that newsreels taken and shown locally are being used in only about half a dozen houses in their circuit.

Start House at Ventnor

ATLANTIC CITY, April 3.—Foundation work has begun for the $90,000 Margate Theatre to be built at Ventnor and Douglass Aves., by P. Mortimer Lewis and George F. Wielland. An artesian well is being drilled also for the air-conditioning plant.

The theatre will be the first in Margate, and neighboring Ventnor has only one, so that residents of those cities now come up the island to Atlantic City for their screen shows.

PRESIDENT ROOSEVELT HAS SHOWN THE WAY

The Victims of Oppression in Germany, Austria, Poland, Rumania and Other Lands Must be Given a New Home! With the Aid of the United Palestine Appeal Some 200,000 Jews Have Been Settled in Palestine Since 1933. Many Thousands of Others Look to the United Palestine Appeal for Help to Enable Them to Escape Persecution.

What Eddie Cantor Has Done, All of US Must Do in a Spirit of Sacrifice

The Problem of Refugee Settlement Demands Immediate and Generous Action

Give Today, Tomorrow May Be Too Late!

READ EDDIE CANTOR'S MESSAGE

LEO SPITZ, CHAIRMAN
AMUSEMENT DIVISION
UNITED PALESTINE APPEAL
NEW YORK CITY

IN THE FACE OF RECENT HAPPENINGS ABROAD IF WE HERE DO NOT SUPPORT OUR STRICKEN BRETHREN THEN WE HAVE NO RIGHT TO ENJOY THE FREEDOM AMERICA HAS GIVEN US. AM MAILING YOU CHECK FOR 1000 DOLLARS.

EDDIE CANTOR

FILL THIS COUPON OUT TODAY

Amusement Division
United Palestine Appeal
111 Fifth Avenue
New York City

I herewith enclose my check for $............ as my contribution to the United Palestine Appeal for the settlement in Palestine of Jews of Germany, Austria, Poland and other lands.

Name ....

Address ....

City ....

HELP THE AMUSEMENT DIVISION DO ITS PART

LEO SPITZ, Chairman **LOUIS NIZER, Associate Chairman**

Academy May Extend Scope To Air Talent

(*Continued from page* 1)

ing the possibility of having a huge library of electrical transcriptions of voices of various radio actors, which would be played over special telephone wires to executives of advertising agencies, networks and stations seeking to cast radio programs.

Donald Gledhill, executive secretary of the organization, is planning to bring the matter to the fore for consideration by the executive board soon, now that the Academy awards event, a success both from the standpoints of finance and avoidance of any factional rifts which have marked some of the prior accolades, is over. Abolition of economic activities, such as seeking or administering working agreements for any craft in the film industry, resulted in the Academy's being given the cooperation of the various crafts groups in the voting of the awards.

Expect Radio Cooperation

With the Academy continuing the policy, there will be nothing but cooperation from radio talent groups in the project, if it materializes, it is felt.

The Academy, since dropping its activities as a representative, collectively, of actors and writers, has broadened its service projects. A quarterly casting directory, for most part financed by the major studios, is issued, and players whose photographs are used are charged a nominal fee. The production, writer and director credit bulletins serve as handy references in every Hollywood executive's office. In addition, the Academy is building up a large library of publications, such as textbooks, non-fiction, trade papers both of America and abroad, dealing with the industry.

The greatest hurdle in the radio project formulated by Gledhill is the possible cost of the enterprise and how it should be apportioned.

Announcers to Begin Talks at WJSV Today

The American Guild of Radio Announcers and Producers will begin bargaining with the management of WJSV in Washington, today, relative to renewing the current contract for announcers and production men there, which expires in July.

A.G.R.A.P. on Saturday completed the first year of its existence. Its accomplishments during this period include 10 contracts at nine stations.

New Series on NBC Blue

"It May Have Happened," a new series of half-hour historical dramas with hypothetical endings will be presented over the NBC-Blue from 8:30 to 9 P. M., every Tuesday, starting tomorrow. The scripts are by Burr Cook.

Takes WNEW Spots

Rialto Fashion Clothes Co. has scheduled 18 spot announcements per week for four weeks over WNEW, starting today. The Wilhelm Advertising Service placed the business.

▶ *Radio Personals* ◀

HERB PETTY, WHN head, will leave for a Jacksonville vacation this week, accompanied by Bill Dolph, manager of WOL, Washington. . . . Rudy Vallee left New York late Saturday by plane for a four-day vacation, returning Thursday for his series. . . . Teddy Powell, the songwriter and arranger for Abe Lyman, has just written a new tune called the "Jitter Bug." . . . Al Simon, publicity director for WHN, will lecture on radio before the alumni of Syracuse in Montclair, N. J., Thursday night. . . . Glenda Farrell and Charles Baum will be Kate Smith's guests Thursday. . . . Al Pearce and Gang will be back in New York tomorrow, following a personal appearance tour.

Joan Edwards and Jimmy Dorsey will be on Paul Whiteman's program Friday. . . . Maureen O'Sullivan and John Beal have been added to the cast of "Good News." . . . Paula Stone will be interviewed on WINS Wednesday. . . . Sax Rohmer will arrive today on the *Queen Mary* to supervise the radio dramatization of a number of his stories. . . . John Lyman Bogert of Benton & Bowles will arrive tomorrow on the *Santa Paula* from a cruise to the West Indies and South America.

Employes at Broadcast

Approximately 750 employes and executives of the Rogers Peet Co. will witness the Gabriel Heatter and Morton Gould programs from the WOR studio Playhouse tomorrow night. Rogers Peet sponsors the Heatter program. Following the programs, short addresses will be made by Rogers Peet executives.

New Shows On the Air

"Original Amateur Hour"

WHN's "Original Amateur Hour," grand daddy of all the programs featuring simon pure talent, began a new cycle Friday evening under the guidance of Jack Waldron. Waldron replaced Col. Jay C. Flippen as the "em cee" of the program.

The show loses none of its effectiveness with Waldron serving. New to the microphone, he nevertheless handled himself and his charges with the sure, confident manner of a veteran.

Talent included the usual variety of standard and novelty acts, ranging from singers to a washboard band and a chap who derived recognizable tunes out of an air inflated rubber glove.

Sponsored by Oxydol, the "Original Amateur Hour" is presented Fridays from 8 to 9 P. M. from the stage of a Loew theatre and broadcast over WHN.

BANNER

KSFO Closes Five Deals

SAN FRANCISCO, April 3.—Five new commercial accounts have been scheduled on KSFO here: United States Products Corp., participation in "Friendly Homemaker" through the Long Advertising Service; participation in the same program by Golden State Co., through N. W. Ayer & Son; announcements for the Goodrich Tire Co., through Ruthrauff & Ryan; announcements for Lever Bros., also through Ruthrauff & Ryan, and Elmer Bros. Nurseries, a five-minute studio program, through the Allied Advertising Agencies.

Current Week's Hearings Are Listed by the F.C.C.

WASHINGTON, April 3.—Hearings on broadcasting applications for the current week have been scheduled by the Federal Communications Commission as follows:

April 4, before an examiner: Applications of WRSP, Inc., for a 1,500-kilocycle station at Wisconsin Rapids, with 100 watts night, 250 watts day, and WDAE, Tampa, for change of frequency from 1,220 to 780 kilocycles.

April 5, before an examiner: Application of Martin Anderson for a 1,500-kilocycle station at Orlando, Fla., with 100 watts night, 250 watts day.

April 6, before an examiner: Applications of R. C. Atwood for a 1,500-kilocycle station at Port Angeles, Wash., with 100 watts night, 250 watts day; and Florida West Coast Broadcasting Co., Inc., for a 1,300-kilocycle, 250-watt station at Clearwater, Fla.

April 7, before the commission: Applications of Burl Vance Hedrick for a 1,340-kilocycle, 1,000-watt day station at Salisbury, N. C.; Gerald A. Travis for a 1,420-kilocycle, 250-watt day station at La Porte, Ind.; KVEC, San Luis Obispo, Cal., for change of frequency from 1,200 to 1,220 kilocycles, and increase of time from day to unlimited; KGAR, Tucson, for change of frequency from 1,370 to 1,340 kilocycles, and increase of night power from 100 to 250 watts, and contesting applications of L. L. Coryell & Son for a 1,450-kilocycle station at Lincoln, with 250 watts night, 1,000 watts day; KFOR, Lincoln, for change of frequency from 1,210 to 1,450 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night, 5,000 watts day, and KCMO, Kansas City, for change of frequency from 1,370 to 1,450 kilocycles and increase of power from 100 to 1,000 watts.

April 7, before an examiner: Application of WTAW, College Station, Tex., for change of time from specified hours to day.

April 8, before an examiner: Applications of the Constitution Publishing Co. for a 1,240-kilocycle station at Atlanta, with 1,000 watts night, 5,000 watts day, and Four Lakes Broadcasting Co. for an 830-kilocycle, 100-watt daytime station at Madison.

May Dates Set for Hearings by F.C.C

WASHINGTON, April 3.—Tentativ dates for examiners' hearings on number of broadcasting application have been set by the Federal Communications Commission, as follows

May 4: Contesting applications o the Continental Radio Co. (Scr[illegible] Howard Radio, Inc.) and [illegible] States Broadcasting Co. for a 1,31[illegible] kilocycle, 100-watt station at Washington, D. C.

May 9: Applications of Monocacy Broadcasting Co. for an 1,140-kilocycle, 250-watt daytime station at Rockville, Md.; Michael J. Mingo for 1,400-kilocycle, 250-watt station at Tacoma, and WSFA, Montgomery Ala., for increase of night power from 500 to 1,000 watts.

May 10: Applications of George H. Payne for a 1,440-kilocycle, 500-watt station at San Jose, Cal., and KFJM, Grand Forks, N. D., for increase of night power from 500 to 1,000 watts.

List Hearings Without Dates

The commission today set for hearing, at dates later to be announced, the applications of F. W. Mayer for a 1,310-kilocycle station at Denver, with 100 watts night, 250 watts day; Kammeraad-Smith Broadcasting Co. for a 1,200-kilocycle, 100-watt station at Holland, Mich.; Citizens Voice & Air Show for a 1,210-kilocycle station at Provo, Utah, with 100 watts night, 250 watts day; Eastern Carolina Broadcasting Co. for a 1,370-kilocycle, 100-watt station at Goldsboro, N. C., and WGTM, Wilson, N. C., for change of frequency from 1,310 to 1,420 kilocycles, increase of time from day to unlimited and increase of day power from 100 to 250 watts.

Set for hearings before the commission were the applications of KOOS, Marshfield, Ore., for increase of night power from 100 to 250 watts, and WMED, Peoria, Ill., for increase of night power from 1,000 to 5,000 watts.

Schudt to Get Post As Chief of WKRC

William A. Schudt, Jr., manager of WBT, the CBS station in Charlotte, will become manager of WKRC in Cincinnati, the new assignment to become effective shortly.

Lincoln Dollar, who has been associated with CBS for a number of years in the Radio Sales office and later in the station relations department, will take Schudt's place at WBT.

John McCormick, now manager of WKRC, will move from Cincinnati to Minneapolis, where he will become assistant to Earl Gammons, general manager of WCCO.

Guyer Heading Korn Agency's Radio Unit

PHILADELPHIA, April 3.—Sandy Guyer, WPEN announcer, has been appointed head of the newly organized radio department of the J. M. Korn agency of Philadelphia.

Guyer will assume his new duties at once and will confine his activities to the new three-hour program of the Nevin Drug Co. He was formerly associated with WIP.

DO NOT REMOVE

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First in
Film and
Radio News
Brief,
Accurate
and
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43. NO. 78 NEW YORK, TUESDAY, APRIL 5, 1938 TEN CENTS

o Study Cost)f High Power t FCC Probe

genda Issued; Hearings To Start May 16

By BERTRAM F. LINZ

ASHINGTON, April 4.—Who will the costs of super-power operation l be one of 16 questions to be con- ered at hearings starting before the deral Communications Commission y 16 it was revealed today with blication by the commission of an enda for the investigation.

alled originally by Commissioner orge H. Payne as a means of mak- station WLW defend its super- wer grant, which has never been blicly studied by the F.C.C., the aring later was expanded to cover applications for super-power and s now been further expanded to ovide for a study of all phases in- lved in proposals to increase the wer limits of clear-channel stations

(Continued on page 9)

Additional developments in radio yesterday on page 9.

oach Shifts "Gang" To Quimby at M-G-M

HOLLYWOOD, April 4.—Under a an evolved by Hal Roach Studios r the making of features such as opper" and "Merrily We Live," oduction of Our Gang comedies will oceed at the M-G-M plant under the rection of Fred Quimby, general anager of short subjects. Roach ll retain his Our Gang contract d will continue his full authority er technicians and other personnel ng associated with the juvenile com- ies.

It is understood here that Roach the near future will announce an pressive schedule of feature produc- n.

elznick Directors Silent on Releasing

HOLLYWOOD, April 4.—The future leasing deal for Selznick Interna- nal pictures following the delivery two more for United Artists may main indefinite for the time being, was indicated today after a meet- g of the Selznick board in an ex- emely confidential session.

Following the close of the confer- ce, John Hay Whitney said that a

(Continued on page 6)

Kent Favors Conference Aimed At Conciliation-Arbitration

Sidney R. Kent, president of 20th Century-Fox, believes that concrete results would come from a conference of exhibitor and distributor representatives on trade practice problems.

Kent recently told *Motion Picture Daily* that the state of his health prevented him from taking the leadership in a move to set up arbitration or conciliation machinery. Yesterday he was asked whether he had changed his decision.

"I have not," he replied, "for the reason that my health would not allow it. I am sure my doctors would not permit it.

"But I am willing to help behind the scenes and give such a move as much time as I can. I am sure, however, that I couldn't go through with another 5-5-5 conference.

"I would like to see such a move started. It's something everyone in the business should support. If someone will step out in front and have everyone sit around the table to talk things over, I think something could be accomplished."

Kent said, in response to a query, that he did not know who would be willing to take the leadership.

May Conclude Dallas Case Arguing Today

WASHINGTON, April 4.—Arguments in the Dallas anti-trust case are due to be concluded before the U. S. Supreme Court tomorrow, with possibilities that a decision may be rendered when the court reconvenes after its April recess, on April 25.

The court, handing down opinions today, again failed to announce its decision in the General Talking Pictures Corp. case, involving license restrictions on sound reproduction equipment. The case now has been before the court for nearly four months, arguments having been heard last December.

The Dallas case is the most important film suit to be brought by the Government since the St. Louis proceedings, and the court's decision will be of great importance to exhibitors throughout the country, since the suit involves the right of a distributor to fix the minimum admission price for subsequent run houses and to ban double features therein under an agreement with a first run licensee.

Trade Complaint on G. N. Picture Issued

WASHINGTON, April 4.—Issuance of a formal complaint charging Grand National Films, Inc., New York, with unfair competition in the sale and distribution of its film, "In His Steps," was announced tonight by the Federal Trade Commission.

The commission charges improper use of the title and false representations in advertising matter tending to mislead exhibitors and public into the belief that the picture is a film version of the novel of the same name written by Dr. Charles M. Sheldon in 1896.

The commission contends that, whereas the novel is a story of religious concept, the film is a love story. The company is alleged to have advertised that the film was "suggested" by the book and to have emphasized the box-office appeal of the best seller.

"As a result of the respondent company's false and misleading representations," the commission explained, "numerous theatre owners and exhibi-

(Continued on page 8)

20th-Fox Contracts to Bar Duals with Non-Code Films

All 20th Century-Fox contracts in 1938-'39 will have a clause prohibiting the exhibition of a picture made by that company on a double bill with a film not approved by the Production Code Administration.

This information is contained in the current issue of the *Dynamo*, company house organ, which reports the speeches at the Kansas City sales convention held on Friday and Saturday.

Felix A. Jenkins, general counsel, is quoted as saying: "A clause has been added to the schedule which provides in effect that our pictures shall not be exhibited on a double bill or advertised in the same advertisements or at the same time with any other motion picture which does not conform to the standards of the production code of the Motion Picture Producers and Distributors of America for avoiding the production and dis-

(Continued on page 8)

Neely Penalty On Exhibitors Found in Bill

Kuykendall Points Out They Transport Film

Exhibitors will be liable to fines up to $5,000 if they have a print delivered which violates the terms of Section 3 of the Neely Bill, declares Ed Kuykendall, president of the M.P.T.O.A.

The provision is "just as dangerous and severe as any of the harsh penalties that are supposed to apply only to producers and distributors," Kuykendall says.

The penalty section of the bill applying to exhibitors, Kuykendall points out, is Sub-section 2 of Section 3 which reads:

"It shall be unlawful for any person knowingly to transport or cause to be transported in commerce any motion picture film which is leased or intended to be leased in violation of Sub-division (1) of this section." The penalty is provided in Section 5 (1).

Kuykendall points out that film deliveries are made by exhibitors or their agents—trucking companies, express companies, or parcel post—and that exhibitors pay the cost of the deliveries from exchanges.

"Everybody actively engaged in the motion picture business is familiar

(Continued on page 5)

RKO Hearings Are Set Back 3 Weeks

Federal Judge William Bondy yesterday granted a further adjournment of three weeks of hearings on the RKO reorganization plan when he was advised by H. C. Rickaby, attorney for Atlas Corp., the proponent of the plan, that negotiations with RKO creditors on amendments to the plan had not been completed.

Rickaby informed the court that a substantial number of unsecured creditors had indicated at a creditors' meeting late last week that they would not approve the proposed amendments

(Continued on page 8)

M. M. Gottlieb Feted By Detroit Variety

DETROIT, April 4.—Michigan filmdom tonight bade farewell to M. M. (Mannie) Gottlieb, recently transferred from the managership of the local Universal branch to the same position in Chicago. A large throng

(Continued on page 6)

Purely Personal

W. C. MICHEL accepted the award given to 20th Century-Fox at the I.T.O.A. ball early Sunday morning; HARRY GOLD accepted United Artists' plaque; HAROLD RODNERS, the awards; WILLIAM F. RODGERS, the M-G-M trophies, and HAL HORNE the WALT DISNEY plaque. EDDIE CANTOR made the presentations to the winners.

•

RICHARD C. KAHN, president of Merit Pictures, Inc., is in town to arrange eastern showings of "Two-Gun Man from Harlem," just completed Negro film. Sack Amusement Enterprises is handling national distribution.

•

GEORGE JOSEPHS, manager of the sales accounting department at Columbia, is the father of a baby girl. MRS. JOSEPHS and the new arrival are doing well at the Midwood Hospital in Brooklyn.

•

CHARLES MAYER, 20th Century-Fox manager in Dutch East Indies, is in Keokuk, Ia., visiting his mother. He went there from the Kansas City convention. He is expected here next week.

•

SPYROS SKOURAS and the National Theatres divisional managers meeting here were guests of WILLIAM F. RODGERS, M-G-M general distribution manager, at lunch at the Astor yesterday.

•

JOHN D. CLARK, 20th Century-Fox distribution head, went home yesterday morning after returning from the Kansas City convention. He was not feeling well.

•

HARRY BRANDT, president of the I.T.O.A., is due to return this morning from Washington where he went yesterday for conferences with Government officials.

•

JOSEPH HANEY, in charge of theatre relations for Alexander Film Co., Colorado Springs, is conferring at the local office.

•

NAN COHEN of the Paramount publicity staff is mourning the recent loss of her father.

•

FERNAND and MRS. GRAVET will arrive today on the *Paris*.

MITCHELL MAY, Jr. CO., INC.

•

INSURANCE

Specializing

in requirements of the

Motion Picture Industry

75 Maiden Lane, New York
510 W. 6th St. Los Angeles

Hollywood Previews

"Little Miss Roughneck"

(*Columbia*)

HOLLYWOOD, April 4.—Edith Fellows and Leo Carrillo account for practically all the entertainment and commercial values represented in this picture. Besides doing a pretty good job with her role that demands her presence in the picture almost every minute, Miss Fellows is revealed as a songstress of some ability. She acquits herself creditably singing a couple of operatic numbers, a romantic ballad and a Mexican folksong.

The first few reels are put together in rather haphazard fashion. A lot that is amusing happens, yet quite a bit of it is hardly germane to the story. Margaret Irving, an old actress, is trying to push her talented but spoiled daughter, Miss Fellows, on the stage. Successively the child wrecks a vaudeville and night club show. Pestering passengers on a westbound train, the family's efforts to crash Hollywood get no place. To stimulate publicity Miss Irving plots a fake kidnapping and Miss Fellows makes it real by running away. Landing on the desert, she is taken into Carrillo's household. While the exciting hue and cry of the search goes on, Edith finds real companionship with Carrillo and his brood. The latter, suspecting that Edith is the missing girl, starts to return her, but, still a brat, she double crosses him and he is tossed into jail. Her mother, Jacqueline Wells, a sister, and Scott Colton, manager, about whom romance revolves, arrive to bring her back to Hollywood now clamoring for her services. She pauses to rescue Carrillo from the mob besieging the jail and threatening a lynching.

Because of Miss Fellows and Carrillo, "Little Miss Roughneck" may prove fairly satisfactory entertainment on secondary house supporting programs. Its particular appeal should be to youngsters.

Fred Niblo, Jr. and Grace Neville wrote the original and collaborated with Michael Simmons on the screenplay. Aubrey Scotto directed.

Running time, 60 minutes. "G."

"Rascals"

(*20 Century-Fox*)

HOLLYWOOD, April 4.—They threw away the juvenile picture patterns when they set out to rig up this vehicle for the irrepressible Jane Withers and almost succeeded in repressing her by so doing. Whether the novelty of the story will compensate for the frequent effacement of the sixth ranking box-office star of 1937 is a question for the public to answer.

Miss Withers is cast this time as the dynamic junior leader of a gypsy band composed principally of Borrah Minnevitch and his harmonica orchestra. Minnevitch receives almost as much camera attention as the star and musical exhibitions repeatedly impede the swift flow of incidents commonly expected of a Withers romp. He and they are better than they have been in previous screen exercises, but are not, of course, Jane Withers. Robert Wilcox plays straight man for the gang and Rochelle Hudson is a society girl afflicted with amnesia whom they pick up and take along. Steffi Duna is a sultry gypsy who resents the Wilcox-Hudson interest to the point of pitching a knife at the lady and engaging her in fisticuffs. After which Miss Duna vanishes conveniently and forever from the plot. The rousing finale takes place in a society home where the gypsies see to it that the amnesiac marries the right man instead of the parentally chosen blueblood.

Robert Ellis and Helen Logan wrote the original screenplay which H. Bruce Humberstone directed in a somewhat offhand manner. Sidney Clare and Harry Akst wrote three songs for it. Miss Withers pulls the loose ends together whenever they point the camera in her direction and it may turn out that this is often enough, after all, to satisfy her following. The preview audience seemed quite pleased.

Running time, 75 minutes. "G."

(Additional Reviews on page 5)

"Lord Jeff" Delayed

HOLLYWOOD, April 4.—Production of "Lord Jeff" at M-G-M has been delayed a week by Director Sam Wood because Freddie Bartholomew has been called by 20th Century-Fox for retakes on "Kidnapped."

Nicholas Schenck Back

Nicholas M. and Mrs. Schenck returned by train yesterday afternoon from a three-month vacation in Florida. He plans to leave for the coast shortly for annual studio conferences.

Wins Suit on Contract

LONDON, April 4.—Nellie Wallace, leading British comedienne, today was awarded damages of £3,550 in the King's Bench Division against Joe Rock, Ltd., producer, for alleged breach of contract. The action was undefended.

Start 16mm. Department

CHICAGO, April 4.—Filmack Trailer Co. has established a new 16 mm. department, equipped for developing, printing and titling.

Hicks May Favor Two In Spanish Annually

John Hicks, vice-president in charge of Paramount's foreign distribution, who is now surveying South American picture business before making his annual European tour, will probably recommend two big Spanish pictures a year on his company's schedule hereafter.

Tito Guizar, Mexican radio [illegible] who appeared in "The Big Broadcast of 1938," is tops in popularity in Latin America just now, Hicks writes the home office. Guizar, under contract to Paramount, and finishing "Tropic Holiday" on the West Coast, will undoubtedly be cast in the Spanish pictures.

Hicks is in Rio de Janeiro this week and will sail for Villefranche on Saturday. He will do all of Southern Europe in a fast-moving month's checkup and is due back in New York May 23.

To Screen 'Polo' Today

A preview screening of "The Adventures of Marco Polo," followed by a Chinese buffet, will take place today at the New York Museum of Science and Industry. Guests at the party, which will include press representatives, will have the opportunity of screen-testing themselves in orthodox motion picture style. The film will open at the Music Hall Thursday.

W. B. Form Writing Unit

HOLLYWOOD, April 4.—Warners today formed a junior writers' department which will be headed by Dave Matthews. Simultaneously, Irene Lee was named studio story editor. She succeeds Matthews, who formerly held the post.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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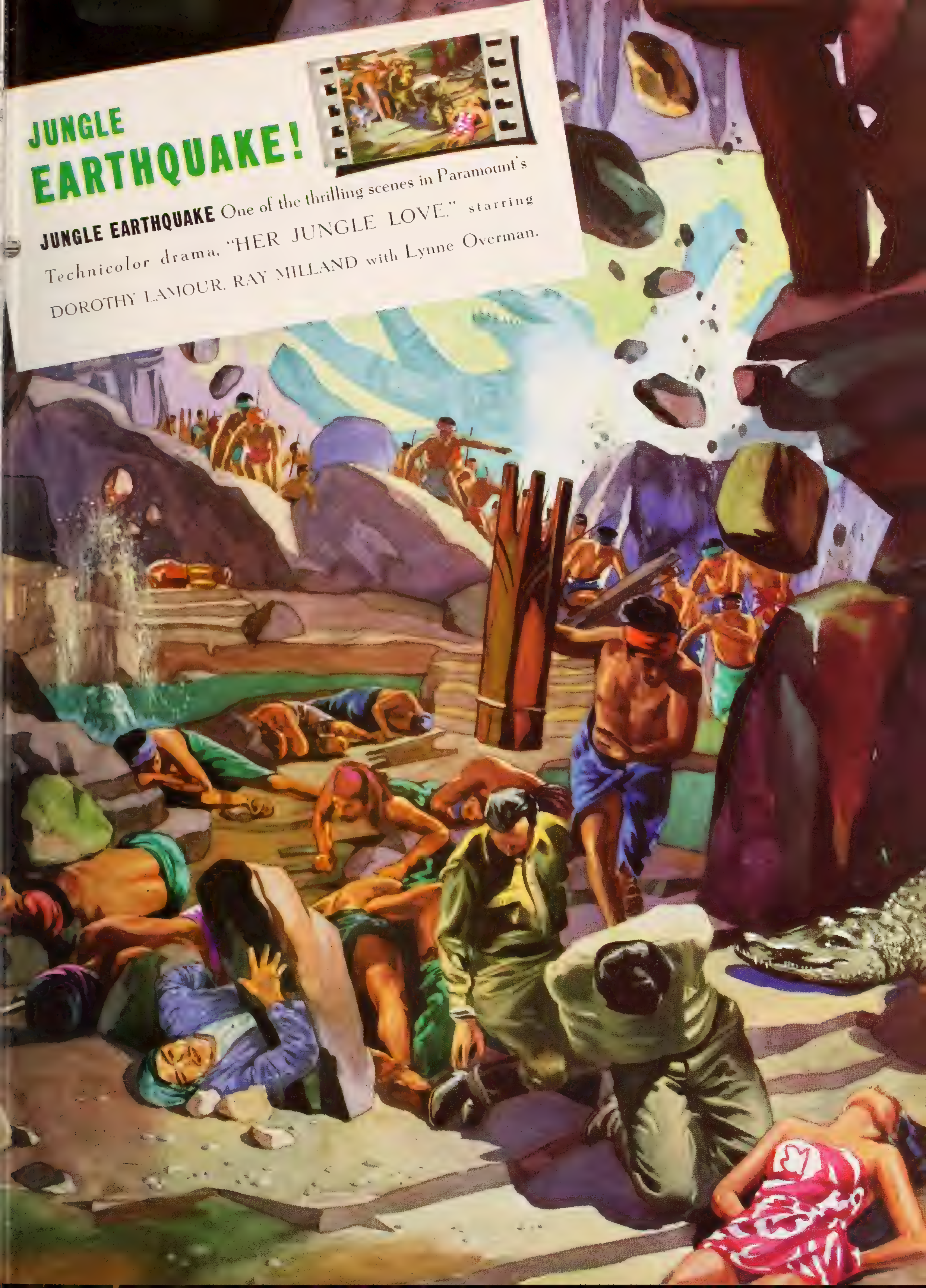
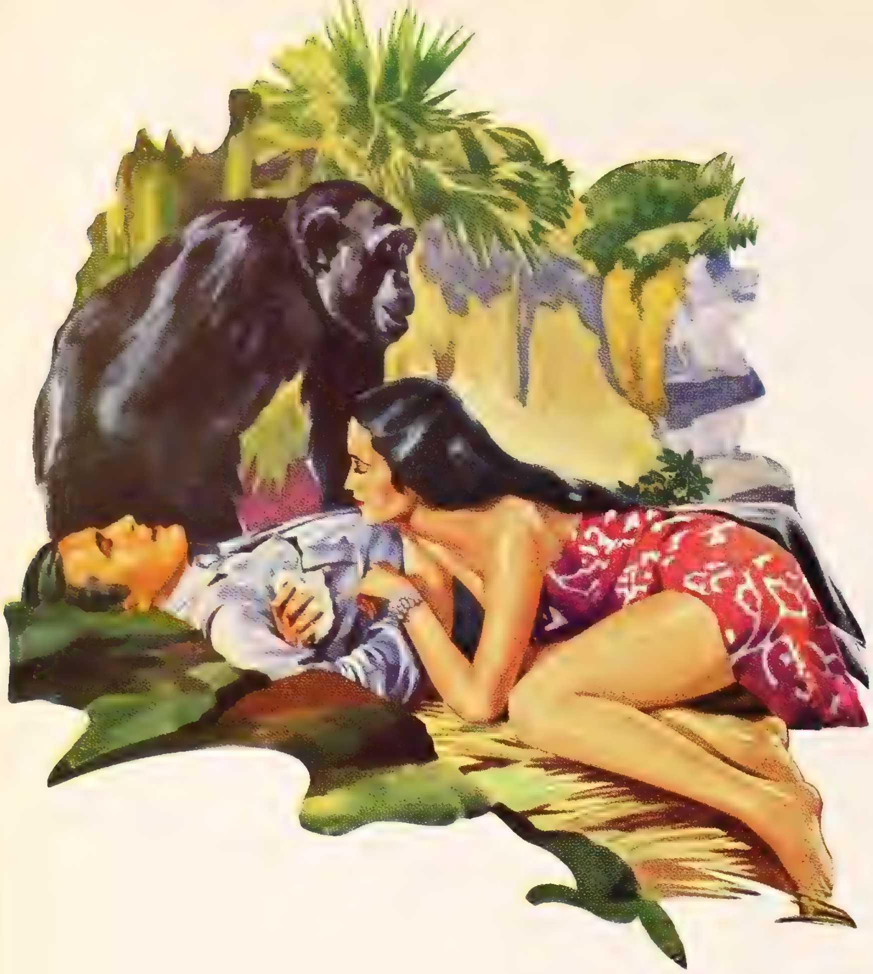


JUNGLE EARTHQUAKE!

JUNGLE EARTHQUAKE One of the thrilling scenes in Paramount's Technicolor drama, "HER JUNGLE LOVE," starring DOROTHY LAMOUR, RAY MILLAND with Lynne Overman.



The wounded aviator saw her . . . sun-bronzed, beautiful . . kneeling before him.

Here you see Tura (glamorous Dorothy Lamour), untamed daughter of the jungle wilds, and the daring young aviator (Ray Milland) who invades her jungle realm, in one of the startlingly beautiful romantic sequences of this greatest of all jungle-adventure, love dramas, Paramount's Technicolor triumph "HER JUNGLE LOVE."

Here for the first time in color, you see the flaming beauty, the primitive, startlingly wonderful pageant of jungle life in all its intensity of action, of romantic splendor, of primitive heart appeal.

The romance of this woman of the wilderness would be a triumph in black and white . . . in Technicolor it packs a wallop which, added to the thousand thrills, including the mighty earthquake sequence, makes this another Paramount box-office smash.

Dorothy Lamour and Ray Milland
in "**HER JUNGLE LOVE**"
with LYNNE OVERMAN • Directed by George Archainbaud • Screen Play by Joseph Moncure March, Lillie Hayward and Eddie Welch Based on a Story by Gerald Geraghty and Kurt Siodmak • A Paramount Picture • In Technicolor

PARAMOUNT FILMS THE FIRST JUNGLE PICTURE IN

TECHNICOLOR

PRINTED IN U.S.A.

Neely Penalty On Exhibitors Found in Bill

(Continued from page 1)

with the practices concerning the delivery of motion picture prints from the film exchange to the theatre. As far back as anyone can remember this operation has been uniform and well established. The actual delivery of the motion picture print by the distributor or film exchange to the exhibitor is done at the film exchange, not at the theatre itself," Kuykendall states.

"It is, I am told, a general principle of law that criminal statutes are applied by the courts literally as they are written. It seems to me that this section of the bill is in such simple language that can be read one way. Under the act, if an exhibitor, is imposed upon and required to buy more than one picture by the distributor, the exhibitor obviously knows better than anyone else just what has happened to him. He certainly knows that the films have been leased to him in violation of Section 3 of the act.

Sees Exhibitor Injury

"Hence the exhibitor inevitably violates Sub-section 2 of Section 3 and is subject to the fine and imprisonment provided by the act. If this is true, and it is difficult to see where it is not so, those exhibitors who have urged Congress to enact this law as a punishment on the distributors for their sins and arrogance, with the idea that the penalties of fine and imprisonment are imposed exclusively on the distributor, have been imposed upon and cunningly deceived into cutting their own throats."

U.A. Exploiteers Leave

Twenty-nine United Artists exploitation men under the direction of Monroe Greenthal, director of advertising and publicity, left yesterday for their assigned territories to cover 23 dates on four current U. A. features. The films are Samuel Goldwyn's "The Adventures of Marco Polo," David O. Selznick's "The Adventures of Tom Sawyer" and two films from Alexander Korda, "The Divorce of Lady X" and "The Gaiety Girls."

"U" Borrows McCrea

HOLLYWOOD, April 4. — Universal has arranged to borrow Joel McCrea and Archie Mayo, director, from Samuel Goldwyn, for the lead and direction, respectively, on "Three Smart Girls Leave Town."

White House Party

Mrs. Franklin D. Roosevelt will receive the women attending the convention of the Society of Motion Picture Engineers in Washington from April 25 to 28. The reception, which will be held at the White House, will be held on Monday, April 25, at 5 P. M.

Eject Children from Theatre in Montreal

MONTREAL, April 4.—The Quebec provincial police on Saturday forced the management of the Palace here, a unit of the Famous Players Canadian circuit, to remove all the juveniles present at a showing of "Snow White and the Seven Dwarfs" who were under 16 years of age. The police required a refund of the admission as well. Permission had been granted by the provincial Government to waive the law prohibiting children from attending film theatres for the performances of the cartoon feature.

More than 1,000 children were ejected from the house amid an uproar. Premier Maurice Duplessis of Quebec declared that amendments to the film juvenile law had been postponed for one year in response to a request of the Roman Catholic Church, despite the protests of exhibitors over a long period against the high age limit in the law. The Quebec Government had waived the juvenile ban last year to enable children to see the films of the Coronation of King George VI.

"Storm in a Teacup" $4,800 Second Week

Alexander Korda's "Storm in a Teacup" finished the second week of its first run engagement at the Carnegie Playhouse with $4,800, which follows a record-breaking $5,400 first week take. The holdover figure for the theatre is $1,800. The film will continue indefinitely.

"The Return of the Scarlet Pimpernel," also a Korda film, will open at the Rivoli on Saturday. This is the second in the series of the "Scarlet Pimpernel" stories.

Warners Film Ball Team

ALBANY, April 4.—Warner Theatres have effected a tieup with the Albany baseball club whereby films taken at the Barnwell, S. C., training camp will be used in Troy, Schenectady and Albany houses in two sections.

The pictures will run a reel and will be played for the weeks beginning April 14 and 21. The Albany club will return from training April 25 to open its season April 29.

No Millionaire

Pathe News was taking a special film of Eddie Cantor presenting an award for "Snow White and the Seven Dwarfs" with Milton Berle accepting on behalf of Walt Disney at the I.T.O.A. ball at the Astor Hotel Saturday night. The "shooting" was slow, and someone made a remark to that effect.

Cantor spoke up. Samuel Goldwyn's version of that remark, he said, would be: "Watch the expenses; those lights cost money. Do you think I'm a millionaire just because I've got a couple of hundred thousand dollars?"

Universal Dickering For 3 Stars of MGM

HOLLYWOOD, April 4.—Seeking to deliver pictures with name talent, Universal is negotiating with M-G-M to borrow three male stars in exchange for the film rights to "The Life of Madame Curie." The deal is in nebulous form, according to Charles R. Rogers, and the names of the stars have not yet entered the discussion stage. However, Universal today borrowed Warren William from M-G-M and Gail Patrick from Paramount to star in "Suspicion," which James Whale will direct and Edmund Grainger will produce from the Myles Connolly screenplay.

Also borrowed from Paramount were Charles Brackett and Billy Wilder to write the script for "That Certain Age," next Deanna Durbin vehicle, which will start shortly.

Delaware Official Hits at Bank Night

WILMINGTON, April 4. — Bank Night is illegal in Delaware, Attorney-General Percy Warren Green has informed police authorities in Wilmington and Middletown. The statemen was not a legal opinion, but a personal opinion from the attorney-general's office, as requested by the municipal authorities of Middletown.

Just what action authorities will take against theatres holding Bank Night was not disclosed.

New York Preview

"The Lie of Nina Petrovna"

(Lenauer International)

This French version of what by now is a somewhat timeworn dramatic form is distinguished by the performances of Fernand Gravet and Isa Miranda. Miss Miranda will shortly make her American screen debut. A treat is in store. The film will probably find good acceptance with the little theatre and foreign cinema audiences.

The woman of the title, played by Miss Miranda, is brought to Vienna by a cavalry captain and becomes his mistress. His lieutenant, played by Gravet, falls in love with her without the knowledge of his superior. The affair becomes complicated when the situation is revealed. A tense moment comes when Gravet's superior challenges him to a duel. Miss Miranda in desperation renounces Gravet but saves his life by returning to the older man. The duel is harmless to both participants. Miss Miranda, rather than return to her initial lover, commits suicide.

The direction is by V. Tourjansky. The picture was produced by Solar Films of Paris. There are English subtitles.

Running time, 80 minutes. "A."

Dickinson Circuit Plans for 50 Units

KANSAS CITY, April 4.—Glen W. Dickinson Theatres, Inc., will continue an expansion and improvement program, according to Glen W. Dickinson. The circuit has just acquired the Booth at Rich Hill, Mo., which brings the total up to 38.

Dickinson expects to have at least 50 units in Missouri, Kansas and Iowa by the end of six months. Some of the deals represent partnerships, and in such cases the exhibitor remains as manager. Others represent outright acquisitions.

The circuit has a broad program of improvement under way. Currently the Dickinson at Chillicothe, Mo., is being completely remodeled, including the installation of a cooling plant, which will cost around $5,000. The Dickinson at Osage City, Kans., will be refurnished next, and will get new seats, new cooling system, carpets, drapes, canopy, and decorations. Cooling systems are scheduled to go into the Dickinson at Junction City, Kan., and at Great Bend, Kan.

Rites for Reine Davies

HOLLYWOOD, April 4.—Funeral services for Reine Davies who died Saturday will be held tomorrow in St. Augustine's Church, Culver City. Miss Davies, a sister of Marion Davies, conducted a column in the *Los Angeles Examiner*. She was a stage player and at one time appeared in "The Girl Ranger" and "Canary Cottage." She was divorced from Charles Lederer. In addition to her sister she is survived by a son, Charles, and two other sisters.

Film Study Pioneer Dies

ALBANY, April 4.—Dr. Alfred W. Abrams, 69, a pioneer in the use of films for classroom instruction, is dead here. He formerly was director of visual education in the State Education Department and was the author of a book on the subject.

Raymond C. Murney Passes

CINCINNATI, April 4.—Raymond C. Murney, 71, executive head of the recently opened Bond Theatre, died of pneumonia at his home here today. He was previously manager of the Hiland, Ft. Thomas, Ky., and the Gifts Theatre, Cincinnati. His widow and two brothers survive.

Get Union Pacific Data

OMAHA, April 4. — Frank Calvin, research man, and Jack Cunningham, writer for Paramount, are at the headquarters of the Union Pacific Railroad getting material on the construction of the system for Cecil B. De Mille's "Union Pacific."

"Greece, Too"

Spyros Skouras was asked yesterday what was being discussed at the National Theatres divisional managers' meeting in progress here. "We have decided to buy all the theatres in Austria and Germany," he replied, "and then we're going into Italy."

"How about Greece?" the reporter queried.

"Greece, too," said Skouras.

"Snow White" Still Leader In the Loop

CHICAGO, April 4.—After four weeks, "Snow White and the Seven Dwarfs" continues to be the stellar attraction in the Loop. Last week the picture grossed $23,000 which was $4,000 better than average for a first week. Terrific weekend business accounted for the heavy gross.

"Judge Hardy's Children" took $12,000 at the Roosevelt.

Other Loop theatres found business the dullest in weeks. The double-feature policy started by the Apollo last week was a failure and the theatre reverted to singles this week.

Total first run business was $109,700. Average is $121,000.

Estimated takings:

Week Ending March 31:

"THE KID COMES BACK" (W. B.)
"THE OCTOPUS" (W. B.)
APOLLO—(1,400), 25c-55c-65c, 7 days. **Gross:** $4,200. (Average, $6,500)

"BRINGING UP BABY" (RKO)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Kay Kyser and Revue. **Gross:** $26,600. (Average, $32,000)

"GOLDWYN FOLLIES" (U. A.)
GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $5,000. (Average, $6,500)

"HAWAII CALLS" (RKO)
ORIENTAL—(3,490), 35c-55c-75c, 6 days. Stage: Benny Davis and Revue. **Gross:** $13,300. (Average, $18,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days, 4th week. Stage: Vaudeville Revue. **Gross:** $23,000. (Average, $19,000)

"TORCHY BLANE" (W. B.)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Jack Durant and Revue. **Gross:** $12,100. (Average, $13,000)

Week Ending April 1:

"JUDGE HARDY'S CHILDREN" (M-G-M)
ROOSEVELT—(1,300), 35c-55c-75c, 7 days. **Gross:** $12,200. (Average, $11,000)

"GIRL OF THE GOLDEN WEST" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $13,300. (Average, $15,000)

M. M. Gottlieb Feted By Detroit Variety

(*Continued from page* 1)

of exchange men and exhibitors gathered in the Book Cadillac Crystal Ballroom to tender him a testimonial dinner.

Present at the affair, sponsored by the Variety Club, were W. A. Scully, Universal general sales manager, and E. T. Gomersall, western divisional manager, as well as William Baker, of the Chicago branch. President Nate Blumberg was unable to attend, being held on the west coast by business.

Gottlieb was presented a handsome set of matched baggage. Tributes to his many years of service with Universal were paid to him by Scully and Gomersall and H. M. Richey, who acted as toastmaster, as well as by many others present. Telegrams were received from many exhibitors in the state who were unable to attend.

Many outstate exhibitors were present, having been in the city for the "Allied Theatres Day" luncheon held at noon today when officers and directors of the Michigan unit were the guests of honor.

"Bluebeard" Outstanding Denver Draw

DENVER, April 4. — "Bluebeard's Eighth Wife" stepped out front in a big way at the Denham and had standouts repeatedly. After it had rolled up a gross of $11,500, over par by $6,000, the management decided to hold it.

"Snow White and the Seven Dwarfs" finished strong in its sixth week with $3,000 at the Broadway. It played three weeks at the Orpheum and a week each at the Aladdin and Rialto. All first run grosses were good with one exception.

Total first run business was $41,500. Average is $32,750.

Estimated takings for the week ending March 31:

"GOLDWYN FOLLIES" (U. A.)
ALADDIN—(1,400), 25c-40c, 7 days, following a week at the Denver **Gross:** $4,000. (Average, $3,500)

"SNOW WHITE" (RKO)
BROADWAY—(1,100), 25c-40c, 7 days, following three weeks at the Orpheum and a week each at the Aladdin and Rialto. **Gross:** $3,000. (Average, $2,500)

"BLUEBEARD'S EIGHTH WIFE" (Para.)
DENHAM—(1,750), 25c-35c-40c, 7 days. **Gross:** $11,500. (Average, $5,500)

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $9,500. (Average, $8,500)

"EVERYBODY SING" M-G-M)
"CONDEMNED WOMEN" (RKO)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $8,500. (Average, $7,500)

"I MET MY LOVE AGAIN" (U. A.)
"SERGEANT MURPHY" (W. B.)
PARAMOUNT—(2,200), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

"ADVENTURES OF TOM SAWYER" (U. A.)
"LOVE ON A BUDGET" (20th-Fox)
RIALTO—(878), 25c-40c, 7 days. "Tom Sawyer" followed a week each at the Denver, Broadway and Aladdin. **Gross:** $2,000. (Average, $1,750)

"Chicago" Cracks Records at Omaha

OMAHA, April 4.—"In Old Chicago," on a dual with "Paradise for Three," broke all existing gross and attendance records at the Orpheum for $15,600 in seven days, a gain of $8,400 over weekly average. The take was aided by a 19-hour continuous run from 11 A. M. Saturday to 6 A. M. Sunday which drew a total of 16,000 persons.

"Bluebeard's Eighth Wife" and "Bulldog Drummond's Revenge" at the Omaha grossed $7,200 in a seven-day run to top weekly average by $1,700. "Bringing Up Baby" and "Night Spot" suffered from competition.

Total first run business was $26,800. Average is $16,700.

Estimated takings:

Week Ending March 30:

"BRINGING UP BABY" (RKO)
"NIGHT SPOT" (RKO)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"BLUEBEARD'S EIGHTH WIFE" (Para.)
"BULLDOG DRUMMOND'S REVENGE" (Para.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $7,200. (Average, $5,500)

Week Ending March 31:

"IN OLD CHICAGO" (20th-Fox)
"PARADISE FOR THREE" (M-G-M)
ORPHEUM — (3,000), 25c-40c, 7 days. **Gross:** $15,600. (Average, $7,200)

"The Drum"

London, April 4.—Alexander Korda's "The Drum" had its premiere here tonight at the Leicester Square before an audience which included the former Queen of Spain, the Bishop of London, Viscount Swinton, cabinet ministers and members of Parliament.

The film, a production in Technicolor, brilliantly produced and lavishly staged, tells the story of intrigue and military combat on the frontiers of India, with the loyalty of a young Indian prince saving British authority from ruthless native treachery. The military pageantry is most impressive, the crowd scenes are excellently photographed and the mountain backgrounds are magnificent.

The picture is dominated by the performance of Raymond Massey as a sinister enemy prince and by Sabu, young Hindu boy, as the youthful royalist.

The spectacle and excitement, both keyed to the present day spirit, augur well for the film's box-office success.

FLANAGAN

Selznick Directors Silent on Releases

(*Continued from page* 1)

statement of business transacted will be made tomorrow, also a studio announcement that four pictures will be shooting shortly, one this month and three others to follow.

No startling announcement of a future releasing deal is expected from the company as reports are current that the heads of the organization may postpone a decision in the matter until the completion of the final films under the present U. A. agreement. One of the principal reasons for delaying the decision at the moment is the presence abroad of U. A. board members.

"The Young in Heart," starring Janet Gaynor, Douglas Fairbanks, Jr., and Paulette Goddard, will start April 28 with Richard Wallace directing the screenplay of Frederick Jackson, Charles Bennett and Glenn Tryon, from the I. A. R. Wylie novel, "The Gay Banditti."

Others are: "Heartbreak Town," starring Tommy Kelly, with adaptation by Budd Schulberg from the original of Schulberg and Marshall Neilan; "Earl of Chicago," from Brock Williams' novel, adapted by Gene Fowler and Charles De Grandcourt, and the Rose Franken novel, "Of Great Riches," adapted by Michael Blankfort.

Make 33 Cuts in Month

CINCINNATI, April 4.—The Ohio censor board ordered 33 eliminations out of a total of 676 reels reviewed during the five-week period in March. This compares with 525 reels reviewed and 13 eliminations in February, and 699 reels with 38 eliminations in March, 1937. There were no eliminations in 100 reels during the week ending March 25 of this year.

"Bluebeard" Frisco Lead With $18,000

SAN FRANCISCO, April 4.—"Bluebeard's Eighth Wife," on a dual with "Walking Down Broadway," [illegible] $18,000 at the Fox for the week's best gross. This topped the seven-day average by $1,000.

Close behind were "Snow White and the Seven Dwarfs," with $16,000 for the fourth week at the Golden Gate, and "In Old Chicago," $14,000, for a second week at the Paramount.

"The Divorce of Lady X" and "Romance of Louisiana" were a disappointment, getting $7,500 in nine days at the United Artists. "Mad About Music" closed its fourth week at the Orpheum with $7,500.

Total first run business was $80,700. Average is $87,800.

Estimated takings:

Week Ending March 29:

"SNOW WHITE" (RKO)
GOLDEN GATE—(2,850), 25c-40c-55c, 7 days, 4th week. Stage: vaudeville. **Gross:** $16,000. (Average, $16,000)

Week Ending March 30:

"GOLDWYN FOLLIES" (U.A.)
"BREATHLESS MOMENTS" (Univ.)
EMBASSY — (1,400), 15c-35c-40c-55c, 7 days, 3rd week. **Gross:** $5,500. (Average, $5,000)

"BLUEBEARD'S EIGHTH WIFE" (Para.)
"WALKING DOWN BROADWAY" (20th-Fox)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days, **Gross:** $18,000. (Average, $17,000)

"MAD ABOUT MUSIC" (Univ.)
"MIDNIGHT INTRUDER" (Univ.)
ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days, 4th week. **Gross:** $7,500. (Average, $8,500)

"IN OLD CHICAGO" (20th-Fox)
PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $14,000. (Average, $13,000)

"MERRILY WE LIVE" (M-G-M)
"BLONDES AT WORK" (W.B.)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 2nd week (moved over from Warfield). **Gross:** $4,000. (Average, $7,000)

"DIVORCE OF LADY X" (U.A.)
"ROMANCE OF LOUISIANA" (W.B.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 9 days. **Gross:** $7,500. (Average, $7,000)

Week Ending March 31:

"FIRST 100 YEARS" (M-G-M)
"INVISIBLE MENACE" (W.B.)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $7,500. (Average, $13,000)

Week Ending April 1:

"IN THE FAR EAST" (Amkino)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $700. (Average, $1,300)

Plan Chattanooga House

CHATTANOOGA, April 4.—A new theatre will be opened in this city about the first of July by the Dixie Operating Co., according to F. H. Dowler, president, to replace the Bonita, which was forced to close because of a foreclosure on the building by the Travelers Insurance Co.

Brabin Signed by Era

LONDON, April 4. — Charles Brabin has been signed to direct "Rigoletto" for Era Films, Vittorio Mussolini's company. The film will be made at the company's Rome studio.

Warners in Ad Drive

Warners' advertising accessories department is conducting "ad sales week" this week in conjunction with the Sears Drive which winds up next week.

HOT OFF THE GRIDDLE!

A sizzling sequel to his 1937 Academy Award-winning "Penny Wisdom" is Pete Smith's PENNY'S PARTY in which Prudence Penny, noted newspaper home economist, demonstrates another array of mouth-watering food ideas in eye-filling Technicolor. READY NOW FOR IMMEDIATE PLAYDATES!

Like its predecessor, PENNY'S PARTY is chock-full of pre-arranged tieups with local Gas Companies, Newspapers and various kitchen products ... read details in current issue of M-G-M SHORTS STORY magazine.

RKO Hearings Are Set Back 3 Weeks

(Continued from page 1)

affecting their claims and that, as a result, it had been found necessary to begin a modification of the reorganization plan from an entirely new approach. He declined to reveal the plan involved in the new effort.

Rickaby declared that "at least" three weeks more would be required and indicated to the court that there was but a slight possibility of the reorganization plan being in readiness for court hearings by that time.

Powell Suspended; John Payne Signed

HOLLYWOOD, April 4.—Warners today suspended Dick Powell for refusal to accept a role in "Garden of the Moon," a musical.

John Payne, a comparative newcomer, has been signed to a term contract and will be given the role plus a contemplated buildup. Shooting is scheduled to start this week.

"Comet on Broadway," the picture for which Bette Davis had been scheduled, did not start today. She is still under suspension and no successor or starting date has been decided upon.

Sparks in Key West Deal

KEY WEST, April 4.—E. J. Sparks is discussing a partnership with Juan Carbonell. They may rebuild the Strand at a cost of $40,000.

20th-Fox Contracts to Bar Duals with Non-Code Films

(Continued from page 1)

ribution of motion pictures which are salacious.

"This does not mean that the other picture shown with ours must be made by a member of the Hays organization, nor does it mean that the exhibitor cannot show our pictures on a double bill. It merely provides against our pictures being shown or advertised with another picture which does not conform to the moral standards to which our pictures are held."

For the new season the company will have four forms of exhibition contracts, including the regular feature contract, the miscellaneous feature contract, the short subject contract and the news contract. Aside from the inclusion of the "morals" clause, there are only a couple of technical changes, Jenkins said.

Cartoon Suit Dismissed

Federal Judge John C. Knox dismissed with costs to the defendants the suit of Paramount Productions, Inc., and Exclusive Movie Studios, Inc., against Benjamin and Nathan Leder, doing business as the Leader Motion Picture Film Co. The complaint in the suit had charged infringement by the defendants of the 8 and 16 mm. rights to approximately 20 Betty Boop and Popeye cartoons. An injunction and an accounting of profits had been sought.

Works 25 Hours

Once a year Roger Ferri, editor of the *Dynamo*, 20th Century-Fox house organ, goes sleepless to issue an edition at the scene of the annual sales convention. Copies of this year's convention edition, published in Kansas City, were distributed at the home office yesterday. In its 40 pages it contains a complete report of the convention and other information.

Ferri started work on the edition on Friday afternoon, and working 25 hours without interruption wrote the copy, made photos and cuts and had copies of the publication in the hands of convention delegates Saturday afternoon. The Western Newspaper Union did the printing and duplicated type styles. On the cover is reproduced a photograph of the convention group in session at the Muehlebach Hotel.

Asher Returns Here To Negotiate Deal

Irving Asher, who recently resigned as head of production at Warners' Teddington studio in England, arrived yesterday on the *Queen Mary* to negotiate a new connection. He said that while his plans are now indefinite he expects to make an announcement before returning to England, April 27.

Asher plans to leave for the coast tomorrow for conferences. He said he definitely expects to remain in England in a production capacity. His wife, the former Laura LaPlante, who recently returned to England, did not arrive with him.

Asher said his six-year contract with Warners ran to 1940 and provided for yearly options and that an option extending his services to April, 1939, was taken up shortly before he left the studio. He said that his London attorney was negotiating a settlement at the time he left and he expected no difficulty on that score. He said he was negotiating with a major company, but it was not Paramount or M-G-M.

Sam E. Morris, vice-president in charge of Warners' foreign activities, placed Jerome Jackson in the top executive spot at Teddington when he arrived there from New York. Jackson was Asher's assistant.

Morris is reported to have completed plans for English production. He is now in Paris and is scheduled to sail on the *Ile de France* on Friday, returning here next Wednesday.

Peters Succeeds Harvey

TORONTO, April 4.—F. E. Peters has been appointed general manager of the Dominion Sound Equipments, Ltd., Canadian distributors of Western Electric and RCA sound systems, after serving as secretary of the company for the past two years. Peters succeeds O. R. Harvey, who died a few weeks ago.

Trade Complaint on G. N. Picture Issued

(Continued from page 1)

tors have been induced to lease the film to their detriment and financial injury, and trade has been unfairly diverted to the respondent from competitors who truthfully advertise their film productions."

Grand National, through A[illegible] Rosenthal, attorney for the company, yesterday denied the allegations and said that the charges would be defended. The picture was made on the coast by B. F. Zeidman. At no time, said Miss Rosenthal, was there any attempt to have exhibitors or the public believe that the film was based on the book by Dr. Sheldon.

Shortly after the picture was released, the title was changed to "Sins of Children," the sales department believing that this was better boxoffice, but the advertising saying that the film was "suggested" by the novel was retained.

Miss Rosenthal said the company had a right to make use of the book and title since they are in public domain. Notwithstanding that fact, Zeidman felt a moral obligation and offered Dr. Seldon a "nominal sum" in payment, which the author rejected, the attorney said.

Bradleys Claim Libel

BRATTLEBORO, April 4.—Three libel actions seeking $300,000 in damages have been filed in U. S. District Court here against United Artists and Walter Wanger Productions by Irwin C. Bradley, Franklin R. Bradley and Irwin Bradley, Jr., who allege a libelous reference was made against their family name in "I Met My Love Again." The plaintiffs allege that their family for many years has been known as "The Bradleys of Brattleboro."

W. G. Stiegler Stricken

CINCINNATI, April 4.—William G. Stiegler, amusement editor of the Cincinnati *Times-Star*, collapsed at his desk today. His condition is critical.

Wall Street

Small Stock Gains

	Open	High	Low	Close	Net Change
Col.	10½	10½	9¼	10	+ ⅛
Cons.	1⅛	1⅛	1	1	— ⅛
Cons. pfd...	5	5⅜	5	5⅜	+ ⅛
E. K.	129	131¾	129	130½	+ ¾
E. K. pfd..	168	168	168	168	+1
G. T. E....	9¾	9¾	9¾	9¾	.....
Loew	36	36½	36	36	— ⅜
Para.	7⅛	7¼	6⅞	6⅞	— ⅛
Para. 2.....	7¾	8	7¾	8	+ ⅜
Pathe	4¼	4¼	4¼	4¼	+ ¼
RKO	3	3	2¾	2¾	— ¼
20th Fox ..	18	18	17½	18	— ¼
20th pfd ...	27	27	27	27	.....
W. B.	4⅞	4⅞	4¾	4¾	+ ⅛

"U" Up on Curb

	Open	High	Low	Close	Net Change
G. N.	5/16	⅜	5/16	5/16	.....
Monogram	1½	1½	1½	1½	.....
Tech.	16½	16⅝	16⅛	16⅜	.....
Trans-Lux	2⅜	2⅜	2⅜	2⅜	.....
Univ. Corp.	2⅛	2⅛	2⅛	2⅛	+ ⅛

Fractional Bond Increases

	High	Low	Close	Net Change
Loew 3½s '46.....	96	95	95½	+ ⅞
Para. B'way 3s '55	57⅛	57	57	.....
Para. Pict. 6s '55	82	82	82	.....
W. B. 6s '39.....	66	65¾	66	+ ⅜

(Quotations at close of April 4)

FLY
TWA first

SAVE 25%

NEW "EXCURSION" RATES EQUAL GROUND TRAVEL COSTS

The Lindbergh Line now offers you the lowest round trip fares in de luxe air transportation. Bringing air travel down to the same general cost range of other forms of transportation, these new TWA rates permit *everyone* who travels—to fly . . . TWA's round trip excursions *begin on Saturday, Sunday or Monday;* are effective for 15 days; and apply on any schedule, any day, returning. TWA excursion tickets are good on any flight, including the world famous, overnight, coast-to-coast SKY CHIEF . . . Fly TWA on the nation's finest planes—you save valuable hours, even days and TWA's complimentary meals enroute and rigid "no tipping" rule, save you many extra dollars.

COMPARE THESE TWA AIR TRAVEL SAVINGS!

New York to	*2 One-Way Fares*	*Excursion*	*You Save*
Los Angeles	$299.90	$224.92	$74.98
Chicago	89.90	67.42	22.48
Philadelphia	9.60	7.20	2.40

CALL TWA

For further information call TWA: In New York — MUrray Hill 6-1640 or PEnnsylvania 6-6000

Note to "Scrip Holders"

Scrip cards may be used to charge these low excursion rates, no matter what airline issued them.

TWA first

SHORTEST-FASTEST COAST TO COAST

To Study Cost Of High Power At FCC Probe

(*Continued from page* 1)

a possible maximum of 500,000 watts.

Operators of all stations, regardless of power, today were invited to attend and testify at the hearings, first, as to the general desirability of increasing the clear-channel maximum and, secondly, on a list of 16 questions which includes the following:

Whether objectionable interference will be caused to other stations; the nature and extent of the limitation, if any, in the service area of other stations; whether the improvement of the service of clear-channel stations will be greater than any limitation of service that may result to other stations.

Whether the improvement of clear-channel service is necessary and, if so, in what areas; the extent to which high power will enlarge the service areas of clear channel stations; whether an increase will tend to result in an expansion or contraction of economic or social power or influence of the clear-channel stations and its effect upon other stations; whether competition between stations will be decreased; whether there will be duplication of service.

Whether improved distribution of reception will result from an increase; whether listeners' habits will influence them to tune in super-power stations to the abandonment of regional and local broadcasters; whether an increase is desirable in the public interest, convenience and necessity; what, if power limits are raised, should be the maximum.

Miss Dragonette Back

Jessica Dragonette returned Sunday from a concert tour in which she appeared in 20 cities, including one engagement in Honolulu. The eastern leg of her concert tour yet remains to be finished.

Following the completion of the tour, Miss Dragonette will return to radio. She said the program would come either from here or Hollywood.

Mutual to Air Opener

The Mutual network will describe the opening baseball game between the Washington Senators and the Philadelphia Athletics on April 18, from Washington, 2:45 to 5 P. M. Tony Wakeman will handle the play-by-play descriptions, and Walter Johnson, ex-big league pitcher, will provide the color commentary between innings.

Get Bust of Marconi

A bust of Guglielmo Marconi has been presented to David Sarnoff by the Italian Professional Women of America. The bust is a preliminary effigy. When the final bust is made it will be placed in the lobby of the RCA Building.

With WOV for 10 Years

Julio Occhiboi, one of radio's pioneer musical directors, will celebrate his 10th year as musical director of WOV-WBIL tomorrow.

Page Boy to President Is Hope Behind Plan of CBS

HOLLYWOOD, April 4.—The hiring of six young college men this week to serve in the web's newly organized guest relations department has been made known by CBS. But the announcement did not tell of the newly adopted plan of the network to build executive personnel from the ranks of the "page boys."

After passing rigid requirements—including at least two years of college—and various tests, Dermot Kelly, John Rider, Bill Van, George Johnston, Fred Ostendorf and Dick Haysel, were given the jobs, which consist of conducting regular public tours "behind the scenes" at Columbia Square, the new CBS center here. Before they start they will receive three weeks of training to acquaint them with all phases of radio broadcasting and CBS production.

During the year, they must continue to go to classes at CBS, preparation network officials hope will qualify them to step up in the company ranks.

After a year as "page boys," if they qualify, they will have an opportunity to join any department in which they would like to work, and follow a regular prescribed course of instruction for radio careers.

Expand Morris Program

The Morris Plan Bank Co., sponsors of the dramatic mystery series, "You, the Unseen Jury," now a quarter-hour program on WEAF, will expand the series to a half-hour show, from 7:30 to 8 P. M., beginning today. The Gotham Advertising Agency handles the account.

Sponsorship Is Changed

Effective immediately, the Cities Service Co., sponsors of the Cities Service Concerts on the NBC-Red, will transfer sponsorship of the series to Petroleum Advisers, Inc., a subsidiary of the organization. No explanation is available for the change.

Gulden Extends Series

Charles Gulden Co., sponsors of the "Gulden Serenaders" has extended the series for four weeks, to and including the broadcast of May 26. The series is heard over WJZ from 6:35 to 6:45 P. M. Charles W. Hoyt & Co. is the agency.

Eleven Years Old

Hollywood, April 4.—The western division of NBC will celebrate its 11th birthday tomorrow. It was inaugurated April 5, 1927, to provide network facilities, through five stations, to the Pacific coast. Today 25 stations comprise the division.

Start Child Series Over Coast Station

LOS ANGELES, April 4.—KMTR tomorrow will start a new series, "The Children's Theatre of the Air," which will offer serial dramatizations of classical literature with direct appeal to children. The time will be 5:30 to 6 P. M. on Tuesdays, an hour when many stations here offer the usual "blood and thunder" air serials.

Stories already scheduled to be broadcast are "Treasure Island," "Pinocchio," "Oliver Twist" and "King Arthur's Court." Tentatively arranged for future broadcasts are: "Huck Finn," "Gulliver's Travels," "Last of the Mohicans," "Hans Brinker" and "The Children's Crusade." Jerome Schwartz is adaptor; Arthur Sutton, producer.

Install NBC Device In All Web Stations

Because of the success of a device reducing the slight tonal distortion caused by transmitting equipment at stations WJZ and WEAF to one-thirtieth of its former level, engineers are to install it in all stations owned and operated by NBC. The device is called a "reverse feedback."

Work on preparing the NBC transmitters for incorporation of the new device began more than a year ago. Work of overhauling the WEAF and WJZ transmitters was under the supervision of O. B. Hanson, NBC chief engineer, and Raymond F. Guy, radio facilities engineer.

Announcer Quits KMMJ

LINCOLN, April 4.—Kasper Malone, announcer at KMMJ, Clay Center, has resigned to go to WIBW, Topeka.

New Shows on the Air

Kate Smith, Columnist

Kate Smith began her new series as a radio commentator on CBS yesterday. Following a hearing, it is our opinion that Miss Smith should stick to her Suwanee songs.

Just what motivated Miss Smith to undertake a commentary series is one of those unfathomable mysteries. According to her manager, Ted Collins, her years spent in "rubbing elbows with the lowly and the rich, the strong and the weak," have qualified her as a commentator, but it's not as easy as that.

Truth to tell, however, Miss Smith did very little "commentating" in her opening broadcast. Primarily, the opening stanza was taken up by a reading of some of her fan mail. We doubt that a majority of the listeners tuned to the CBS network at 3:30 P. M., at which time Miss Smith is broadcasting, are particularly interested in hearing excerpts from her fan mail.

This new series is a sustainer, and is presented Mondays, Wednesdays and Fridays from 3:30 to 3:45 P. M. over CBS. BANNER

▸ *Radio Personals* ◂

LESLEY JOY, manager of KYW, has been appointed to the radio committee of the New York World's Fair. . . . The Talmadge sisters, Constance and Norma, will appear on the Georgie Jessel "30 Minutes in Hollywood" program April 10. The program, incidentally, will come from Detroit, not Hollywood, this broadcast. . . . Marian Rogan of the Mutual program department will marry Dr. Samuel W. Zimmerman of Ridgefield Park, N. J., April 22. . . . She will leave the network employ following her marriage. . . . E. K. Cohan, engineering director of CBS, arrived on the *Paris* today with Mrs. Cohan, following attendance at the world radio conference in Cairo. . . . Jimmy Dorsey will desert his orchestra pit April 8 to appear as a guest artist on the Paul Whiteman program.

+

Pittsburgh

A new weekly program called "The Round-Up" has been started on KDKA. It features Colonel Corn, Doyle and Roy, Utah Slim and His Sunset Riders and the Sage Brush boys. It is a half-hour show and goes on every Thursday night. . . Bob McKee, the WCAE announcer, was forced to withdraw from the cast of the Playhouse's "Autumn Crocus" because of the pressure of business. . . Adalaide Lasner, formerly of the KDKA staff, is back in town after several months in New York. . . Jane Hamilton, the radio editor of the *Sun-Telegraph,* is a pseudonym for Zora Unkovich. . . Lois Miller has concluded 30 weeks of commercial broadcasting for the Pittsburgh Coal Co. on KDKA and will return to Atlantic City for three months this summer to play the organ daily at the Heinz Pier.

WORL Program Started

BOSTON, April 4.—A new one-hour program, known as "Boston's Parade of Progress," has started over WORL. It will be heard on Thursdays from 2 to 3 P. M. The program will feature as guest speakers, leading citizens, who will talk on representative industries.

To Air Dramatic Award

The New York Drama Critics' Circle Award for the season's best play will be presented over the NBC-Red network in a special broadcast April 24, at 10:30 P. M. George Jean Nathan will be at the microphone for the program.

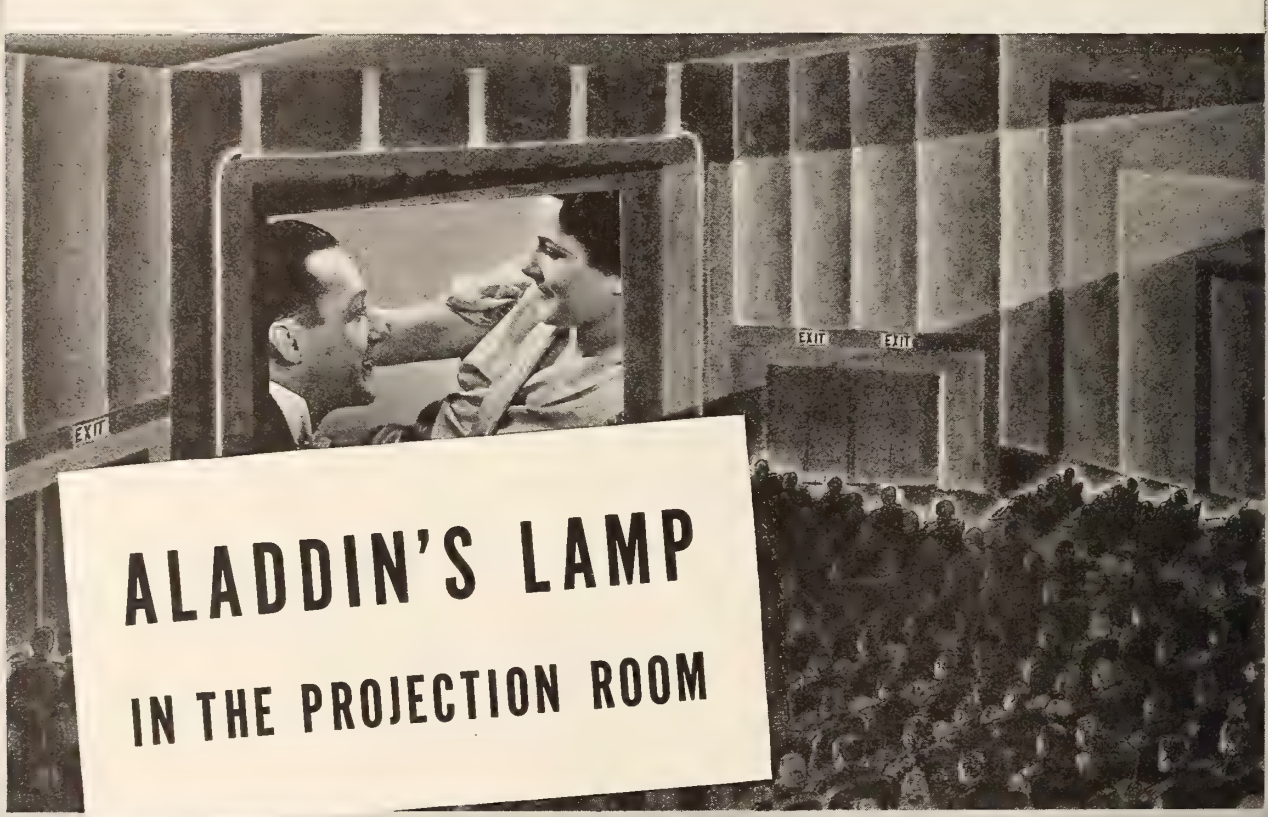
Named Musical Director

SAN FRANCISCO, April 4.—Walter Kelsey has been appointed musical director of NBC's local studios by Lloyd E. Yoder, local manager. Kelsey immediately will assume charge of orchestras and musical programs for KPO-KGO.

To Renew WOR Program

Refrigeration & Air Training Corp., through the National Classified Advertising Agencv, will renew its program over WOR beginning April 17. The series is a transcribed musical featuring Bill Bailey's orchestra.

MAKE THEIR DREAMS COME TRUE



From the beginning, motion pictures have been striving to attain perfect illusion. Color is the latest step in the constant progress toward screen realism.

But snow-white, high intensity projection light is needed to bring out the true beauty of color. It also adds depth and realism to black and white projection. It satisfies today's critical audience.

More than 5000 theaters, one out of every three, are now using high intensity projection. Of these, over 4000 have adopted Simplified High Intensity projection which gives two to three times as much light on the screen at so little more cost (as compared with low intensity) that one extra admission per show will cover the added cost. Give your patrons the light they will enjoy.

Write for free, illustrated booklet explaining this new, economical but up-to-the minute projection.

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to the Motion
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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 79 NEW YORK, WEDNESDAY, APRIL 6, 1938 TEN CENTS

aley Attacks Regulation of Radio by U.S.

efends Present System In Annual Report

The annual report of the Columbia oadcasting system, issued yesterday ernoon by William S. Paley, president of the organization, was featured sharp criticism of current efforts to stitute Governmental regulation of dustry.

Paley launched a vigorous defense radio, which has been under attk recently in Washington. Calling ention to what has been achieved American broadcasting by "enhtened" competitive private enterise, and stating that under no other an of operation in the entire world s this new means of mass commucation been used as effectively "for

(Continued on page 7)

A summary of the CBS annual financial report, as well as other radio news of yesterday, will be found on pages 6-7.

nglish Production Realignment Urged

By AUBREY FLANAGAN

LONDON, April 5.—Unless producn in England is reorganized, film ality will depreciate as a result of sharp decrease in grosses, the nematograph Renters' Society (disbutors) declared in the annual rert, made public today.

The organization said with referce to excessively long programs in eatres and the attempt on the part distributors to grade films for ntal purposes that it is necessary

(Continued on page 6)

In Seclusion

Allan Jones, M-G-M singing star, who came to New York for a quiet vacation with his wife, Irene Hervey, will while away today and tomorrow by taking part in 17 openings of "Everybody Sing" at Loew houses around town. In the course of the two days he will make no less than nine personal appearances.

Selznick Not To Shift Its Releases Now

Stockholders Also Told Company to Continue

HOLLYWOOD, April 5.—As indicated in yesterday's MOTION PICTURE DAILY, the future release policy of Selznick International Pictures is to remain in status quo for the time being, but no matter what deal is made continuance of its policy of independent production as separate entity will be maintained, John Hay Whitney told stockholders and the board of directors yesterday at the annual meeeting.

"During the year your company has considered proposals of a combination or merger from major producing and distributing companies in the industry," he said. "No such association has been entered into due to the feeling of David O. Selznick and myself that results from the past year and indications for the future justify continuance of independent production."

At the annual session Whitney was reelected chairman of the board and

(Continued on page 6)

Malcolm, Brown in Producing Venture

Joseph R. Malcolm and John E. Brown have formed the Malcolm-Brown Picture Co. for the production of independent films. The company will launch its activities on the coast and expects to deliver its first feature by June 1.

A tentative distribution arrangement will be set up shortly whereby distributors will operate on a 50 per cent basis. Malcolm stated yesterday that distributors will not contribute toward production. He also said the company has 16 distribution centers in mind.

Brown is president of the company and Malcolm is secretary-treasurer. A budget of $400,000 has been set to

(Continued on page 6)

Attorneys in Verbal Tilt on Dallas Case

WASHINGTON, April 5.—Solicitor General Robert H. Jackson, urging affirmation by the U. S. Supreme Court of the decision on the Dallas District Court holding major producers had violated the anti-trust laws by incorporating in license contracts restrictions on admission prices and double features, today crossed swords

(Continued on page 6)

HOPES FOR HIGHER US THEATRE LOANS

Brandt States RFC Head Interested in Moves For $25,000 Limit

Jesse Jones, chairman of the Reconstruction Finance Corp., expressed great interest in the proposal of Harry Brandt, president of the I.T.O.A., to make rehabilitation and equipment loans to exhibitors in amounts up to $25,000, he reported yesterday on his return from Washington.

Brandt conferred with Jones on the possibility of extending long-term credit at low interest to theatre owners through the local banks for all types of remodeling and renovating projects and the purchase of equipment. The I.T.O.A. head said that Jones liked the proposal as outlined, but raised the question whether it could be worked out with the banks.

Exhibitors can now obtain loans up to $10,000 from the Federal Housing Administration for permanent improvements to theatres and the purchase of immovable equipment. Brandt's idea is that the exhibitors should be able to borrow for all types of equipment, including booth installations, which are not covered by F.H.A. credits.

Brandt said yesterday that he is attempting to work out the plan not only for New York exhibitors but for theatre owners throughout the

(Continued on page 6)

Washington Gets Paramount Sales Meet April 15-16

Paramount's annual sales meeting will be held April 15 and 16 at the Shoreham Hotel, Washington, D. C., with district managers and home office sales executives in attendance, Neil F. Agnew, vice-president in charge of distribution, said yesterday.

The national meeting of the company's distribution heads will be followed by regional meetings to be conducted by district managers in their individual territories later.

At the Washington meeting Agnew will announce Paramount's new season program which, it has been indicated, will consist of 52 to 56 features and about 100 short subjects and 104 issues of the newsreel. Agnew will leave for the coast today for final conferences on the company's new production lineup prior to the meeting.

National's Buying Starts in 2 Weeks

New season film buying for National Theatres is scheduled to start in about two weeks, with 20th Century-Fox the first major company on the agenda, as has been the case in previous years. It was said that the circuit staggers its film buying with various companies, contracts for more than one year being in effect with some.

The circuit's film buyers usually begin their activity after the 20th Century-Fox sales convention, which was held last week. They have been attending the National Theatres' preseason conferences, which have been under way here since last Friday.

About 15 are attending the meetings

(Continued on page 2)

Lesser to Deliver 3 Breens for RKO

HOLLYWOOD, April 5.—Sol Lesser will deliver three Bobby Breen films for RKO distribution during the 1938-39 season, it was learned here today. In addition Lesser will produce a picture based on a Rupert Hughes original and a number of other productions, the distribution of which has not been determined. With the drop-

(Continued on page 8)

Ascap Given Stay In Florida Battle

OCALA, Fla., April 5.—Ascap and 10 other music composers and publishers today won a Federal court order here temporarily, setting aside a 1937 Florida law designed to prevent collection of royalties on their music within the state.

An interlocutory injunction was filed in the U. S. District Court for the Northern district of Florida against Cary D. Landis, the attorney

(Continued on page 6)

Lineup, Meet Plans Not Yet Set—Sears

HOLLYWOOD, April 5.—Plans for the company's sales meeting and the announcement of new product have only been tentatively formed and full details will be set upon his arrival in New York, Gradwell L. Sears, general sales manager of Warners, said here

(Continued on page 2)

National's Buying Starts in 2 Weeks

(*Continued from page* 1)

with Spyros Skouras, general operating head. Included are Charles Skouras, Rick Ricketson, E. C. Rhoden, Arch Bowles, Frank Newman and H. J. Fitzgerald, division managers; Mike Rosenberg and Al Finkelstein, district managers in Los Angeles and Portland, Ore., respectively; William Powers, chief film buyer; J. J. Sullivan, west coast film buyer, and Ed Zabel, Aubrey Schenck, Irving Barry and George Balsdon, all film buyers.

General policies are being set at the conferences, with a survey of conditions being made to guide the film buyers. Some of the out of town men will remain until late this week.

F. P. Canadian Cuts Funded Indebtedness

Toronto, April 5.—The financial position of Famous Players Canadian Corp. has been improved by a net reduction of over $300,000 in capital liabilities including bonds and mortgages, the debt now standing at a new low of $7,938,408.

Serial bonds have been reduced through the redemption at maturity of $350,000, while new bonds have been issued and sold to the amount of $300,000, a net decrease of $50,000. Notes payable have been reduced from $434,059 to $153,000 while mortgages on theatre properties have been reduced from $781,149 to $755,408.

President N. L. Nathanson has purchased a block of common shares in the company available at $13 per share under the option granted him for each of five years, the statement revealing that 11,000 shares had been sold in this manner. The current market value of Famous Players common is $23. The option agreement has four more years to run with 44,000 additional shares availing at prices scaling from $14 to $17 per share in successive years.

Regular Equity List Named; Election Set

The complete list of nominees comprising the "regular" ticket of Actors Equity Association was completed yesterday with Arthur Byron being designated for the presidency to succeed Burgess Meredith. The annual election will be held May 27. It is possible that an opposition ticket or tickets will make their appearance within the next few weeks.

Those nominated in addition to Byron are, for vice-president, Bert Lytell; for councillors, five-year terms, Lee Baker, Alfred Kappeler, Hugh Cameron, Hugh Rennie, Joseph Vitale, Eric Dressler, Katharine Warren, Earle Larimore, Winifred Lenihan and Broderick Crawford; for a two-year term, Ruth Hammond, and for one year, John Lorenz.

FOREIGN SERVICE EXECUTIVE

Linguist, with attractive service record, Foreign and Domestic, available at once; excellent references. Box 801, MOTION PICTURE DAILY.

Purely Personal

JOHN A GRODES, Paramount general manager for Singapore and Java, is en route to Europe, where he will join John W. Hicks, Jr., Paramount foreign head, and accompany the latter to New York on a home office visit late in May.

•

Rube Jackter has framed the score card evidence of his first near-par game at the Westchester-Biltmore links the other day with Joe McConville, Lou Barbano and Leonard Picker.

•

Bill Saal of Republic has gone to Dallas to handle the opening of "Under Western Stars" at the Capitol April 14. This is Roy Rogers' first picture.

•

Vivian Moses of RKO has left Polyclinic Hospital to recuperate at home from injuries he received a few weeks ago in an automobile accident.

•

Joseph Friedman, Columbia European manager, will sail on the *Queen Mary* today for London following a four-week visit here.

•

E. W. Aaron, assistant to William F. Rodgers at M-G-M, is absorbing Florida sunshine and is expected back about April 15.

•

Herman Robbins, president of National Screen, is on the coast and is expected back late next week.

•

Budd Rogers of Alliance is due back today from a short business trip to Boston.

•

Will H. Hays plans to leave for the coast late next week for an indefinite stay.

•

Hugh Herbert is due to arrive today from the coast for a vacation.

MATTHEW J. FOX, Universal vice-president, arrived on the coast yesterday for his first visit at the company's studio. He will return in about two weeks. Nate J. Blumberg, Universal president, may remain at the studio for another month.

•

Austin C. Keough, Louis Phillips, Gabriel Hess and Sidney Schreiber were among a delegation of New York film attorneys attending the U. S. Supreme Court hearing on the Interstate Circuit case in Washington yesterday.

•

Frank Phelps, Warners' labor contact, is due back tomorrow from Boston where he is conferring with John Gatelee of the I.A.T.S.E. and Henry Needles of Warners on matters concerning the circuit's theatres.

•

Terry De Lapp, Paramount studio publicity head, who is now visiting relatives in Kansas City, will arrive in New York on Monday for home office confabs with Robert Gillham and members of the latter's staff.

•

Marguerite Tazelaar, until recently film critic for the *Herald Tribune*, is working on special assignments for Howard Dietz, M-G-M advertising and publicity director.

•

Mrs. Dorothy Gerber, wife of Ned Gerber of the 20th Century-Fox ad sales department, has given birth to a son, the second child of the couple.

•

Harry Brandt, I.T.O.A. head, returned from Washington yesterday with the flu and was confined to his home.

•

Lionel Toll of the I.T.O.A. will sail tomorrow night on the *Lafayette* for a southern cruise, to return in 10 days.

Films, Radio Up in Constitution Meet

Albany, April 5.—At least two resolutions affecting films and radio are under consideration by individual delegates, Motion Picture Daily learned today as proceedings of the Eighth Constitutional Convention got underway.

Frederick E. Crane, chief justice of the Court of Appeals, was elected president.

Dickinson Takes House

Kansas City, April 5. — The Glen W. Dickinson Theatres, Inc., on April 15 will take over C. C. Rhode's Roxy in Warsaw, Mo., which will bring the circuit total to 35 houses. E. E. Weber plans to open the new Colonial, 1,000-seat house, by the end of the summer. It is on the site of old theatre which recently burned. George Harttmann has taken over the Delpheus. Mound City, Mo., from Herman L. Yous.

Irene Kuhn at Ampa

Irene Kuhn, who this week joined the editorial staff of *Motion Picture Daily*, will be guest of honor at the Ampa luncheon at the International Casino tomorrow. The program will include Rochelle Hudson, Bert Wheeler and others.

Lineup, Meet Plans Not Yet Set—Sears

(*Continued from page* 1)

today. Sears will leave tomorrow for the east by train.

Sears stated that the coast conferences only skimmed plans for a convention this spring and a date and place were not set. Announcement of the company's product, likewise, was not yet ready for formal release. Sears will leave with Carl Leserman, Mort Blumenstock, Sam Schneider, and S. Charles Einfeld, the latter intending to stay in New York for about two months.

Three Robbed Backstage

Philadelphia, April 5.—Two masked men last night held up Walter Miller, theatre electrician, and Edward Huff, engineer, backstage at Keiths. During the Robbery, Abel Tilles, restaurant proprietor across the street, entered the theatre and joined the victims.

"Sonata" to Open Soon

"Moonlight Sonata," British film produced by Lothar Mendes featuring Ignace Paderewski, will open shortly at a Broadway theatre, according to Malmar Pictures, American distributors.

Met. Playhouses Has Year Net of $98,317

Metropolitan Playhouses, Inc., and wholly owned subsidiaries yesterday reported net profit for the year ended Jan. 31, 1938, of $98,317.93. Joseph M. Schenck, who is chairman of the board of 20th Century-Fox, is president of Metropolitan Playhouses.

Rent income amounted to $3,609,831.61, while expenses totaled $[illegible]401.78. Dividends received fro[illegible]filiated companies and interest earned amounted to $179,945.57. Provision for Federal income taxes was set at $19,903.09.

Johnston Starts West

W. Ray Johnston, Monogram president, left New York yesterday for the studio and will visit company branches at Chicago, Detroit and Kansas City en route. He plans to remain at the studio in production conferences with Scott R. Dunlap until the end of the month, when he will come east to preside at Monogram's annual sales convention, May 8, 9 and 10, in Cincinnati. Edward A Golden, vice-president and executive assistant to Johnston, will be in charge at the home office during the latter's absence.

Film Notables Sail

Joseph Friedman, Columbia's managing director in London, will sail today on the *Queen Mary* for his headquarters after home office conferences here since March 10. Other passengers are Victor and Mrs. Schertzinger and their daughter, bound for a European vacation; Lily Pons, who is heading for a concert and operatic tour, and Ray Noble, band leader.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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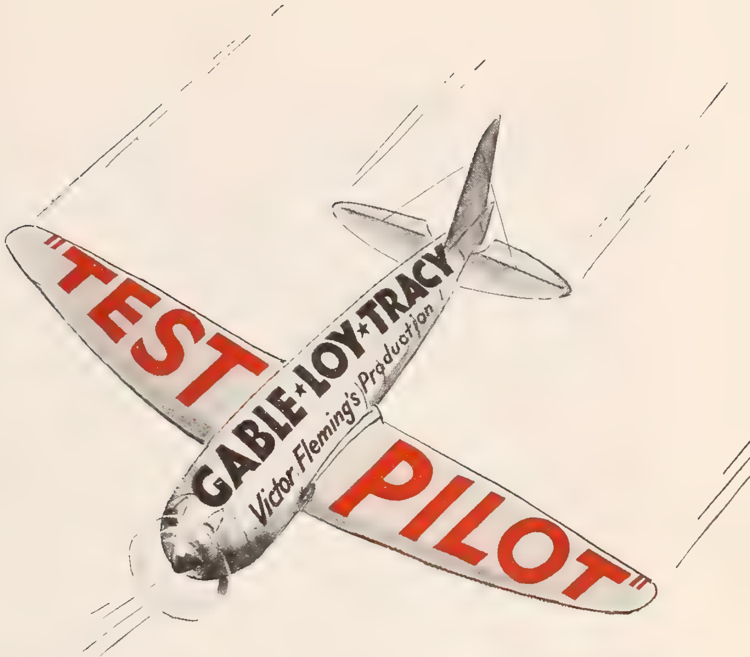
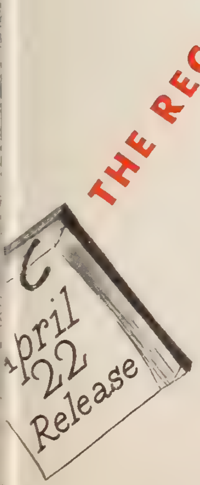

"TEST PILOT"
GABLE ★ LOY ★ TRACY
Victor Fleming's Production

THE RECORD-BREAKING PRODUCTION OF 1938 FROM M-G-M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Release

Canadians to Confer On Booking Problems

TORONTO, April 5.—Representatives of the Independent Theatres Association, Associated Theatres, Ltd., and the Canadian film exchanges have been invited by the Motion Picture Distributors Association to attend a series of meetings here to consider amendments to the Standard Rental Agreement, particularly with respect to block booking and booking protection.

The proposal conference is the result of the agitation on the part of the Independent group for reforms in the standard contract and the independent association has been requested to suggest an outline of subjects for the gatherings. Three Toronto exhibitors, Harold Kay, Ben Ulster and Harry Firestone, are representing the independents.

Saskatchewan Will Classify All Films

TORONTO, April 5.—The Saskatchewan Legislature has amended the Theatres and Cinematographs Act to provide for classification of films under the headings of "General" and "Adults Only" by the Saskatchewan censor, all releases to be advertised according to their category for the guidance of patrons. This law is similar to one in effect in Manitoba for some years and was also adopted in Ontario 10 years ago but unofficially dropped after a few months' trial.

The Saskatchewan censor sits in with the Manitoba censors at the Provincial screening room in Winnipeg and makes his decisions with regard to rejections or deletions independently of the Manitoba Board.

"Bluebeard" Strong $43,000 2nd Stanza

"Bluebeard's Eighth Wife" with Guy Lombardo and his band on the stage gave the Paramount a strong $43,000 in a second week, compared with the first week's take of $56,000.

"The Gaiety Girls" were not so gay at the Rivoli, where the seven days' gross was $5,500. Regardless, the film is being held another three days, "The Return of the Scarlet Pimpernel" to open Saturday. "Women Are Like That" will open at the Strand on Saturday.

Soviet Honor to 'Lenin'

The Order of Lenin, highest Soviet decoration, has been bestowed on Boris V. Shchukin, Mikhail Roman and A. Kapler, star, director and author, respectively, of "Lenin in October," according to advices received by Amkino, American distributor of the film.

Plan Miller Testimonial

CLEVELAND, April 5.—The Cleveland Variety Club is staging a testimonial dinner on April 11 in honor of Dave Miller, recently promoted to Universal district manager. Bert Stearn, United Artist district manager, is in charge of the affair.

Mills Heads Publicity

BOSTON, April 5.—A. W. Mills is now handling publicity for Samuel and Nathan Goldstein, circuit owners, at Springfield. Mills was formerly salesman for WSPR in Springfield.

The Newsreel Parade

Movietone News
Vol. 20, No. 59
(20th Century-Fox)

There is more than a fair share of death and destruction in the opening clips of this reel, starting with the havoc caused by the tornado which swept through Kansas and Illinois, leaving 30 dead. Then to Spain and the rebel drive to the sea, which affords some excellent photographic material of long range shelling into a valley and against a mountain background, showing troops crossing a pontoon bridge, and scenes of the wreckage caused by air raids on Barcelona.

In Prague, Czechoslovakia, is shown an air raid drill, with people scurrying for cover, and special squads spreading counter agents against deadly fumes. An Ohio twin contest is an interlude before another death scene, the discovery of the body of a hiker buried in the snows of Mt. Hood, against a background of snowy beauty. Girls put on diving helmets to study fish under water at Silver Springs, Fla., in another example of Florida's unquenchable publicity activity.

Lew Lehr is good for a laugh as usual in a shot of a pup going to a dentist for a set of false teeth, while the sports division shows a roller-skate hockey match in New York, the manufacture of baseballs and bats and the annual shots of the youngsters of Annapolis officers in the squared circle.

Running time, 10 mins. A.

News of the Day
Vol. 9, No. 257
(M-G-M)

Highlight of this reel is the brief picturization of the latest stages of the Franco rebel drive through loyalist territory to the east coast of Spain, characterized by examples of excellent photography. In secondary position are the scenes of the wreckage left in the midwest by the recent tornado which devastated sections of towns in Kansas and Illinois.

Personalities in the news include the son of the late Will Rogers, arriving from Europe; President Roosevelt visiting a Georgia community, and young David Hearst arriving in London with his new bride. Florida bathing girls are seen publicizing the state by going under water to "study fish" in diving helmets (the girls, not the fish).

For the rest, the reel covers the test of a new diving suit in Italy, which is said to have permitted a new depth record, coast motorcycle and auto daredevils doing their stunts, a couple of shots of the annual Film Stars' Ball in London, a pair of grapplers at "work" in a New York ring, and Annapolis' "small fry" in the ring, with gloves which look like pillows.

Running time, 9 mins. A.

Paramount News
Issue No. 70
(Paramount)

Competition seems to have gone out of the newsreel technique, but where audiences don't see more than one of them a week it is probably all right. This latest Paramount issue starts with shots of what the recent tornado did to South Pekin, Ill., and it was plenty.

The second number is the stock Florida publicity stuff, but it is handled neatly, with underwater shots of girls and boys in diving helmets at Silver Springs. Then comes a parade of 625 motorcycle policemen at Sacramento, which is nothing to get excited about.

Italian farmers and farmerettes are shown leaving for Germany and German technicians are shown goose stepping into Italy; Mrs. Marian duPont Scott has a few words to say about her horse which won the Grand National at Aintree. She doesn't screen very well.

Some nice pictorial material is presented on the Spanish war front with long shots of the terrain and close-ups of the bombing damage done at Barcelona. A comedy note is the feeding of animals at the Los Angeles zoo and a wrestling match with a lion. Running time, 9 mins. J.

RKO Pathe News
Vol. 9, No. 74
(RKO)

The standout events in this reel are midget racing car crashes and spills and some fast ice skating in Chicago. It is fairly interesting.

A shot of the British cruiser *York* showing the tars getting their daily grog will get a laugh. The California state police parade on their motorcycles. The damage of a tornado in the midwest is pictured. The Polish-Lithuanian difficulties of a few weeks ago are given brief treatment. The comment on this clip is the important thing. There is a sur-realist art exhibit in Buffalo. England prepares for gas attacks.

"Zoology" students at Miami University disport themselves under the clear waters of Silver Springs. A special sequence showing Harry Brandt, Eddie Cantor and Milton Berle at the I.T.O. ball last Saturday will be presented locally only. Cantor presents an award for "Snow White" to Berle, who represents RKO. Running time, 10 mins. P.

Universal Newsreel
Vol. 10, No. 655
(Universal)

The 10 subjects in this number range from such run-of-the-mill stuff as bathing girls at Silver Springs, Fla., "attending underwater school" to the President visiting a government project at Pine Mountain, Ga. The rest of the material is a standard assemblage of fires, blizzards, death and sport. However, it holds interest and is varied.

Other items not mentioned above include: a racing airplane in a tryout flight. It cracks up in landing. A stable in N. Y. makes a spectacular blaze. There are shots of dead animals trapped within. Sur-realist artists have a party in Westwood, Cal. Their getups will provide laughs. A tame deer cavorts at Gowanda, N. Y. Daffodils bloom in Tacoma. Youngsters, sons of naval officers stationed at Annapolis, stage a boxing tournament. It's an annual event. The closing sequence offers scenes of a midget car race. A vehicle crashes into the spectators. Running time, 9 mins. P.

Variety Club

Pittsburgh

PITTSBURGH, April 5. —HARR FEINSTEIN is spending his vacation a Danville, N. Y., in a physical cultur camp.

C. J. LATTA is back on the jo again after three weeks in Miami.

At least 50 members of Tent [illegible] 1 are expected to attend the nati[illegible] convention in Cincinnati late [illegible] month.

FRANK J. HARRIS is running fo lieutenant-governor of Pennsylvani with GIFFORD PINCHOT on the G.O.P ticket.

More than 150 turned out for th club's first dinner-dance and it wil become an annual affair.

"U" Names Jay in Londo

William W. Jay, formerly RKO sales manager for Great Britain, has been engaged by Joseph H. Seidelman as special representative for Universal in Great Britain. Jay will concentrate particularly on sales promotion. Seidelman, who has been abroad for the past two months, will sail from England on his return to New York in about a week.

Guthries Acquire Two

ERICK, Okla., April 5.—The Guthrie Brothers, who own theatres in Wheeler and Matador, Tex., and Wetumka and Tipton, Okla., have purchased the Gay and Erick here. The Erick was sold by Oakley Leachman. Roy McAmis of Sayre, Okla., sold the Gay.

Dwan to Direct "Suez"

HOLLYWOOD, April 5.—Twentieth Century-Fox has named Allan Dwan to direct "Suez," in which Tyrone Power, Loretta Young and Annabella will be starred.

Gene Markey Re-Signed

HOLLYWOOD, April 5.—Gene Markey, writer and associate producer, has been signed to a new contract by 20th Century-Fox.

Wall Street

Kodak Advances 8⅜

	Open	High	Low	Close	Net Change
Col.	10	10	10	10	.....
E. K.	131	138⅞	131	138⅞	+8⅜
K. A. O...	63	63	63	63	—2
Loew	36⅛	36½	35⅝	36⅜	+ ⅜
Loew, pfd.	104	104	104	104	.....
Para.	7	7¼	7	7¼	+ ⅜
Para. 2.....	7⅞	8	7⅞	8	.....
Pathe	4	4	4	4	— ¼
RKO	2¾	2⅞	2¾	2¾	.....
20th Fox ..	18	18	18	18	.....
20th pfd. ..	27	27¼	27	27¼	+ ¼
W. B.	4¾	4⅞	4⅝	4⅞	+ ⅛

Little Fluctuation on Curb

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	+ ⅛
Sonotone ..	1⅝	1⅝	1⅝	1⅝	.....
Tech.	16½	16¾	16½	16¾	+ ⅜
Trans-Lux	2⅜	2⅜	2⅜	2⅜	.....

Paramount Bonds Gain

	High	Low	Close	Net Change
Loew 3½s '46....	96¼	96¼	96¼	+ ¾
Para. B'way 3s '55	57¼	57	57¼	+ ¼
Para. Pict. 6s '55	82¼	82	82½	+ ½
Para. Pict. '47....	58½	58⅜	58⅜	+ ⅜
W. B. 6s '39......	65	65	65	—1

(Quotations at close of April 5)

Pat O'Brien

knows exactly how to handle her when

Kay Francis

shows him (but how!) *that*

Women Are Like That

with
Ralph Forbes • Melville
Cooper • Thurston Hall
Grant Mitchell • Herbert
Rawlinson • Directed
by Stanley Logan • Screen
Play by Horace Jackson • From
the Saturday Evening Post
Story by Albert H. Z. Carr
A First National Picture

SHIELD OF PROGRESS

They make a swell team
We made a swell picture
Warner Bros.

Court Contest Set on Import Of "Mankind"

Legal proceedings whereby the U. S. Collector of Customs will take possession of the print of a film called "Science of Mankind" have been agreed upon by customs officials and counsel for Jewel Productions, which imported the film from Austria.

The positive print was brought in by Jewel about two years ago and was admitted through customs. When the negative arrived in February, 1937, under the title of "Mysteries of Sex," the customs officials became suspicious of its subject matter and it was seized. A hunt was then begun for the print imported earlier, but the Government agents have been unsuccessful in their search.

Will Not Contest Seizure

Henry Pearlman, attorney for Jewel, which is owned by Sam Cummins, said that he has agreed with U. S. District Attorney Lamar Hardy that a warrant be issued for the print. It has been further agreed, said Pearlman, that Jewel will offer no resistance to seizure of the film, and that the question of whether the warrant shall be quashed or sustained will be aired in the Federal courts.

If the Government is sustained, Hardy will then sue to have the print destroyed on the ground that it is obscene.

A separate action, Pearlman said, will have to be started for the destruction of the negative, which the Government has impounded.

The attorney declared that as a result of the customs agents' widespread search for the positive print, he sought an injunction before Federal Judge Mandelbaum to prevent their questioning Jewel's employes and laboratory officials and to prevent seizure without a warrant. The court asked to be relieved of deciding the question, and Pearlman then took the matter before Judge Cox, where it is now pending.

To Surrender Print on Writ

He said that preliminary papers have been drawn up by Hardy and when the warrant is actually ready to be issued, he will divulge the whereabouts of the print. A seizure warrant has to name the premises to be entered specifically.

This is Jewel's second run-in with the Federal authorities. "Ecstasy," which was imported from Czechoslovakia, was the subject of a battle with the U. S. Customs which sought to bar it from this country.

Since then "Ecstasy" has been continually in the courts. The U. S. Supreme Court is scheduled to rule on its jurisdiction in an action by Jewel seeking to prevent the New York State Department of Education from fanning the film. Attorney General John J. Bennett, Jr., has moved to dismiss the appeal.

Farley to Be at Banquet

Cincinnati, April 5.—Postmaster General James A. Farley has accepted an invitation to attend the banquet of the annual convention of the Variety Clubs of America at the Netherland Plaza here April 24.

Brandt Hopes For Increase In US Loans

(*Continued from page 1*)

country as well. He says that exhibitors who need such financing may make application to the I.T.O.A. and the organization will help them obtain Government credit in instances which are merited. The loans are not intended for new theatre construction.

R.F.C. Declines Comment

Washington, April 5.—Officials of the R.F.C. tonight refused to comment upon reports that they were favorable to suggestions for loans up to $25,000 to exhibitors for improvement of theatres, explaining that it is the policy of the organization not to discuss negotiations with prospective borrowers.

It was indicated, however, that such a sum, negligible in comparison with the $1,000,000 advances that have been made in other directions, would not be considered impossible to grant provided the borrower had adequate collateral and could satisfy the Government's requirements. The new legislation providing for loans to small industries will necessitate no material change in R.F.C. lending policies.

English Production Realignment Urged

(*Continued from page 1*)

either to eliminate the long programs or increase admission prices.

Relative to allegedly high rentals, the K.R.S. asked indirectly that the exhibitors sacrifice their self interest to the good of the industry as a whole. The report shows that 58 theatres were closed during the past year and that 102 cases of alleged fraud on the part of exhibitors were investigated. The K.R.S. declared that circuits and theatre employes were equally to blame in those instances, the employes of circuits were as much guilty of such practices as were independents, and said the organization is considering the employment of a fingerprint expert to assist in the problem.

CEA Plans Drastic Action

London, April 5.—The rental committee of the Cinematograph Exhibitors' Association today decided to recommend that the General Council of the organization take immediate and drastic action in retaliation against the distributors' insistence on grading films. The exhibitors are understood to be confident of weakening the resistence of the K.R.S. and are hopeful of splitting the distributor ranks on the issue.

Mass. House Passes True Name Measure

Boston, April 5.—The House of Representatives today passed Representative Francis X. Coyne's bill which stipulates that all film stars must be advertised by their legal rather than their stage names. The vote favoring the bill was 78 to 54.

The measure previously had been reported unfavorably by committee.

Asher Denies All

Irving Asher, since arriving from England on Monday, has been amused by reports that have had him joining several major companies.

"I have no negotiations on with Columbia, M-G-M or Paramount," he said yesterday. "I'm having lunch with Phil Reisman at 21, and I suppose after lunch there'll be a rumor that I'm joining RKO. But I can assure you there's nothing to it." The former head of Warners' British production will leave for Hollywood today.

Ascap Given Stay In Florida Battle

(*Continued from page 1*)

general of the state, and the 15 state attorneys of Florida. It was signed by the three judges of the Federal statutory court who, on March 3, heard arguments in the case in New Orleans. Landis is given 30 days to file an answer under the order, which allows Ascap 30 days to post a $5,000 bond to compensate for damage which might be incurred before a final hearing is held.

Trial of Ascap's case to have the state law declared unconstitutional is expected to be set for some time next fall.

The injunction is the second to be won by Ascap from a Federal statutory court against state laws designed to halt the music licensing society's operations. The first was won in Nebraska last year. Applications for injunctions against similar laws are pending with statutory courts in Montana and Washington. The society plans to file an application in Tennessee Monday.

Malcolm, Brown in Producing Venture

(*Continued from page 1*)

finance production of 20 pictures. Broken down, the lineup calls for eight westerns, eight action features and four specials. The complete schedule is expected to be delivered by February, 1939.

After minor details have been straightened out a studio and office will be taken in Hollywood. A sales organization will operate out of New York. Al Selig will handle publicity and exploitation.

Attorneys in Verbal Tilt on Dallas Case

(*Continued from page 1*)

with a predecessor in office, Thomas D. Thacher, who, with George S. Wright of Dallas, appeared on behalf of the defendants.

Jackson declared the restrictions, which he said were incorporated at the insistence of two Texas circuits also party to the suit, were an onerous burden upon the subsequent run exhibitors to whom they applied.

Thacher and Wright argued that the provisions of the contracts were merely the exercise of rights granted by the copyright law, under which the owner of a copyright may fix the conditions under which his copyrighted work is publicly performed.

The Supreme Court now has the case under consideration. The earliest date by which a decision can be rendered is April 25, when the court reconvenes after its monthly recess for the writing of opinions, but it may not come until later.

▶ *Radio Personals* ◀

JIMMY RINALDO, formerl in th sound department at Paramou studios, is now a sound engineer f CBS. . . . Gerald Marks, the song writer, is back from a visit [illegible] home in Saginaw, Mich. . . . [illegible] Brant, vocalist at the New Y[illegible] the past three months, is forming hi own orchestra.

+

San Francisco

Sam Moore, KFRC novelty enter tainer, has been signed as "em cee for Dr. Kate," KPO daily skit. . . Fred MacPherson has been move from press agent to sales chief a KRE. . . Pianist Eunice Steel is leav ing KGO to freelance on commercial . . Local NBC offices (KPO-KGO have installed page boys to replac hostesses. . . KYA is airing featur races daily from Bay Meadows, re creating the day's entire card in special night show. . . After a brie honeymoon, Jack Meakin, KPO direc tor, and Patricia Norman, vocalis with Eddy Duchin, who were marri at Yuma, are back in town.

+

Hollywood

Al Pearce and His Gang will mov to Hollywood CBS headquarters fo their broadcasts for Ford startin July 5 and continuing to Sept. 13 . . Eddie Cantor and his troupe are expected here in time to resume thei CBS Monday night programs, Apri 25 . . . Mark Kelly's "Man to Ma Sports," for Rio-Tan Cigars, has bee renewed for 13 more weeks . . . Edward Gardner, Sam Moore and Meredith Willson have had their "Goo News of 1938" contracts extended . .

No Selznick Shift Of Releases Nou

(*Continued from page 1*)

Selznick was renamed president of the company. Newly elected to the post of secretary was Daniel T. O'Shea, who for two years was assistant to the president. He succeeds Loyd Wright, who was made assistant secretary. Reelected were Henry Ginsberg, vice-president and general manager; John F. Wharton, treasurer; E. L. Scanlon, assistant treasurer; L. R. Case, assistant secretary and treasurer, and L. F. Altstock comptroller. Elected to serve on the board of directors for a year were Dr. A. H. Giannini, Robert Lehman, Myron Selznick, David Selznick, C. V. Whitney, John Hay Whitney and Loyd Wright. An announcement from the studio at the same time disclosed that stockholders included Norma Shearer Thalberg, Robert Lehman, Myron Selznick, Mrs. Charles S. Payson, John D. Hertz, C. V. Whitney, David O. Selznick and John Hay Whitney.

aley Attacks Regulation of Radio by U.S.

(Continued from page 1)

ntertainment, the information and education of a whole people," ley declared that Federal regula- h would cripple radio operations in way and another.

He advocated greater public inter- in all proposals tending toward sorship of broadcasting, the vesting program control in any regulating hority, or undermining the Ameri- system of private competitive op- tion. He further suggested that the ustry unite on a program of prog- s. public service and protection, and d that the newly reorganized Na- nal Association of Broadcasters ght be the instrument for formulat- and promoting such a program. He ded that he believed that the broad- ters, once a program had been med, should ask for the support all political parties and all public rited men and women.

Hits Licensing Plan

Touching upon a subject close to hearts of all broadcasters, that of present short-term licensing sys- m, requiring each broadcaster to k renewal of his license at the end each six-month period, Paley em- atically declared that the system s "as unfair and as unwise as it uld be to give men short-term li- nses to publish newspapers, to write oks or plays, or to make motion tures." He said he did not think wise for the public to allow the hole broadcasting structure to "con- ue to rest on such a structure."

In place of the present licensing stem, Paley proposed licenses over term of years, pointing out that the ense system requires the broadcaster operate in the public convenience, terest and necessity, and suggested at if after a full and open trial has been proved that the broadcast- has not so operated, the license be ken away from him.

Denies Monopoly

Referring to the Federal Commu- cations Commission's recent decision make a full investigation of network oadcasting and the relationship of ations to networks, Paley said the esent competitive situation was any- ing but monopolistic and asserted at broadcasting would suffer if net- ork operations were limited or ham- red. He asked for consistent pub- effort to strengthen and encour- e network broadcasting. However, did not criticize the local stations, ating that they serve their com- unities usefully.

Paley also talked about current dis- ssions as to whether the commission ould seek to regulate prices at which ations could be bought or sold, and to whether or not the commission ould try to regulate the number of ations a network might own or lease. e said the ordinary rules of busi- ss transactions should govern sell- g prices. As to the number of sta- ons a network could lease or buy, aley said he thought the ordinary onomics and operating problems of network should be the sole determin- g factor.

CBS 1937 Net $4,297,566, Year Increase of $542,043

Net profit of Columbia Broadcasting System, Inc., for 1937, amounted to $4,297,566.82, according to the network's consolidated financial report made public yesterday by William S. Paley, president of the network. This compares with a net profit of $3,755,522.99 for 1936, an increase of $542,043.83.

Based on the 1,707,950 shares of new $2.50 par value stock outstanding Jan. 1, 1938, or to be outstanding upon completion of the exchange of all old shares, the 1937 net is equivalent to $2.52 per share as compared with $2.20 per share earned during 1936.

Gross Income Up

Gross income from sale of facilities, talent and lines for 1937 amounted to $34,239,896.09. This compares with gross income of $27,780,300.67 for the 53 weeks ended Jan. 2, 1937, an increase of $6,459,595.42.

Cash dividends amounting to $3,329,682.50 were paid during 1937, representing a total distribution of $1.95 per share based on the new $2.50 par value stock. Continuing the policy followed last year, undistributed profits of $967,884.32, approximately 25 per cent of the 1937 net earnings, have been added to the surplus to provide for the ready financing of prospective capital requirements.

A provision of $897,021.50 has been made for payment of the 1937 Federal income tax. Total taxes of all kinds charged to the network in 1937 were approximately $1,325,000.

Cash on hand Jan. 1, 1938, amounted to $3,636,397.04, as compared with $3,826,169.12 at the same time last year.

Joint Sponsorship Of WHN Games Set

Baseball over WHN will be sponsored for the second year jointly by General Mills and the Standard Oil Co., starting April 21. The contract is for 22½ weeks for all home and away games of the Jersey City Giants of the International League. Joe Bolton will handle the descriptions. The agencies are Knox-Reeves for General Mills, and J. Stirling Getchell for Standard Oil.

Schedule Fair Programs

Through arrangements by John S. Young, radio director of the New York World's Fair, WBNX is presenting a series of programs each Monday at 3:45 P. M. during the month of April. The series stresses women's participation in the Fair.

McLaglen on "Hotel"

Victor McLaglen will preview his latest picture, "Battle of Broadway," during the "Hollywood Hotel" program over CBS Friday. Appearing with him in supporting roles will be Brian Donlevy and Louise Hovick.

Two Sponsors Are Added

Two new sponsors have been added to WNEW's "Milkman's Matinee." They are the Hampden Sales Association and Schwab Bros. & Baer, Inc. The Biow Co. is the agency for the former, Gale, Inc., for the latter.

Reveals NBC Net

NBS's net profit in 1937 was approximately $3,700,000, it was revealed by David Sarnoff, RCA president, at yesterday's RCA stockholders meeting.

Sarnoff supplied the information in answer to a query from a stockholder. It is the first time that NBC's net profit has ever been publicly revealed.

In answer to another query, Sarnoff revealed that NBC's contribution to RCA gross business in 1937 was approximately $41,000,000.

Network Billings Hit New All-Time Highs for March

Network billings in March reached all-time highs, with CBS scoring the most spectacular gains.

Gross time sales on CBS for the month totaled $3,055,929, an increase of 19.4 per cent over the same month in 1937, and the first time in the history of broadcasting that a monthly revenue has exceeded $3,000,000.

CBS cumulative billings for the first quarter of 1938 totaled $8,628,689, a 19.8 per cent increase over the corresponding period last year and the largest three-month total ever recorded by any network.

Advertisers invested more money in time on NBC in March than in any previous month in the company's history, the total gross billings amounting to $3,806,831 for the combined Blue and Red networks, up 5.3 per cent over March, 1937.

Cumulative billings for the first quarter on NBC totaled $11,098,400, up 6.2 per cent over the 1937 period, the highest previous quarter in NBC history.

Mutual's cumulative billings for the quarter amounted to $763,781.45, an increase of 10 per cent over the corresponding period last year, when the billings totaled $694,465.62. The network's March billings this year, amounting to $240,637, were down by 2.7 per cent compared to the March billings last year, which were $247,431.

All Units of RCA Showing Profits, Sarnoff Reports

David Sarnoff, president of RCA, yesterday declared in a report to stockholders that the company thus far this year is operating at a profit in all its divisions.

Sarnoff revealed that since the first of the year the company has paid off $2,400,000 to banks, reducing loans to $8,000,000.

At the meeting four directors were reelected for three-year terms expiring in April, 1941. They were Arthur Braun, John Hays Hammond, Jr., Edward W. Harden and Sarnoff.

RCA paid the Federal Government in taxes more than twice the amount received by the common stockholders in dividends during 1937, Sarnoff reported. The tax total for the year was $4,297,500, equal to 42 cents a share on the common stock.

RCA Manufacturing Co. showed a profit for 1937 of more than $3,000,000, he said.

Questioned on the effect of the F. C. C. investigation of radio, Sarnoff said the company welcomed the investigation and would cooperate to the fullest extent, since it had nothing to conceal. On the subject of radio research, Sarnoff said that important advances are being made in television and facsimile broadcasting.

He told stockholders that the company has disposed of holdings in Canadian Marconi Co. for $1,725,000 in cash, against a purchase price of $1,156,000.

A GREAT NEW ADVERTISING OPPORTUNITY!

HOLLYWOOD HIGHLIGHTS starring SAM TAYLOR

ECONOMICAL—because it's a participating sponsorship program!...Popular—because fan's favorite Sam Taylor knows how to mix up music, Hollywood chatter and prize contests into just what thousands want to listen to...Daily from 12 to 12:30 P.M.

Prices of participating spots on request

WHN

DIAL 1010 ★ 1540 B'WAY, N.Y.C.

Special! "The Public Reviews"... a special Taylor stunt to interest listeners... Just part of a great program.

Magnalite Dropped By National Screen

The Magnalite sign division of National Screen Service was recently disbanded with the termination of the license agreement with the Magnalite Corp., it was said yesterday by Toby Gruen, vice-president of National Screen.

The Magnalite division was under direct charge of Sam Dembow, Jr., who resigned as general manager of National Screen late last week to join Fanchon & Marco as a vice-president and director. It was set up more than a year ago.

Gruen said that Dembow's duties will be divided among the other executives.

Edward Sullivan Dies

Hollywood, April 5.—Edward Dean Sullivan, 49, newspaper writer, author and film scenarist, was found dead of natural causes in his apartment here last night.

James Carew, 62, Passes

London, April 5.—James Carew, 62, veteran actor and the third husband of the late Dame Ellen Terry, died at his home here yesterday. He had been on the stage for forty years. He appeared on the screen for Pathe in 1915 and later in the talking films, and appeared on the radio for the British Broadcasting Co.

Henshaw and Wife Found Dead

Los Angeles, April 5.—Roger Henshaw, 42, film writer and former director, and his wife, Dale Henshaw, an actress, were found dead in a closed automobile at their North Hollywood home yesterday.

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MUSICAL WESTERN
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already set in Los Angeles, New Orleans, St. Louis, Cincinnati, Mobile, Texarkana, Muskogee, Birmingham, Atlanta, Shreveport, and Beaumont.
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610 Soledad Street
San Antonio, Texas
109 Walton Street
Atlanta, Georgia

Out Hollywood Way

Hollywood, April 5.—Coach Tom Lieb and the Loyola University hockey team have been signed to appear in the Pete Smith specialty, "Ice Hockey," to be directed by Charles Vandeveer. . . . Hal Wallis has assigned Lou Edelman to produce "Wings Over the Navy," to begin shooting in June. George Brent and Ronald Reagan will have important roles, and Lloyd Bacon will direct.

Larry Darmour has signed Marcia Ralston for the feminine lead in the current Jack Holt vehicle, "Crime Takes a Holiday," replacing Ann Sheridan, who is recuperating from a tonsil operation. . . . Barbara Stanwyck will be starred in "Always Goodbye," 20th Century-Fox. . . . Humphrey Bogart, John Litel and Russell Simpson will have important roles in Warners' "Valley of the Giants." . . . Joan Bennett, not Ginger Rogers, will star in RKO's "Mother Carey's Chickens." Rowland V. Lee, not Dorothy Arzner, will direct.

Sol Lesser has taken Rupert Hughes' "Celluloid" off the shelf for possible summer production, and has planned a 90-day shooting schedule. . . . Ben Judell has announced titles of three more pictures—"Stepmother," "I Want a Divorce," and "Temptations of Youth."

Movita and John Carroll will be be co-starred by Monogram in "Isle of Terror." . . . Bing Crosby will direct the turf sequences in "Sing You Sinners," Paramount. . . . RKO has purchased "Menial Star," original by Charles Hoffman, as a vehicle for Lucille Ball. . . . Warners has purchased "He Sang Yankee Doodle," Carl Glick story, for short subject material.

✚

Casting—Elizabeth Risdon, Bobby Jordan and Maurice Murphy in "In Every Woman's Life," Warners. . . . Roger Converse in "Yellow Jack," M-G-M. . . . Herbert Mundin in "Lord Jeff," M-G-M. . . . Fay Holden in "Hold That Kiss," M-G-M. Nina Koshetz, opera singer, has been cast in a dramatic role in "Algiers," Wanger. . . . Helen Broderick has been borrowed from RKO by Universal for "The Rage of Paris." . . . Rita Johnson has been loaned by M-G-M to Universal for "Letter of Introduction." . . . Vladimir Sokoloff and Duncan Renaldo in "Spawn of the North," Paramount. . . . James Burke and Virginia Weidler in "Men With Wings," Paramount. . . . Dickie Moore in "My Bill," Warners. . . Elaine Arden, Greek dialectician, in "Scandal House," Progressive.

✚

Contracts—Gloria Blondell has been signed by Columbia. . . . RKO has given a term contract to Ray Whitley, cowboy singer, actor and band leader.

✚

Title Changes—Warners have changed the title of "My Country First" to "Haym Solomon," "Young Man, Go West," to "Colorado," and "Sister Act" to "Because of a Man." . . . "The Phantom Ranger" is the new title for "Ridin' Gent," Tim McCoy vehicle for Monogram

✚

Directors—Karl Brown will direct Monogram's "Private Nurse." . . . Switching assignments, William McGann will guide Warners' "The Singing Cop" and John Farrow, "My Bill." . . . Sam Newfield has been signed by Jed Buell to direct "Paradise Valley," Fred Scott vehicle for Stan Laurel Pictures, Inc., which Spectrum will release.

Bank Night Banned Near Philadelphia

Philadelphia, April 5.—In Montgomery county, adjacent to Philadelphia, exhibitors have been ordered to cease Bank Nights by District Attorney Smillie. Police chiefs were ordered to see that theatres stopped "this illegal operation or be arrested."

Smillie acted on the recommendation of the Grand Jury, which termed Bank Night "illegal and dishonest." Jurors alleged that "children of tender years are being lured into theatres with the hope of winning money on games of chance."

As far as could be learned today no other games, many of which are played by churches, came under the ban.

Herman Whitman Dead

Philadelphia, April. 5.—Herman Whitman, 37, manager of the Earle for the past three years, died suddenly last night at the Sylvania Hotel. He collapsed nearly two weeks ago and had been in bed since. The funeral will be held tomorrow from 45-15 Ft. Hamilton Parkway, Brooklyn.

Before coming here Whitman had managed the Palace, New York, and Greenpoint, Brooklyn, and had been at the Radio City Music Hall.

Conn. MPTO Opposes Neely Bill Passage

New Haven, April 5.—Resolutions opposing the Neely Bill were passed unanimously yesterday by the M.P. T.O. of Connecticut.

The resolution says the opposition is due to the members' belief that "as active motion picture theatre operators we are convinced that it will not accomplish any of the benefits its proponents assert in its behalf."

Copies were sent to Connecticut Congressmen.

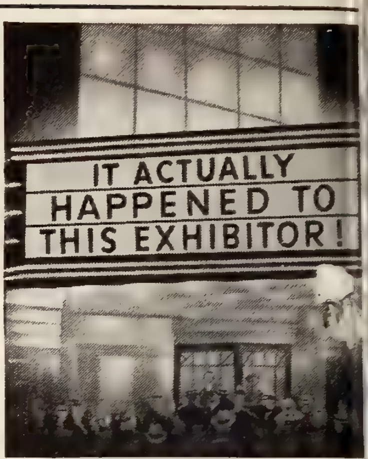
Lesser to Deliver 3 Breens for RKO

(Continued from page 1)

ping recently of a 20th Century-Fox releasing deal for action pictures of which, incidentally, Lesser has not yet been officially notified, the producer plans no more B pictures. Lesser has one Smith Ballew western, "Lord of the Panamint," and "Tarzan Speaks," both of which will be delivered to 20th Century-Fox under his current arrangement.

Pick Shirley's Next

Hollywood, April 5. — "Lucky Penny" will be the title of Shirley Temple's next for 20th Century-Fox.



TRUE STORIES FROM ALTEC FIL

L. DERENE, manager of the Terrace Theatre, New York City

Refunds Saved by Inspector's Quick Arriva

NEW YORK CITY—"Something we wrong with the sound at the beginning the last feature," said L. Derene, manag of the Terrace Theatre, of the Har Brandt Circuit, recently. "I put in an eme gency call for the Altec service man 10:14 P.M., and in exactly thirteen mi utes Inspector Olan W. Hancock was the lobby.

"The sound had gone entirely dead, a the patrons had begun demanding pass and refunds.

"Seeing Hancock, I announced to t audience, 'The sound engineer is her everything will be all right in a moment He found trouble in the main amplifie and cleared it instantly. Then Hancock i formed our usher, 'The show will be read to start as soon as the audience is seated

"Due to Altec's prompt action, the pi ture hit the screen at 10:30, exactly 1 minutes after I first called, we saved fro 250 to 300 refunds."

• • •

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ALTEC SERVICE CORPORATION

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250 West 57th Street, New York City
Gentlemen: Without obligation to myself, would like to have an Altec Inspector show m how an Altec agreement can give my theat greater protection.

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. 43. NO. 80 NEW YORK, THURSDAY, APRIL 7, 1938 TEN CENTS

raven, Payne Not to Share In Air Probe

oth Urged Quiz But Are Left off Committee

By BERTRAM F. LINZ

WASHINGTON, April 6.—Commis- ners T. A. M. Craven and George Payne, whose demand for an in- tigation of monopoly in the broad- ting industry last month resulted initiation by the Federal Com- nications Commission of a study of in broadcasting and monopoly, to- were effectively sidetracked from participation in that inquiry.

Announcement by the commission the membership of committees ich will conduct that investigation l the study of super-power also in- gurated by the F.C.C., disclosed t neither member was to serve the monopoly group, which is to be nposed of Commissioners Paul A. alker, Eugene O. Sykes and Thad Brown.

Additional developments in radio yesterday on page 8.

raven and Sykes, however, will ve on the super-power committee. ith Commissioner Norman S. se, Chairman Frank R. McNinch

(*Continued on page 8*)

TOA Reports Many Want Conciliation

Two hundred letters have been re- ved by the I.T.O.A. from exhibi- s asking that the organization pro- d with its intention to obtain dis- butor support for conciliation ma- nery, according to a statement in *Independent*, organ of the asso- tion.

The majority of the letters are from mbers of Allied groups, according

(*Continued on page 6*)

o Giveaways with "Hood," Says Sears

HOLLYWOOD, April 6.—Warners l not permit giveaways or chance nes of any character to be used on same theatre bill with the com- ny's Technicolor special, "The Ad- ntures of Robin Hood," declared adwell L. Sears, general manager distribution, here today before leav- for New York.

The statement as issued here makes specific mention of double bills,

(*Continued on page 6*)

Republic Will Deliver Whole Lineup: Yates

Will Leave April 22 to Arrange Convention

All of Republic's 54 films and four serials on this year's contracts will be delivered to exhibitors by Sept. 1, when the 1938-'39 releasing season will start, it was said at the home office yesterday. H. J. Yates, Sr., plans to leave for the coast April 22 to arrange for early completion of this year's product.

Yates will also supervise arrangements for Republic's first national sales convention to be held May 3 to 5 at the Roosevelt Hotel in Hollywood, which about 250 are scheduled to attend. Included will be 30 from the home office and the New York exchange, all franchise holders and branch managers, district sales supervisors, salesmen and bookers.

Republic has abandoned plans to increase the feature schedule by 10

(*Continued on page 4*)

B. & K. Takes "Snow" As a Single Feature

CHICAGO, April 6.—Jules Levy and Walter Branson left on the Century tonight for New York after closing a deal with Balaban & Katz for "Snow White and the Seven Dwarfs."

Levy said the deal was very satisfactory and that B. & K. would play the picture on a single feature basis. The negotiations have been protracted because of the B. & K. stand that it would not drop its current double bill practice for any picture.

BOOTH BARRICADE CONDONED BY NLRB

Local 306 Men Who Shut Five Houses Ordered Reinstated

The right of projectionists to barricade themselves in booths to influence union recognition by an exhibitor employer was recognized by the National Labor Relations Board as being in accordance with "regular practice" in a decision handed down yesterday directing the United Long Island Amusement Corp. to reinstate six Local 306 members who were discharged last August, according to Local 306 officials.

The six projectionists were employed at the Island, St. Albans, Laurelton, Little Neck and Linden theatres. After stopping performances in all five theatres last August, they barricaded themselves in the booths and exhibited a trailer informing the audience of the union dispute and requesting patrons to leave the theatre. A contract subsequently was negotiated by the circuit with the Empire Projectionists Union and the Local 306 men were replaced. Local 306 then filed a complaint with the N.L.R.B.

The board's order, according to Local 306, abrogates the contract with Empire, directs the reinstatement of the six original projectionists, certifies 306 as the collective bargaining agent for all five theatres and directs the payment of full back pay to the men discharged.

"U" Has a "Find"

Universal talent scouts, who comb the world in their hunt for gifted personalities, on Friday night will attend, perhaps rather sheepishly, a performance of Verdi's "Rigoletto" at the Hippodrome, where Tom Smizzi, a bookkeeper in their own home office, will make his operatic debut in the role of Sparafucille, the villainous innkeeper.

Smizzi's talent was recognized by Alfredo Salmaggi, Hippodrome impresario, who granted the Universal bookkeeper an audition only two weeks ago.

Schaefer Says U.A. Take Up 6 Million

United Artists' cash receipts from the domestic market for the fiscal year ended April 1 were $6,017,000 more than for the preceding 12 months, George J. Schaefer, vice-president and general manager, said yesterday.

For the first quarter of the current year cash receipts were larger than for any similar period in the company's history, Schaefer said, attributing the results to sales efforts in connection with the company's better business drive. Receipts for the quarter were 172 per cent of those for

(*Continued on page 7*)

April Fool's Day for U. S. On Quota, Is Comment Here

By IRENE KUHN

April first in this year of grace will go down in history as April Fools' Day for the American motion picture industry. For years, American picture producers have been expecting that our British cousins would do handsomely by us when and if the British quota regulations became law.

And April first was the day John Bull's House of Lords made a law of the controversial quota bill. Now the chocolate is all licked off the quota bonbon and the inside is revealed as cotton sprinkled with cayenne pepper.

There is no sense in screaming about the unfairness of a law once it's on the British statute books, say the wise boys. Laws in Great Britain have a way of being firmly cemented into the Empire's system of jurisprudence.

Instead of gagging on the cotton and pepper, or knocking heads against a cement law, far-seeing industry executives agree that American ingenuity can now go in for some sound planning that will make the cotton palatable and soften the cement.

For while the old saying is "if you

(*Continued on page 4*)

Pathe Film Profit Rises to $466,918

Pathe Film Corp. and subsidiaries reports a profit for the year ended Dec. 31, 1937, of $466,918.26, which compares with a profit of $183,953.18 for 1936. The statement of O. Henry Briggs, president, points out that the volume of film printing increased in 1937 to 78,698,000 feet, compared with 51,552,000 feet in 1936.

During the year dividends amount-

(*Continued on page 6*)

Newsreels' Makeup Hampered by Storm

Newsreel makeups were hampered again yesterday by storms throughout the east which grounded all planes hundreds of miles from the city and prevented delivery of incoming newsreel film. The storm was the second in four weeks to occur on the reels' midweek makeup day.

◂ Purely Personal ▸

Ben Griefer of the Paramount, B. F. ("Dinty") Moore of the Strand, R. V. Conner of the Palace and Theodore Pitts of the Capitol are backing a move for the designation of Dave Leistner, director of the Dreier Hotels, as "Mayor of Broadway" for the period of the World's Fair. His job would be to see that Broadway is not overlooked by visitors to the Fair.

•

Gary Cooper and his wife, the former Sandra Shaw, with a party of friends, will attend the first evening performance of "The Adventures of Marco Polo," in which he stars, at the Music Hall tonight.

•

Clinton M. White, G. B. assistant general manager, left yesterday for Albany. He will return over the weekend. Arthur A. Greenblatt, eastern division manager, touring New England, is now in Boston.

•

E. M. Saunders, M-G-M division manager, will represent the home office at the testimonial dinner in Chicago tomorrow night to Felix Mendelssohn, retiring branch head there.

•

Joe McConville, Columbia foreign manager, said goodbye to Joseph Friedman, European director, on the *Queen Mary* before the boat sailed yesterday noon.

•

Ben Blue, comedian, will arrive in New York tomorrow prior to personal appearances in the Paramount's Easter holiday show opening next Wednesday.

•

Lief Erickson will be the guest star the night of April 9 at the second of the series of Hotel Piccadilly "Cinema Celebrity Evenings."

•

Joseph Seidelman, Universal foreign manager, is scheduled to sail from London today after two months abroad.

•

Jimmy Durante arrived yesterday from the coast. He has just completed a role in "Little Miss Broadway."

•

Jules Chapman of the Harry Thomas organization was passing out the cigars yesterday. It was a son.

•

Jules Levy is expected in New York early next week from a tour of RKO middle western exchanges.

•

Irving Asher left for the coast yesterday. He will return to England on the *Ile de France* April 27.

•

Joan Crawford will arrive tomorrow from the coast for a vacation.

Protests Ban on "Spain"

Toronto, April 6.—Rev. B. H. Spence of Toronto, chairman of the Canadian Committee to Aid Spanish Democracy, has protested to the Theatre Inspection Branch of the Ontario Government against the refusal of the department to grant a permit for the screening of "The Heart of Spain" in Toronto.

Insiders' Outlook

It isn't the ingredients; it's the way they're mixed that turns out a choice drink, a table delicacy—or a box-office success. Somewhere in the transformation of raw materials into the finished product experience, or guesswork, or inspiration turns the trick. That seems to have been the case with "Her Jungle Love."

When the tabulation of grosses begins George Archainbaud, the director, probably will get, and deserves, credit for reaching into the memory bag and juggling some old materials in a new way. Dorothy Lamour, Ray Milland, Lynne Overman, some Technicolor experts, writers and technicians also will be entitled to a share.

▼

Critics probably will treat it disdainfully. It will not stand cold analysis. Lion cubs, chimpanzees, hundreds of crocodiles are not native to South Pacific Islands. Crocodiles do not climb mountains and gobble up aviators fed to them in caves by native chieftains. There are other things that will not make sense to pyschologists, naturalists, geologists or any other citizen given to applying reason instead of emotional reaction to his entertainment, BUT — and this is a big but—this picture wasn't made for reasoning people.

It was made for the young and old who like to see a beautiful girl and a handsome youth make love in a restrained boy and girl way; who like to feast their eyes on scenic beauty in full color; who like to see extraordinarily well trained animals being treated as companions; who leap out of their seats when a crocodile snaps at the hero; who grasp their neighbors' arms as an earthquake tumbles rocks and splits mountains; who cheer when the rescuing yacht arrives. The first Paramount Theatre audience to see it actually did these things.

Any blase film buyer seeing this picture cold in a projection room might be tempted to decide that 90 per cent of it is "old stuff," and the same film buyer seeing it in the Paramount probably will do some fast stepping around the corner to the exchange.

▼ ▼

Duplication of newsreel material seems to be growing—what with economy waves in various sectors of the film front. This week Florida's active publicity seekers get into all the reels with underwater shots of bathing beauties at Silver Springs, a parade of motorcycles at Sacramento is duplicated, the Spanish stuff seems to have been purchased from one cameraman, the tornado material adds another touch of sameness.

League Action Deferred

The board of governors of the League of N. Y. Theatres postponed action yesterday on the designation of a successor to the late Dr. Henry Moskowitz as executive adviser of the organization to next Tuesday. James F. Reilly, in charge of labor relations for the league, has been reported as a candidate for the post which has been vacant since the death of Dr. Moskowitz last year.

Vroom Retains Powers

Lodewick Vroom, president of the Theatrical Managers, Agents and Treasurers Union, will retain his executive powers, under a resolution adopted by the board of governors yesterday afternoon. Vroom had threatened to resign as president if his powers as chief executive officer were taken from him.

Actors to Hold Service

The Negro Actors Guild will hold its first annual memorial services Easter Sunday, April 17, at 3:30 P. M., at the Abyssinian Baptist Church.

Ehrlich Bill Vetoed

Albany, April 6.—Governor Lehman has vetoed the Ehrlich bill relating to the admission of children to film houses.

Fire in Hamilton House

Hamilton, O., April 6.—A fire that started early today backstage at the Paramount, headquarters of Southio Theatres, Inc., destroyed the art department and the office and records of George Fetick, district booker. Stage equipment and the auditorium were damaged by smoke. The house opened as usual today at noon. Tracy Barham, Southio general manager, said the loss could not be immediately estimated.

Loew's to Pay $1.62½

Directors of Loew's, Inc., yesterday declared a quarterly dividend of $1.62½ on the $6.50 cumulative preferred stock, payable May 14 to stockholders of record April 28. Nicholas M. Schenck presided at the meeting.

Buffalo, Cleveland Lead

RKO exchanges in Buffalo and Cleveland have taken the first two lead positions, respectively, in the Ned E. Depinet Drive. Vancouver is in third place and Indianapolis in fourth position.

LeRoy on Marxes Next

Hollywood, April 6.—Mervyn LeRoy will produce the next Marx Brothers film, "A Day at the Circus," for M-G-M. Director has not yet been named.

Quota for New York Aim of Council Bi

A bill designed to compel film co panies to produce 10 per cent of th production schedules in New Yo City was referred to the Codes Co mittee of the City Council yesterda The bill was introduced by Counc man Hugh Quinn of Queens on Tu day. It is reported to be backe eastern studio unions and promot interests in Queens, where, its porters believe, the new producti activity could be centered in the eve the measure was adopted.

Under the bill's provisions all pr ducing companies whose pictur were to be exhibited in New Yo City would be required to obtain license from the city license commi sioner. No license would be issu unless the producer could certify th 10 per cent of his total productio were made within the city. A licen fee of $100 is specified.

It was reported that the Quee promotional interests behind the b have $15,000,000 pledged for the co struction of studio facilities adjoinin the World's Fair grounds and wou commercialize the project in conne tion with the Fair if the bill was e acted.

"Lady X" Finishes Week with $69,00

"The Divorce of Lady X" gross $69,000 at the Music Hall in the wee ending last night. The second stan of "The Girl of the Golden Wes gave the Capitol $25,000. The fir week's take was $35,000. "Makin Headlines" at the Rialto did $6,500

"Wide Open Faces," Columbia's fir Joe E. Brown film, will open at t Rialto next Thursday. "Sailing Alon will start at the Criterion April 15

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Pu lisher; J. M. JERAULD, Managing Edito JAMES A. CRON, Advertising Manager. ED TORIAL STAFF: Charles S. Aaronson, Jack Ba ner, Al Finestone, Thomas Fitzsimmons, Sherw A. Kane, Irene Kuhn, Joseph Priore.

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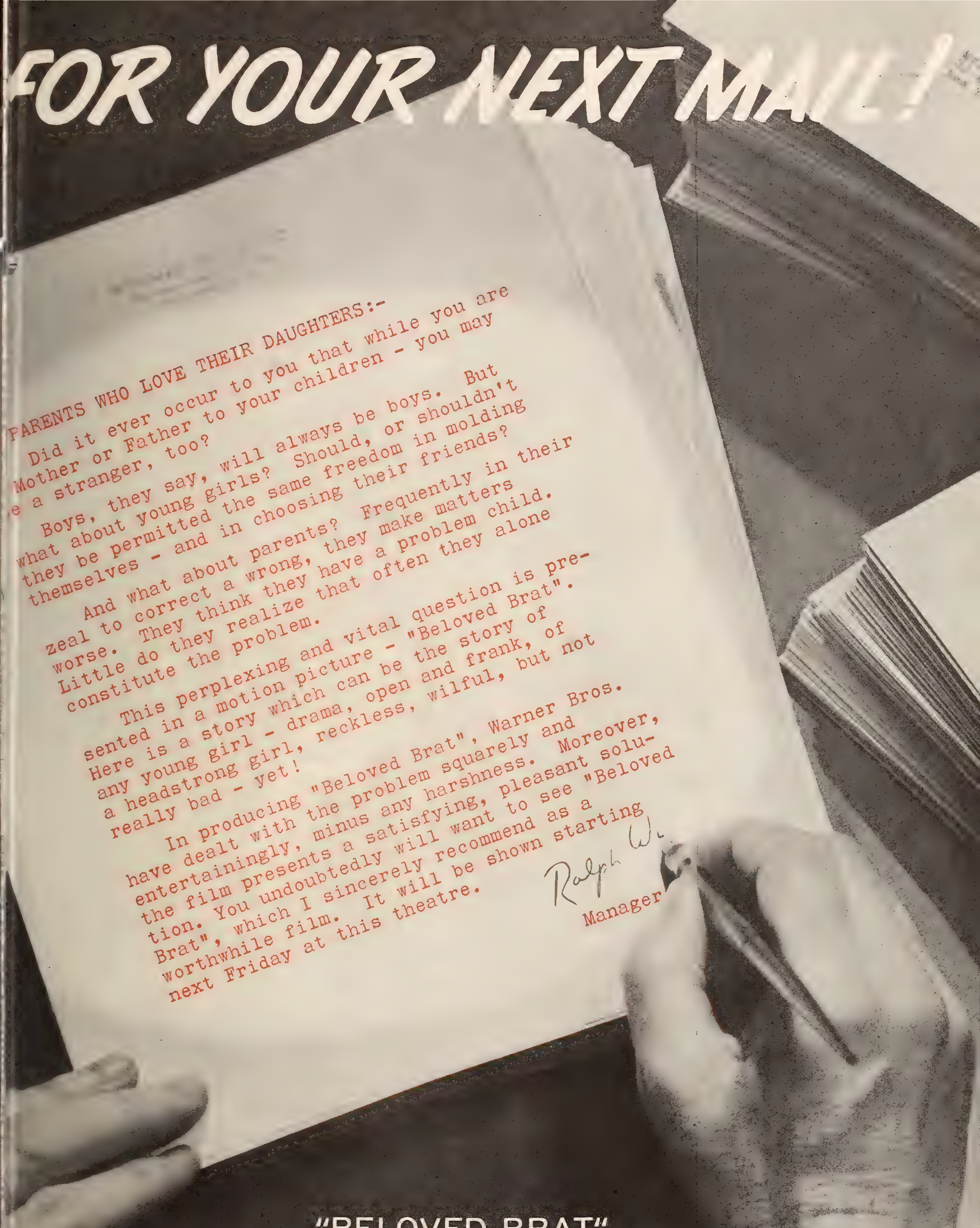
FOR YOUR NEXT MAIL!

PARENTS WHO LOVE THEIR DAUGHTERS:-

Did it ever occur to you that while you are Mother or Father to your children - you may e a stranger, too?

Boys, they say, will always be boys. But what about young girls? Should, or shouldn't they be permitted the same freedom in molding themselves - and in choosing their friends?

And what about parents? Frequently in their zeal to correct a wrong, they make matters worse. They think they have a problem child. Little do they realize that often they alone constitute the problem.

This perplexing and vital question is presented in a motion picture - "Beloved Brat". Here is a story which can be the story of any young girl - drama, open and frank, of a headstrong girl, reckless, wilful, but not really bad - yet!

In producing "Beloved Brat", Warner Bros. have dealt with the problem squarely and entertainingly, minus any harshness. Moreover, the film presents a satisfying, pleasant solution. You undoubtedly will want to see "Beloved Brat", which I sincerely recommend as a worthwhile film. It will be shown starting next Friday at this theatre.

Ralph W

Manager

"BELOVED BRAT"

with

Bonita Granville

Dolores COSTELLO · Donald CRISP

Donald Briggs · Natalie Moorhead · Lucille Gleason · Directed by Arthur Lubin · Screen Play by Lawrence Kimble · Original Story by Jean Negulesco · A First National Picture

Quota Plans Of Columbia Are Uncertain

Columbia officials are still pondering the type of films to be made in England under the new quota regulations and cost provisions and therefore the number of pictures and other details of the British production program remain to be set, said Joseph Friedman, Columbia's managing director in London, before sailing yesterday on the *Queen Mary*.

Friedman said that the schedule will not be decided until he reaches the other side and has an opportunity to study the quota requirements and survey production possibilities. He was here four weeks on his annual visit, during which he conferred with Harry Cohn on the coast and Jack Cohn and other officials here.

Victor Schertzinger was a passenger on the boat with his wife and two daughters. He said he was going to London to direct a film version of "The Mikado," Gilbert & Sullivan operetta, for the D'Oyly Carte company and would be gone six months. He did not know the actual producing company, but said it was "one of the companies that Lord Portal is interested in." Either Universal or United Artists will distribute the picture, he said.

Miss Pons Embarks

Lily Pons also sailed. She told reporters she was "through with RKO," that she had no new film contract set, but had had two or three offers from major companies on which she will decide upon her return. In Europe she will do a 16-week operatic and concert tour in France, Sweden and other countries, but has no film commitments there.

Marc Connelly, the stage producer, embarked for London, where he will seek four principals for "The Two Bouquets," his forthcoming musical. He expects to return in about three weeks. Ray Noble, band leader who has appeared in films, sailed to fill engagements in England.

Wall Street

Eastman Heaviest Board Loser

	Open	High	Low	Close	Net Change
Col.	10	10	10	10	.....
E. K.	136	136	134	135½	—3⅜
E.K. pfd.	168¾	168¾	168¾	168¾	+ ¾
G. T. E.	10	10	9½	9½	— ¼
Loew	36½	36½	35¾	35⅞	— ½
Para.	7	7⅛	6⅞	6⅞	— ⅜
Para. 2.	7⅞	7⅞	7⅞	7⅞	— ⅛
Pathe	4	4	4	4	.....
RKO	2¾	2¾	2¾	2¾	.....
20th Fox	17⅞	17⅞	17½	17½	— ½
20th pfd.	27	27	26¾	26¾	— ½
W. B.	4¾	4¾	4⅝	4¾	— ⅛

Curb Has Upward Trend

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	+1/16
Monogram	1⅝	1⅝	1⅝	1⅝	+ ⅛
Sonotone	1½	1½	1½	1½	.....
Tech.	16½	16¾	16⅜	16⅜	— ⅜
Trans-Lux	2½	2½	2½	2½	+ ⅛

Warner Bonds in Gain

	High	Low	Close	Net Change
Para. Pict. '47	58½	58½	58½	+ ⅛
W. B. 6s '39	66	66	66	+1

(Quotations at close of April 6)

April Fool's Day for U. S. On Quota, Is Comment Here

(*Continued from page 1*)

don't like it you can eat it," one can still *not* like something, swallow it, and yet escape both distaste and indigestion, they say.

There's still a little chocolate in circulation for another dip. Down in Washington a group of Britishers are negotiating a reciprocal trade treaty with the United States.

There's good reason to suppose that Secretary of State Hull and his corps of diplomatic traders, headed by the late President Wilson's son-in-law, Francis B. Sayre, will continue cooperatively with the British representatives to secure concessions under the trade treaty that will chocolate coat the quota law.

It should be remembered that American motion picture producers might have come off worse than they have except for these high-powered Washington negotiations in which Joseph P. Kennedy, our new Ambassador to the Court of St. James's, has undoubtedly had a hand.

Two Amendments Killed

Washington did prevail upon the British to dig out the two most vicious amendments to the bill—more than 200 were festooned around it. These were the reviewing clause and the separate quota provision for exhibitor and distributor. However, the separate quota provision should not be confused with the separate percentage schedules for distributor and exhibitor quotas.

The first, meant that American companies would be forced to acquire or produce films that would be at the mercy of the reviewing committee who would decide whether they could be used for quota purposes or not. The second meant that no one picture could be used both by a distributor and an exhibitor for quota credit with the Government. Thus, the distributor of an American film in Great Britain would be compelled to acquire British pictures and, at the same time, be deprived of a market for his films.

Trade Treaty May Help

These are out. Other gains may be made. A trade treaty supersedes a national enactment.

It is within the power of the negotiators now in Washington to change quota percentages and to secure reductions in the minimum labor costs from £7,500 ($37,500) to something in the neighborhood of £6,000.

Opinion around New York picture offices is that we should be good sports about the quota but not saps.

The principal fear existing today in the minds of well-informed executives is that the British law now establishes a precedent for other countries to follow, notably Australia, quota free except in Victoria and New South Wales, and that it behooves us to put on long distance glasses and watch our step. Canada, heretofore quota free, is affected by the new law which deals a blow at Canadian made films.

In 1937, 23 foreign motion picture markets had quota or contingent laws, where exhibitors and/or distributors were required to handle locally produced pictures; where total importations were limited; where both classes of restriction existed.

Australia Acquiesces

Proof that Great Britain's laws are respected comes from Australia. Although the quota law is as heavy a blow to Australian made pictures as to Canadian, Premier Stephens has come out and told the opposition group that he is determined the law shall be kept. He created a strong suspicion that he would not hesitate to suspend the trading license of anyone breaking the quota law.

Among the post mortems gathered were several of the "I-told-you-so" variety which purported to verify predictions of dire punishment for American disinclination to yield more ample advantages to British interests during previous years.

Other opinion-givers predicted that unless some remedial measures are effected through the treaty traders, we shall be in the position of enabling Great Britain to learn how to make movies that are box-office at our expense.

Our Supremacy in Danger

"There is no question but that Great Britain will have a really great and profitable picture industry one of these days, and when she does it will mean that American supremacy will be challenged to a considerable degree and American profits cut materially. She was well started on the right track when the World War broke out and that was the beginning of Hollywood's rise to world dominance. England got another start in 1934, but the three or four great pictures produced then, beginning with "Henry VIII," won international acclaim for artistic merit at too great a production cost for the industry there to sustain its momentum. Now, remembering the British policy of long range viewing and doing, it seems quite likely that she will be enabled to build her industry slowly but surely and the American industry will contribute materially to her apprenticeship."

Mrs. Oscar Homolka Dies

LONDON, April 6.—Mrs. Oscar Homolka, 24, formerly the Baroness Vally Hatvany, Hungarian actress, died of blood poisoning here today.

Wm. G. Stiegler Is Dead

CINCINNATI, April 6.—William G. Stiegler, 57, theatre editor of the Cincinnati *Times-Star*, died today in Good Samaritan Hospital of a cerebral hemorrhage.

Detroit Theatres Shift

DETROIT, April 6. — Thomas D. Moule and David Newman have sold the Chandler of the Moule-Newman Circuit to Joe Mellon, former film salesman, and have taken over the Sheridan from R. C. Taylor. Another local theatre change returns the Seville, formerly the Sun, from Marty Manthau to the Sol and MacKrim circuit, which formerly operated the house.

Republic Will Deliver Whole Lineup: Yates

(*Continued from page 1*)

films next year and the program wil remain the same, numerically, as [illegible] year. Included in the 54 will be 2 westerns. While Gene Autry is stil at odds with the studio, he will be scheduled for a series of eight westerns. The Three Mesquiteers wil again make eight. Bob Steele will be dropped as a western star and in his stead there will be a series of eight with Roy Rogers, a newcomer, and Smiley Burnette.

As a result of the popularity of the "Lone Ranger" serial, Republic has decided to make a "Lone Ranger" feature for next season as one of its specials. This will be in the higher budget bracket. Two of the four serials will be westerns and the other two of the adventure action type.

It was said that production is up to schedule and that of the 24 westerns sold on this year's contracts, 19 have been delivered. Gene Autry's "strike" for a new contract calling for more money is responsible for four of the five undelivered westerns.

Eastern Group Off Apr. 28

The eastern delegation will leave for the convention April 28, picking up groups at Albany, Buffalo, Detroit and St. Louis. At St. Louis a special train will be made up and other delegations will be taken aboard at Dallas and Fort Worth. The train will arrive in Los Angeles May 2. The eastern delegation will return to New York May 10.

James R. Grainger, former general sales manager for Universal, who is to head Republic Pictures as president, will not start with the company until June 1, it was said by Yates. Universal will not make final payment to him under his contract settlement until late in May.

Republic has purchased a series of *Liberty* articles titled "Doctors Don't Tell," by Dr. George Raymond, which is scheduled as the first of the new season's films.

Mary Pickford May Do One with Korda

LONDON, April 6.—Mary Pickford, on her arrival here today from New York, said there is a possibility that she will produce "The Bat," in collaboration with Alexander Korda this year.

She is here to meet Samuel Goldwyn, Korda and Douglas Fairbanks, other United Artists directors, presumably for a discussion of company plans. She denied today that she has any intention of selling her shares in United Artists.

Name New Kans. Censor

KANSAS CITY, Kan., April 6.—Governor Walter Huxman today appointed Mrs. Mary Meek of this city a member of the Kansas Censor Board for the three years ending March 31, 1941. She succeeds Mrs. Charlotte Chapman. Mae Claussen is chairman of the three-member board.

TRIPLE-PROVED

PHOTOGRAPHIC quality . . . fine grain . . . speed . . . Eastman Super X has been proved more than adequate on all three counts. It is the unusually happy combination of these qualities in one film that has made Super X the most outstanding negative material in the entire motion picture field. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

ITOA Reports Many Want Conciliation

(Continued from page 1)

to the I.T.O.A., which is keeping alive its proposal for an exhibitor conference despite Allied's opposition.

"There is no group of theatre owners which suffers so much from unfair trade practices as the I.T.O.A., particularly since 100 per cent of its membership operates subsequent run theatres," the statement says. "We are against the Neely bill, and the I.T.O.A. has unanimously decided to use its every asset to fight the bill because it knows it will put its members out of business.

"We intend to conciliate with distributor heads for the purpose of effecting remedies to cure the industry's ills. We intend to do this with or without the aid of Allied or the M. P. T. O. A., if as associations they do ask for representation, which has been offered them. We intend to ask representative exhibitors from all over the country to attend these conferences."

Ask Tax Relief for Legitimate Theatres

WASHINGTON, April 6.—Relief for legitimate theatres which cut admissions to attract an audience was sought today by the Senate Finance Committee through an amendment to be offered to the tax revision bill imposing the admission tax on the actual selling price rather than the "established" price of tickets.

Appearing before the House Ways and Means Committee, which refused to take action, and again before the Senate group, representatives of the stage urged the amendment so as to give tax relief to legitimate shows which sought to build up business by cutting rates. In many instances, it was explained, a show without patronage will sell $2 tickets for $1, but has to pay the tax on the amount printed on the ticket.

Cooper Presents Prizes

PHILADELPHIA, April 6. — Jackie Cooper, making personal appearances at the Earle, presented prizes to the three winners in Monogram's exploitation contest for "Boy of the Streets." The ceremony took place in the office of Samuel Rosen, Monogram manager.

First prize went to Artie Cohn, Queen, Wilmington; William Israel, Stanton, Philadelphia, won second and Robert Kessler, Benn, Philadelphia, placed third. Judges were Herb Miller, *Philadelphia Exhibitor;* Lew Lifton, Monogram salesmanager, and Henry T. Murdock, film editor *Evening Public Ledger.*

Garson Kanin Joins RKO

HOLLYWOOD, April 6. — Garson Kanin who recently left his producer berth at the Samuel Goldwyn company has joined RKO as producer and director. Before joining Goldwyn, Kanin was on George Abbott's legitimate production staff.

Weill on "Adventuress

HOLLYWOOD, April 6.—Kurt Weill, composer, who supervised the scoring of his thematic music for Walter Wanger's "The Adventuress," will remain on the coast until the film is edited and previewed.

Lock Up the Feature

A request that the city handle garbage and ashes removal for theatres will be made by the I.T.O.A., it was decided at a meeting of the organization yesterday afternoon. The removal costs each theatre about $70 or $80 a year, it was said. Milton C. Weisman, I.T.O.A. attorney, will take the matter up with the authorities. Maurice Fleischman, chairman of the board, presided in the absence of Harry Brandt, president, who at the present time is ill.

No Giveaways with "Hood," Says Sears

(Continued from page 1)

Sears merely declaring, "'Robin Hood' is strong enough to warrant playing as a single feature. I have just seen the production and I know it's the ultimate in mass entertainment. We're not going to pollute it by allowing it to be tied up with a lot of dishes and ice cream cones." The film will open at the Music Hall May 5 and will be nationally released May 14.

Sears declared that he has received more than 3,000 letters expressing divided opinion, relative to his recent statement attacking chance games and giveaways.

Show Safety Pictures

PORTLAND, Ore., April 6.—"Stop, Look and Live" and "Night Driving," the American Legion's two new safety films, are now being shown throughout Oregon at schools, clubs and community meetings by Legion posts. More than 100,000 persons viewed Legion safety films in Oregon last year, it has been estimated.

Pathe Films' Profit Increases to $466,918

(Continued from page 1)

ing to $472,500 were received from the company's investment in DuPont Film Manufacturing Corp. The statement also declares that the new laboratory under construction in the building at 35 W. 45th St., which should be ready by May 1, is expected to increase the company's volume of printing work, now done at the Bound Brook, N. J., laboratory. Briggs mentions the $200,000 invested in Monogram in April, 1937, and the contract with that company to do all printing and developing work for five years. Regular dividend payments on the $7 convertible preferred stock were maintained during the year and $400,000 bank loan was fully repaid before the end of the year, the statement concludes.

ITO in Ohio Urging Cooperative Buying

COLUMBUS, April 6.—Although the plan was not given the official sanction of the organization, the Independent Theatre Owners of Ohio in this week's bulletin suggested that exhibitors investigate the cooperative film buying organization set up a few weeks ago in Cleveland by M. A. Mooney.

The bulletin stated that the new company operates along the same lines as the one which has been in existence in Michigan for several years.

Because of its buying power, the bulletin declared, the Michigan cooperative has been able to obtain the same concessions from distributors as now are accorded certain circuits. It was suggested that Mooney be permitted to explain his plan before the exhibitor signed any new contracts.

At the same time the bulletin expressed the hope other distributors would follow the 20th Century-Fox policy of reducing the number of shorts exhibitors must handle.

Hollywood Preview

"Reckless Living"

(*Universal*)

HOLLYWOOD, April 6.—Less melodramatic than the title sounds, "Reckless Living" is an entertaining combination of old and new elements. It has been skillfully directed by Frank McDonald, and in the hands of players who know what to do when they have the opportunity, the show stresses comedy, includes an interesting triangle romance, features one song number and does not lack action and excitement.

All the characters are racetrack followers, but luck is a stranger to them, as the steeds they bet on never win. Jimmy Savo is the center of specialty comedy. Robert Wilcox, head of the crowd, competes with William Lundigan, a rich horse owner, for Nan Grey's favor.

Wilcox collects auto injury damages, pyramids it to $1,200 in roulette, which he intends to keep as a stake to return home. But, as a lot of funny business concerning a statue is inserted, Wilcox takes old Harry Davenport to the track on closing day. Unknown to Wilcox, Davenport has bet his little nest egg on a horse that runs second. But, realizing the shock of knowing his horse lost would be almost fatal to the old man, Wilcox pays him off with his own money and the whole bunch, Wilcox, Miss Grey, who now prefers him; Savo, Frank Jenks, Harlan Briggs and Charles Judels move on to the next track.

Adapted from Gerald Beaumont's "Johnny Marches Home," Charles Grayson wrote a lot of fresh new angles into the screenplay, and the song by Jimmy McHugh and Harold Adamson is sung by Miss Grey in pleasing style. Clean, wholesome and interesting throughout, the picture should have no difficulty in winning audience approval.

Running time, 65 minutes. "G."

Variety Club

Detroit

DETROIT, April 6.—LEW WISPE and FRANK WETSMAN will be honored by Variety Club at its luncheon next Monday, which will be known as "Wisper & Wetsman Day." Police Commissioner HEINRICH A. PICKER and several of his aides will attend the meeting and be among [illegible] speakers, including Superinten[illegible] FRED FRAHM, Inspectors WILLIA RICK and CHRISTIAN NELSON. Sergeant PATRICK J. GRORAK of the Accident Prevention Bureau also will speak and a musical feature will be presented by Patrolman "SCOTTY" McGRAW and the police quartet.

Kansas City

KANSAS CITY, April 6. — Variety Club directors have selected R. R. BIECHELE, chief barker, and GEORGE HARTTMANN as delegates to the national big tent in Cincinnati, April 15-16.

Kings of Saturday night were FRANK HENSLER and BARNEY JOFFEE.

Coast Laboratory's Assets Ordered Sold

LOS ANGELES, April 6.—Federal Judge Paul McCormick has ordered liquidation of the assets of International Cinema, Inc., upon recommendation of an unsecured creditors' committee represented by Samuel Wolf, attorney, who told the court the current slump in independent production precludes the possibility of reorganization under Section 77 B of the Bankruptcy Act on a sound basis.

A. C. Snyder, secretary of the corporation, was named trustee for liquidation. Wolf, appearing for Smith and Aller, Inc., C. King Charney, Inc., J. E. Brulatour, Inc., and other unsecured creditors, said reorganization would be effected if Grand National Films, Inc., now under Bankruptcy Act reorganization were in a position to pay an $81,000 debt to the laboratory. General unsecured claims amount to $126,563 of total of $259,482 scheduled debts. Also listed are 500,000 shares of outstanding $1 par stock. Assets not fully listed include money owed by independent producers and an estimated $300,000 in building and equipment. It is reported reliably that a New York laboratory may make a deal to take over International but no proffer has reached the court records.

Para. to Use Comic Strip

HOLLYWOOD, April 6. — Paramount will bring to the screen "Little Orphan Annie, Detective," based on the popular comic strip by Harold Gray and the coast-to-coast radio program. Sam Ornitz is preparing the screenplay and John Speaks is the producer.

Polish Films in Boston

BOSTON, April 6.—Polish pictures are now being shown Sundays at the Columbia. Max Michaels has booked a series of foreign films. The Columbia has a burlesque-film policy weekdays. It is leased from Loew's, Inc.

Defeat True Name Bill

BOSTON, April 6.—The measure of Representative Francis X. Coyne, which would have forced all film players to be billed by their true names, has been defeated here.

roduction Drops; 30 Features Going

ollywood, April 6.—Production pped to 30 features before the cam- , as nine films finished and eight ted. Nine are being prepared and were being edited. Last week 31 e in work.

hose started were: "State Patrol" "Swingtime in the Saddle," Colia; "Hold That Kiss" and "Shopn Angel," M-G-M; "Sing You ners," Paramount; "Gangs of New k," Republic; "Three Blind Mice," Century-Fox, and "Algiers," nger.

addition to these, those shooting re:

Holiday" and "Crime Takes a iday," Columbia; "Three Comes," "Yellow Jack," "The Toy fe" and "Lord Jeff," M-G-M; e Texans" and "Spawn of the rth," Paramount; "Blind Alibi" "The Muddled Deal," RKO; exander's Ragtime Band," "Jos-," "Sporting Chance," "The sterious Mr. Moto," "Handle with e," 20th Century-Fox; "Rage of is," "Letter of Introduction," ell's Kitchen" and "Flaming ntiers," Universal; "Mr. Chump," e Amazing Dr. Clitterhouse" and y Meets Girl," Warners.

inished were: "Tropic Holiday," amount; "Gun Law," RKO; ghting Devil Dogs," "Under stern Stars" and "Romance on Run," Republic; "Kentucky onshine," 20th Century-Fox; "Sins in Paradise" and "Air Devils," iversal, and "The Adventuress," nger.

-G-M started two short subjects finished another. Columbia started , which is still shooting. M-G-M preparing seven and Roach one. total of 11 is being edited.

chaefer Says U.A. Take Up 6 Million

(Continued from page 1)

ike period during last year's sales ve, it was said.

ash receipts for the last week of drive, March 27 to April 2, were the best for any similar period in company's history. Schaefer essed the work of A. W. Smith, rry L. Gold, Jack Schlaifer, Mon- Greenthal and the field sales orization for the results noted.

almus Progressing On New Color Film

ollywood, April 6.—Technicolor making steady progress in the deopment of a single-negative process ich will reduce the cost of color duction considerably, says Dr. rbert T. Kalmus. The lower costs expected to result in a much wider of color, he says.

r. Kalmus is directing the eximental work at the company's oratory here. He said the new thod eventually will eliminate the essity of special cameras and three gatives.

e said "it would be impossible to dict when this work will be comted, but it might be within a year a half." He would not hazard estimate on the reduction in costs be made possible.

Wesp Succeeds McKivett

Racine, Wis., April 6. — Floyd Wesp has become manager of the Venetian here succeeding the late Owen McKivett. Wesp, with Warners for 10 years, has served as manager of the circuit's Rialto here for the past year. He is succeeded at the Rialto by Harvey Kny, for the past three years manager of the circuit's Rex in Sheboygan. Succeeding Kny in Sheboygan is Don Nichols, who has been with the circuit for the past seven years in Charlotte, N. C.

Strauss Testimony Request Is Denied

The application of Select Theatres Corp. for examination before trial of Oscar Strauss in his $20,000 damage suit as assignee of Jacob J. Shubert and Shubert Theatrical Corp. was denied yesterday by Justice Julius Miller on the grounds that Strauss as a resident and citizen of Austria was not available in New York. At the same time the parties were ordered to exchange particulars of their complaint and cross-complaint.

Select Theatres brought action in the N. Y. Supreme Court contending that Strauss violated his agreement with Shubert to grant exclusive right to present "Marietta" in the United States and Canada for five years. Strauss was also charged in the suit with breaching an agreement to furnish Shubert and Shubert Theatrical Corp. with five new songs for use in the production, "Die Koenigen" (The Queen).

The Heart of Showbusiness
ALL ABOARD

VARIETY
CLUBS of AMERICA
4th ANNUAL
WINTER QUARTERS
NATIONAL
CONVENTION
April 23rd and 24th
1938
(Business Meeting April 23rd . . .
and
National Banquet April 24th)
CINCINNATI, OHIO

NOTE.. Reserve Tickets through
JOHN H. HARRIS
Nat'l Chief Barker, 711 Clark Bldg., Pittsburgh
or JOSEPH OULAHAN
Variety Club, Netherlands Plaza Hotel, Cincinnati, Ohio

Craven, Payne Not to Share In Air Probe

(*Continued from page* 1)

will serve ex-officio on both committees, but each group will select its own chairman.

Designation of the committees, it is understood, followed heated debate as to the personnel of the chain and monopoly probe group on which both Craven and Payne were anxious to serve. At the same time, Payne is said to have been desirous of participating in the super-power WLW 500,000-watt experimental grant. Payne and Crosley have long been at odds, the commissioner charging that the station had profited unduly by its experimental grant and had refused to furnish the commission with financial information which he asked.

Committees to Report

"The committees," it was explained by McNinch after the meeting, "are to make reports to the commission with recommendations for action by the commission and will assume active direction over the work of the commission staff in connection with the matters delegated to them.

"The commission deemed it necessary and advisable in order that these matters may be handled more aggressively and effectively, to divide the work among the members of the commission. Through these committees the staff work which has been under way in connection with these matters for some time may be more effectively coordinated and more expeditiously brought to completion."

While the committee assignments, offered by McNinch in a resolution unanimously adopted, left Payne and Craven off the monopoly committee, both those members later appeared satisfied that politically they were in a good position.

Closes Deal with WHN

Manhattan Soap Co. has entered into a contract with WHN for spot announcements for two weeks, effective immediately. The agreement calls for 12 transcribed announcements weekly. The Peck agency handled the deal.

Heads KMOX Publicity

St. Louis, April 6.—Gerald Holland has been appointed publicity director of KMOX. Formerly he was in the radio department of the Jimm Daugherty agency and with various newspapers.

Honest "Flashes"

Milwaukee, April 6.—In the future, the word "flash" will be used over WISN only for an honest flash of real news value and not for a commercial spot, according to G. W. Grignon, station manager. "Flash" has been always used to denote an extraordinary piece of news and will be used in the future only in that way over WISN, Grignon stated.

WMBC Applies for Change in Frequency

Washington, April 6.—The Federal Communications Commission has received an application from WMBC, Detroit, for change of frequency from 1,420 to 600 kilocycles and increase of night power from 100 to 250 watts.

Amended applications were received from KOMA, Oklahoma City, seeking an increase of power from 5,000 watts to 50,000 watts instead of 10,000 watts as originally requested; WFOY, St. Augustine, Fla., for change of frequency from 590 to 1,430 kilocycles instead of 1,210 kilocycles, and Edward Breen and Allen R. Loomis II, Fort Dodge, Ia., asking a frequency of 1,370 instead of 1,500 kilocycles for a new station proposed at that point.

Storm Wrecks Lines Of NBC Net in West

Storms which swept over a large section of the country yesterday carried out the lines of the NBC networks between Omaha and Denver. Programs to and from the west coast yesterday were re-routed over a southern route.

Three others breaks in NBC networks occurred during the morning, cutting off Omaha from Minneapolis and Kansas City, and Davenport, Ia. from Minneapolis. However, facilities were restored at an early hour yesterday afternoon.

The storms did not affect the networks of CBS or Mutual.

M. Komroff Sues NBC

Suit was filed yesterday in the U. S. District Court against NBC and the Glass Container Association of America by Manuel Komroff, author, over alleged copyright infringement of his book "The Travels of Marco Polo." Komroff asked the court for $25,000 damages and an accounting of profits.

The complaint claims that Glass Container Association "in conjunction with" NBC portrayed the plaintiff's book in a radio dramatization "There Was a Woman." As an additional grievance, Komroff asserted that episodes from the book were "distorted and changed." The defendants have had no opportunity to file answers as yet.

Crummit and Agency Sued

Batten, Barton, Durstine & Osborn, Inc., radio advertising agency, and Frank Crummit, radio singer, were named as defendants in a suit filed yesterday in the U. S. District Court by Adeline Francis Ryan for alleged copyright infringement of the lyrics of the song, "Her Old Spanish Shawl."

The plaintiff, claiming to be the composer of both lyrics and music. charged that Crummit was using the words from her song to the tune "Gav Caballero" and "representing himself as composer and author."

Barton Joins CBS

Francis C. Barton, Jr., has joined CBS to be associated with Leonard Hole, director of program service. Barton was formerly with N. W. Ayer & Son, where he was a member of the radio department for seven years, and head of the agency's Albany office since last August.

To Restrict Hearing On Radio in Canada

Ottawa, April 6.—By a vote of six to two, the House Committee on Radio today upheld a ruling of Chairman Arthur Beaubien that no witnesses beside officials of the Canadian Broadcasting Corp. be heard. The chairman declared the terms of reference to the committee would not permit enlargement of the inquiry beyond the administration of the corporation. J. Earl Lawson moved to have the head of the Canadian Association of Broadcasters invited to appear before the committee as a witness.

It was unthinkable that the committee would refuse to hear the other side of broadcasting in Canada, he said. "If we vote against hearing others than broadcasting corporation officials the public will regard this committee as a pure whitewashing expedition," he declared. When his motion was ruled out of order Lawson declared he would have more questions to ask tomorrow.

Will Ask Permit for Station in Oklahoma

Oklahoma City, April 6.—An application for a license to construct a 1,000-watt station at Stillwater, Okla., will be filed with the Federal Communications Commission within three weeks, it has been learned here.

Wilson Brown, recently appointed assistant in the state Works Progress Administration, may become business manager of the station. An Oklahoma City oil man and Stillwater business men are backing the venture, he said.

"The station will appeal especially to farmers and livestock raisers, and is being located at Stillwater because of the talent available at Oklahoma A. & M. College, headquarters for the state and U. S. farm programs," Brown said. "Howard Suesz, former business manager for KVOO of Tulsa, will become program manager."

Lomax to Broadcast Philadelphia Games

Stan Lomax, WOR sports commentator, will broadcast descriptions of the home baseball games of the Philadelphia Athletics over WFIL, in addition to his regular WOR programs.

During his Philadelphia assignments, Lomax will broadcast his regular WOR sports program through the facilities of WFIL. The baseball contract in Philadelphia is for the Kellogg Co., through N. W. Ayer & Son.

Will Reorganize KYA

San Francisco, April 6.—Complete reorganization of the station's staff and policies is forecast by KYA's new manager, Clarence B. Juneau, who recently came here from KEHE, Los Angeles. The first step is the appointment of Bob LeMond as production manager.

P. & G. Has New Series

San Francisco, April 6.—Procter & Gamble has signed for a new series on the NBC-Pacific Red network. the program to start immediately. The series will be known as "Woman's Magazine of the Air." Pedlar & Ryan is the agency.

▸ *Radio Personals*

HARRY ALGUS, formerly assi ant radio editor of the late Ne *York American*, has been named radi editor of the *Wine and Liquor New* a trade paper which will make i debut April 16. . . Deanna D will make her first appearance i dio drama when she appears in th radio version of her new pictur "Mad About Music," in the Lux Radio Theatre April 18. . . Guy Lombardo will start a spring personal appearance tour with his orchestra o April 14, returning to New York fo the weekly broadcasts for Bond bread The RKO Memorial, Boston; Earle Philadelphia; Stanley, Pittsburgh and Fox, Detroit, are theatres set. . Col. Jay C. Flippen will sail today o the *Lafayette* to Havana. . . Sir Cedric Hardwicke will be interviewed b Radie Harris over Mutual tonight.

Canada to Build 30 Stations for Plane

Ottawa, April 6.—Thirty radi stations will be built in Canada fo Airway Service, Transport Ministe C. D. Howe said last night, At presen 11 are completed and 12 more ar under construction. Seven will b built during the fiscal year. The tota cost of the stations is estimated a $1,500,000.

A four-tower system of antennae i being used primarily with provisio for installation of a fifth tower whe conditions warrant. Fifths will be installed at Vancouver, Edmonton Regina, Winnipeg, Toronto and Montreal this year. The extra tower, h said, permitted weather reports to b broadcast simultaneously with courses

In this move, Howe said, Transcanada Airways was following the example of U. S. Bureau of Air Commerce which was installing a numbe of five-tower sets.

Old Program Is Renewe

San Francisco, April 6.—B. Simon Hardware Co. of Oakland, oldest sponsor on KSFO, local CBS outlet, has renewed for another year its weekly "Fishin' Fool" program, which caters directly to sportsmen. Conducted by Ralph Stevens, the show has been on the air seven years.

Is KTSA Program Head

Hollywood, April 6.—Bill Bryan, announcer at KFI-KECA here, has been named program director o KTSA, San Antonio.

Not the Radio

Des Moines, April 6.—The family car, the bathtub and the washing machine could all be given up but not the radio, according to information gathered by Dale Morgan, KSO's inquiring announcer, when he recently queried persons on the street as to their preferences for modern conveniences.

Not a single person was willing to part with the radio.

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cture
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First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 82 NEW YORK, SATURDAY, APRIL 9, 1938 TEN CENTS

ıpan Market Cut 75% for U.S. Product

tlook "Not Bright," Allinsmith Says

ith a 75 per cent reduction in film ırts, importation of sound equip- virtually at a standstill and the ırgo on currency export, the out- for American companies in Japan ɔt very bright, at least during the ɔd of the "China emergency."

ıis was reported yesterday by H. ıllinsmith, for the last two years ager for Western Electric Co. ent) Ltd., handling Erpi's sound pment and recording business. Al- ıith has been succeeded in Tokyo aron Harro von Zeppelin, a mem- ɔf the German family of that name, formerly was in charge of Erpi's ities in Spain.

ıe first to introduce American d equipment in the Orient, Allin- ı will take a position in the for- department here. Before going to n he was assistant export mana-

(Continued on page 4)

ogram Is Set for CBS-KNX Opening

ogram plans in connection with opening of the new CBS-KNX ios in Hollywood have been com- d by Charles Vanda, Pacific t director of CBS programs. The of shows which will be staged ı Hollywood April 30 follows: ood Morning From Hollywood," o 10:15 A. M.; "Columbia and cation," 1 to 1:30 P. M.; "Lis- o Los Angeles," 2 to 2:30 P. M.; X Headlines," 4 to 4:30 P. M.; e Pictures Speak," 4:30 to 5 I.; "Hollywood Children's Hour,"

(Continued on page 4)

Additional developments in radio yesterday on page 4.

Strictly Fresh

San Francisco, April 8.—According to Leo Cleary, GO comic, laying "eggs" on he air is only half the story!

Cleary lives on a small anch down the peninsula, orings a box of guaranteed resh eggs to the studio daily nd does a bustling business vith announcers, producers nd technicians.

American Representations Made To Britain on Quota Provisions

By AUBREY FLANAGAN

London, April 8.—Captain Euan Wallace, Parliamentary Secretary of the Board of Trade, replying to a question from the floor of the House of Commons today, declared that representations have been received by the British Government from the Government of the United States on the effect of certain aspects of the Government's new quota regulations on the American film industry.

Wallace said that in the course of the representations the current treaty negotiations between the United States and England were referred to. The Board of Trade spokesman claimed the objective of the new legislation was not to limit the importation of foreign films, but to insure a gradual increase in the production and exhibition of British films.

RKO Reorganizers Ask $185,545 Fee

Petitions for allowances and expenses amounting to $185,545 for services in connection with the reorganization of RKO were filed in the U. S. District Court here yesterday. A hearing on the petitions was set for April 18 before Judge William Bondy.

Irving Trust Co., trustee in reorganization for RKO, asked an interim allowance of $60,000; William J. Donovan, trustee's counsel, an interim allowance of $85,000 and disbursements of $2,797; Price, Waterhouse, accountants, $3,083; Richard B. Scandrett, former special master, $30,000, and Edward L. Ward, counsel to the receiver, $4,665.

Mendelssohn Dinner Draws 300 Friends

CHICAGO, April 8.—Three hundred Chicago members of the industry tonight paid tribute to Felix Mendelssohn, retiring M-G-M branch manager, at a testimonial dinner in the Congress Hotel. Jack Osserman, RKO branch manager, was toastmaster, while Clyde Eckhardt, Aaron Saperstein, Morris Leonard, James Coston, Arthur Schoenstadt, Allen Usher, Sam Shirley, Harry Smythe and Y. Frank Freeman paid tribute to the guest of honor who has been outstanding in film circles here for 16 years.

The dinner was a gala affair despite the worst weather in years.

Albany Bans "Life" For "Birth" Stills

ALBANY, April 8.—Assistant District Attorney James McGuiness today banned the current issue of the magazine, *Life,* because of its inclusion of a double page spread showing stills from the film, "The Birth of a Baby." His action is considered significant

(Continued on page 3)

Roxy Opening Day Record Is Broken

The Roxy broke all opening day attendance records yesterday, when "In Old Chicago" opened after a 12-week run at the Astor. Playing its first regular run here at regular prices, the Darryl Zanuck film drew a line of 1,300 persons prior to the opening at 10 A.M., one hour earlier than the usual schedule.

From then on the sale of tickets soared, and bv 2 P. M. the registers recorded 10,244 patrons. The picture is set for a three-week run.

Yesterday's heavy rain also failed

(Continued on page 3)

Depinet Quotas Are Bettered by 12 Men

With nine of the 15 weeks of the Ned Depinet RKO sales drive completed, 12 salesmen have topped their individual quotas for the entire period of the drive, while 30 have exceeded their quotas for the nine-week period. The leader in the United States and Canada is Fred Horn, Omaha. The 11 who follow him, in order, are: H. C. Fuller, Salt Lake; M. Plottel, Montreal; H. Wolfe, Winnipeg; W. S. Jones, Vancouver; P. M. Baker, Memphis; G. William Wolf, San Francisco; H. M. Lyons, Atlanta; G. Lefko, Pittsburgh, all branch managers; C. J. Dressell, Minneapolis, salesman; N. P. Jacobs, Los Angeles,

(Continued on page 3)

Poster Men Convene At New Yorker Today

The annual convention of the National Poster Service Association, Inc., will be held at the Hotel New Yorker today and tomorrow. About 40 heads of poster rental exchanges will attend, representing every distribution zone in the United States and Can-

(Continued on page 3)

Chicago Snow Storm Severe Theatre Blow

All Affected, Some Dark In Outlying Sections

CHICAGO, April 8.—Theatre business here came to a virtual standstill today when the worst spring blizzard in the city's history entered its third consecutive day with increased fury. Riding on a 40-mile an hour gale off of Lake Michigan, snow and sleet crippled transportation, blocked highways and discouraged all but a few hardy adventurers from seeking entertainment in the Loop.

In rural sections many theatres did not open last night or today.

Marooned aboard the snowbound Santa Fe Chief at Dodge City, Kan., were Gradwell Sears, Carl Leserman and Charles Einfeld, en route here from the Warner studio for a local sales meeting which had been scheduled for today. They are now expected in Chicago on Saturday and the sales meeting will get under way

(Continued on page 3)

Rains Threatening Deliveries in South

ATLANTA, April 8.—Heavy rains throughout the southeastern sections threaten to paralyze weekend film deliveries to hundreds of theatres in Georgia, Alabama and Tennessee.

As rivers rose to flood stage throughout the three states today, Atlanta film exchanges indicated their intention to attempt deliveries, but predicted that if rains continue service

(Continued on page 3)

Special Showing

Salt Lake City, April 8.—Malta, Idaho, has a population of 350 souls, no electric power, no railroad or truck line—and of course no theatre.

But its inhabitants know and like the product of the screen, as Intermountain General Manager Harry David discovered when he received a wistful letter asking if "The Girl of the Golden West" would be shown here during the annual Mormon "conference."

When David made arrangements and showed the film, the population of Malta expressed their appreciation.

Warner Albany Men Get Contest Awards

ALBANY, April 8.—Albany district won the Warner theatre zone competition for best box-office results. Held over a period of fifteen weeks, competition ended March 31.

The local group, headed by Charles A. Smakwitz, district manager, held a victory dinner at Keeler's Restaurant, with all 10 of the district managers on hand. Bonus checks were presented by M. A. Silver, zone manager.

Attending were Charles A. Smakwitz, district manager; Norman Ayers, Warner branch manager; Dave Miller, district manager for Universal; Peter Dana, Buffalo Universal branch manager; A. G. Leary, newly appointed branch manager for Universal; Max Friedman, Warner booker; Joseph Weinstein, short subject booker; James P. Gaughnan, and Del Evans, contact men; Jules Curley, advertising manager, and the theatre managers.

The winners were: Albany—Andy Roy, Strand; Bob Rosenthal, Ritz; Al LaFlamme, Madison, and Eddie Sellette, Albany; Troy—Leo Rosen, Troy; Jack Swartout, American, and Sidney Sommer, Lincoln; Utica—William Haynes, Stanley; Jack Breslin, Utica, and Murray Lafayette, Avon, and Walter Stur, head of the Sign Shop.

Sam E. Morris Returning

Sam E. Morris, Warners' vice-president in charge of foreign activiies, sailed on the *Ile de France*, which left Havre yesterday. Joseph Seidelman, Universal foreign manager, had booked passage on the boat, but canceled it shortly before it departed. This was Seidelman's second cancellation of his westbound trip. He is now scheduled to sail on the *Aquitania* April 13, arriving here six days later.

Grosses Please Devaney

WINNIPEG, April 8.—Leo M. Devaney of Toronto, general manager of RKO Distributing Corp. in Canada, expressed enthusiasm concerning the condition of the industry in the Dominion when he stopped here yesterday on an inspection trip to the Canadian exchanges. Speaking particularly of "Snow White and the Seven Dwarfs," he stated that the Disney feature will play more than 800 days at the Famous Players Canadian houses. This, he said, is almost four times the normal run of a film.

Ray Johnston at Studio

HOLLYWOOD, April 8.—W. Ray Johnston, president of Monogram, arrived here today and will spend a month in the routing of the new season's schedule with Scott R. Dunlap, production head. He will also make plans for the Monogram convention to be held in Cincinnati May 8-10. He will be accompanied to the convention by Dunlap, Movita, John Carroll and Jackie Cooper.

FWC Takes GB's 'Victor'

"To the Victor," Will Fyffe's first starring vehicle for G. B., has been booked over the whole Fox West Coast circuit in Los Angeles, the local G. B. office stated yesterday. The film had a preview at the Fox Wilshire in Beverly Hills.

Purely Personal

EDWARD A. GOLDEN, vice-president in charge of Monogram exchange operations, left yesterday for the weekend in Washington. He will return Monday. GEORGE WEEKS, general sales manager, will leave on Monday for a business trip to Washington, Philadelphia, Charlotte and Atlanta, his first since joining Monogram.

•

LEN DALY, United Artists authority on foreign publicity, tomorrow afternoon will lecture at the New York Museum of Science and Industry, Radio City. His subject will be "The Motion Picture in China."

•

CHARLES COHEN of M-G-M's publicity department and RUTH COSLOW will be married at Rothman's Inn, Brooklyn, tomorrow afternoon. After a week's trip, they will reside in Brooklyn.

•

W. A. WOLFE of Western Electric suffered a relapse after returning to work recently and will be confined to his home again for several weeks.

•

NORMAN CORWIN of 20th Century-Fox publicity department will lecture on radio at Amherst College on Monday. He is a former radio editor.

•

SPENCER and MRS. TRACY will arrive Monday on the *Virginia* from the coast. They will sail on April 16 for Genoa on the *Rex*.

•

LEOTA LANE, sister of LOLA, PRISCILLA and ROSEMARY, is back in town following a screen test on the coast.

GUS SCHAFER, former foreign department executive with Paramount and Universal, starts east today from the Pacific Northwest. He is making a visit to all key cities to familiarize himself with current sales and exhibition policies.

•

ED KUYKENDALL, M. P. T. O. A. president, is expected in New York from Washington today for a brief visit. He is accompanied by MRS. KUYKENDALL.

•

MRS. CHARLES H. GRAHL, Quigley Publications correspondent in Des Moines, is in town with her husband, who is an adjutant-general on the staff of the Governor of Iowa.

•

PAUL TERRY, the cartoon producer, came in from New Rochelle yesterday to take his young daughter to the Hayden Planetarium.

•

MRS. DAVID PALFREYMAN, recovered from a recent operation, will leave St. Clare Hospital this weekend.

•

J. P. MARQUAND'S magazine serial, "Castle Sinister," has been acquired for production by M-G-M.

•

JIM and HARRY, two of the three RITZ BROTHERS, arrived here yesterday aboard the Century.

•

Y. FRANK FREEMAN is expected back from Washington on Monday.

Selling Results Will Decide Ampa Awards

How well a picture has been sold will be stressed by the Ampa in its awards for advertising for 1937-'38. Directors of advertising, publicity and exploitation have been invited to submit their entries or nominations before April 14.

Nominations will be divided into four classifications: 1. The best campaign to the public; 2. The best campaign to the film trade; 3. The best all-around publicity campaign; 4. The best display material in connection with any campaign launched by a film company. Judges have not been selected. The awards will be made public the night of the annual Ampa ball, at which time the ballots will be counted.

Kaufman Leaving RKO

HOLLYWOOD, April 8.—Edward Kaufman, for the past five years an associate producer at RKO, tomorrow will leave the lot and on Monday will join 20th Century-Fox in a similar capacity as part of a Sol Wurtzel unit. His new contract is for two years.

Schenck Starts West

Nicholas M. Schenck, president of M-G-M, left last night for a semi-annual visit to the coast. He plans to be gone three weeks, during which he will discuss production for next season with Louis B. Mayer, Eddie Mannix and other studio heads. This will be Schenck's first visit to the coast since last November.

United Amusements' 1937 Net Is $100,170

TORONTO, April 8.—United Amusements, Ltd., a subsidiary of Famous Players Canadian which operates 24 houses in Quebec, reports a net profit for the year ending Dec. 31, 1937, of $100,170, equal to $1.24 per share on 80,829 shares of common outstanding. For the previous year the net was $101,134.

Current assets were listed as $307,524 and current liabilities as $142,570. Twenty-two per cent of gross receipts went for taxes and licenses paid to municipal, provincial and Federal governments.

Eight Are Nominated For A. F. A. Council

Eight candidates were nominated yesterday for four-year terms on the council of the American Federation of Actors. The annual election is scheduled for May 10 at the Edison.

The nominees are Ralph Whitehead and Charles Mosconi, who were nominated for reelection, and Joseph J. Brady, John Teibor, Jessie Noble, Peter J. Burns, Jorgen M. Christiansen and William "Red" Donahue. No other elections are scheduled. Officers were elected last year for four-year terms.

Ashmann in New Post

Maurey L. Ashmann, formerly division manager of the Strausberg Brooklyn and Long Island Theatres, has been named general manager of the Five-boro Theatre Circuit, operating in Manhattan and the Bronx.

20th-Fox Leases Ne Building for Short

Twentieth Century-Fox has tak a 21-year lease on a three-story exte sion to the company's annex at 10 Ave. and 53rd St., now under co struction and expected to be complet by Oct. 1. The structure will be a jacent to the building which hous Movietone News and will be used f the production of shorts.

The film company will pay a nual rental of $12,500 in addition taxes and other charges. The co of the structure is estimated at $8 000. The property is leased fro Cynthia K. Herbst, who purchas it last month from the Seaman's Ba for Savings. The building will o cupy a plot 100x100 feet. The rent will start at the completion of t structure.

Theatre Labor Quiz Finished in Englan

LONDON, April 2.—The Minister Labor has completed his investigati of labor conditions in British Th atres, replies to his questionnai having been received from 4,489 fil houses.

The results of the inquiry are no being summarized and when the process is complete, according to the Government official, he proposes to "co sider the whole position in the ligh of the facts revealed."

Nita Naldi Loses Suit

Justice Aaron J. Levy yesterda dismissed with costs the $50,000 lib suit in N. Y. Supreme Court brough by Nita Naldi, former silent pictu star, against the *Daily Mirror*. Insufficient evidence of monetary damages was the basis for the decision.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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hicago Snow torm Severe Theatre Blow

(Continued from page 1)

e Blackstone as soon as they ar-

an Crawford, en route to New k, was among the stormbound at Blackstone today. Forced to re- here because of disrupted train dules she conferred by telephone M-G-M officials who are work- out a new contract which will her six months out of the year hich to engage in stage or radio without studio supervision. For remaining six months she will be all for three pictures. Details are cted to be worked out in a day wo.

iss Crawford said she is looking a suitable stage play and, if one ound, she would start production ediately.

ins Threatening Deliveries in South

(Continued from page 1)

be partially, if not completely, de- alized.

he Atlanta Constitution Film nsport Service, which delivers to e 300 theatres in the three states, ght began regular service but an- nced that all deliveries would be s late if made at all.

addition to the problem of dis- ution to theatres, exchanges are d with difficulties in getting films Atlanta. Virtually all commercial e service into the city is paralyzed trains and busses are being de- d by washed out bridges and roads.

ravis, Oliver Teamed

OLLYWOOD, April 8.—June Travis Gordon Oliver have been signed Monogram for the leads in "The ines Are Here," which Phil Rosen direct from the adaptation by t Darling, Jack Knapp and J. ton Cheney of the original by nklin Adreon, Jr.

Wall Street

Uneven Board Movement

	Open	High	Low	Close	Net Change
....	10	10⅛	10	10⅛	+ ¼
K.	135	139	135	136¾	+4¼
. E.....	10	10½	10	10½	+ ¾
......	37½	38	36¾	38	+2⅛
.....	6⅞	7¼	6⅞	7¼	+ ½
. 2.....	7⅞	7⅞	7⅝	7⅝	— ⅛
e	4⅛	4½	4⅛	4½	+ ½
......	2¾	2⅞	2¾	2⅞	+ ¼
Fox ..	18	18½	18	18½	+1¼
pfd.....	27½	27½	27½	27½	+ ¾
. pfd..	29	29	29	29	— ⅞
B.	4⅝	4¾	4⅝	4¾	+ ⅛

Technicolor Rises on Curb

	Open	High	Low	Close	Net Change
gram	1⅜	1½	1⅜	1½	— ⅛
. ...	16⅝	17¾	16⅝	17¼	+ ⅞
s-Lux	2¼	2⅜	2¼	2⅜	— ⅛
. Corp.	2	2	2	2	— ⅛

Little Bond Activity

	High	Low	Close	Net Change
6s '46......	81	80½	80½	— ½
3½s '46....	95⅛	95	95	— ¼

(Quotations at close of April 8)

Roxy Opening Day Record Is Broken

(Continued from page 1)

to dampen the ardor of the Music Hall fans. There, business maintained the pace set by Thursday's opening day figure of $15,900 for "The Adventures of Marco Polo," and the theatre management anticipates a gross of about $90,000 for the week, on the basis of the first two days' take. The Goldwyn film will go two weeks definitely and possibly a third.

"Over the Wall" finished with $13,000 for a second week at the Strand, ending last night. "Port of Missing Girls" did $6,000 at the Globe.

Depinet Quotas Are Bettered by 12 Men

(Continued from page 1)

and J. Osserman, Chicago, branch managers.

The others who have exceeded the nine-week quota are headed by Herbert Greenblatt, Cleveland branch manager, and include: R. C. Folliard, Washington; R. E. Churchill, Indianapolis; Stanley Jacques, Cincinnati; M. C. Cory, Portland; C. Boasberg, Buffalo; J. H. Ashby, Denver; L. E. Goldhammer, Minneapolis; E. A. Lamb, Seattle; J. F. Meyers, Toronto; R. B. Williams, Oklahoma City; B. G. Kranze, Albany; Elmer Lux, Buffalo; F. L. McNamee, Philadelphia; R. C. Cropper, Boston; Bob Wolff, New York; Guy Brown, New Orleans; A. N. Schmitz, Milwaukee; T. R. Thompson, Kansas City; A. L. Sugarman, Cincinnati.

Poster Men Convene At New Yorker Today

(Continued from page 1)

ada. Among the matters to be taken up is the introduction of a new line of outside advertising for theatres, produced by Associated Displays Corp., which is owned by the poster exchanges.

All officers are slated for reelection, including Simon Libros, president, and George P. Aarons, secretary, both of Philadelphia; E. R. Behrend, New York, treasurer; A. R. Wilson, general production and sales manager, and others.

Plan Northwest Theatre

PORTLAND, Ore., April 8.—Plans for a Pacific northwest dramatic stock loop have been revealed here with the announcement that the Commercial Club of Lake Oswego, is considering erection of a 400-seat theatre at a cost of approximately $25,000. The proposed theatre, which is believed to be financed by a Hollywood film firm, is one of three theatrical projects being considered by the commercial group. It would be a dramatic stock offering fed by promising film players with programs including the latest New York stage successes.

Monogram Moves Today

Monogram will move its home office today from its present quarters on the 20th floor of the RKO Building to the larger offices formerly occupied by Grand National on the 23rd floor of the same building.

Erpi, Decca in Deal For Dyer's Patents

A suit by Frank L. Dyer against Decca Records for alleged infringement of patents having been discontinued, Erpi, for itself and in behalf of Western Electric, has acquired a license under the Dyer patents. Decca Records has also acquired a license under Dyer's group of patents. Dyer is the inventor of long playing records.

The Dyer patents are now assigned to a company known as Frank L. Dyer, Inc., with Ralph Steinberg as president. Negotiations are under way with other manufacturers for licensing under the Dyer patents.

Suits for infringement on the Dyer patents are still pending against RCA Victor and others.

Flynn, Maloney Are Honored on Transfer

CINCINNATI, April 8. — Approximately 60 exhibitors, exchange representatives and others tonight attended a testimonial dinner at the Netherland Plaza to John E. Flynn of M-G-M, district manager, who has been shifted to Chicago, and John J. Maloney, who has been transferred from Pittsburgh to succeed Flynn here.

Tom Connors, M-G-M eastern general sales manager, attended, as well as: Edwin M. Booth, local M-G-M manager, and his staff; Ike Libson, Arthur M. Frudenfeld, RKO; Maurice White, Libson-White Theatres; Tracy Barham, Southio Theatres; Earl Myers, Phil Chakeres, Roger Babb, Max Matz, Hyman Banks and others.

Iowa Allied to Hold Special 2-Day Meet

DES MOINES, April 8.—The Allied Independent Theatre Owners of Iowa and Nebraska start a special two-day meeting Monday at the Savery Hotel.

Among the subjects on the program are the Neely bill, rental terms, legislation affecting the industry to be brought before the next session of the Iowa Assembly, and the development of a cooperative film trucking service. The three film delivery firms in Des Moines that have served approximately 300 theatres in Iowa have been unable to make deliveries the past month because of a strike by their 17 truck drivers.

Governor of Georgia Favors School Films

ATLANTA, April 8.—Governor E. D. Rivers and the State Board of Education are "sold" on the idea of visual education. During a meeting of the board this week a special showing was held of films designed to emphasize the value of motion pictures in school work.

"I am convinced visual education will become one of the most important classroom aids in the near future," the Governor declared.

Sell Minneapolis House

MINNEAPOLIS, April 8.—The Stimson Building, containing the Pantages has been bought by the First National Bank & Trust Co. for $140,000.

The theatre was erected by Alexander Pantages. It is being used by the Welworth Amusement Co.

New Copyright Curbs Up in Canada Senate

TORONTO, April 8.—The Canadian Senate has further curbed the activities of the Canadian Performing Rights Society by adopting two new clauses in the measure sponsored by W. K. Esling, which restrict the application of the society's fee system to a considerable extent.

One clause provides that the society cannot collect a fee for public performance of compositions which it controls when such works are presented by means of a radio receiving set or phonograph recording, except when such performance takes place in a theatre to which an admission is charged or on board a ship.

The second new clause stipulates that vocal or instrumental performances shall not be considered public presentations for which the society can impose its fee, except where they occur in a recognized theatre or on board a ship.

Albany Bans "Life" For "Birth" Stills

(Continued from page 1)

because of the forthcoming consideration by the Board of Regents of the film itself. The board will review the ban on the film at its next meeting which, it is understood, will be held April 15 or 16.

Charles Brin, Jr., legal director of the Department of Education, on Monday or Tuesday will argue the case of the ban on "Tomorrow's Children" in the Court of Appeals here. Jonah Goldstein will appear for the producer.

Columbia Production High; Five Shooting

HOLLYWOOD, April 8. — Production activity of Columbia currently is at its peak for several months past with five pictures in work. The schedule is giving employment to hundreds of technicians and laborers working in three shifts on new set construction in preparation for forthcoming productions.

The pictures now in work are "Holiday," "You Can't Take It With You," "Crime Takes a Holiday," "Swingtime in the Saddle" and "State Patrol."

Box Office Adds to List

HOLLYWOOD, April 8.—Boxoffice Attractions, Inc., now distributing and roadshowing "Uncivilized," made by Expeditionary Films, has acquired the distribution rights of "Wanted," made by Sound City. Films, and featuring ZaSu Pitts, and "Heritage," made by Expeditionary and starring Mary Maguire. Expeditionary is an Australian company; Sound City, a London firm.

Present Warner Short

NEW ORLEANS, April 8. — A print of the Warner short subject which refers to the purchase of Louisiana has been presented to the Louisiana State Musuem.

To Build in Carolina

WEST JEFFERSON, N. C., April 8.— —Ben Reeves and Russell Barr have purchased two lots and a large building here and will start construction immediately of a 500-seat theatre.

Radio Personals

DORIS RHODES has had her CBS contract renewed for one year. . . . The George Olsens celebrated their 12th wedding anniversary yesterday. . . . Tom Riley of the NBC publicity and special events divisions is on vacation. . . . Pat Rossi, now on WOV, will begin a new series of song programs with Jimmy Rich over WNEW this week. . . Joy Hodges will be the guest of David Lowe tonight on the latter's film series over WNEW.

+

Wilmington

Lewis S. Black, manager of the Stanley-Warner Aldine, was feted on his birthday last week in a broadcast over WDEL. . . J. Gorman Walsh, manager of WDEL; Frank M. Murphy, Loew's manager, and Lew Black, Aldine manager, aided in the Chamber of Commerce drive for $29,000 for each of the next two years. . . Powers Gouraud, Philadelphia radio commentator, is master of ceremonies for Wilmington's annual spring electrical show in the Hotel DuPont.

Program Is Set for CBS-KNX Opening

(Continued from page 1)

6 to 7 P. M.; "What's Columbia Square?" 7 to 7:30 P. M.; "Saturday Swing Club," 8 to 8:30 P. M.; "Parade of Champions," and "Music of the Master," times not yet set; "Salute to Columbia Square," 12 midnight to 2 A. M.; and "Exit March," "Rhythm 'Round the Town," and "That's That," at times still to be announced. All time periods referred to above are E. D. S. T.

In "The Pictures Speak" leading film producers, directors and players are to speak from their home studios. They include Louis B. Mayer, Darryl Zanuck, Adolph Zukor, Jack Warner, Jesse Lasky, Mark Hellinger, Pandro Berman, Charles R. Rogers and others.

Canada to Hear King

MONTREAL, April 8.—The address by King George VI at the opening of the Empire Exhibition at Glasgow May 3, which is to be broadcast throughout the British Empire, will be heard in Canada over the national network of Canadian Broadcasting Corp. His Majesty will speak at about 6 A. M. E.S.T., and the broadcast will be relayed from overseas via the CBS short wave receiving station at Ottawa.

Organist on WJBS

BIRMINGHAM, April 8.—Beatrice Tate Wright, one of the south's best known organists, is now heard over the Alabama Network from WJBS in Gadsden, Ala., where she is director of programs. Sam Benton, her husband, is announcer.

Carnation on KVOO

KVOO, NBC outlet in Tulsa, will carry the "Carnation Contented Hour," sponsored by the Carnation Co., starting April 25, and Kay Kyer's "Musical Klass and Dance," sponsored by the American Tobbaco Co., starting April 27.

Oklahoma Stations Are Hit by Storms

OKLAHOMA CITY, April 8.—Four Oklahoma radio stations today were reported off the air because of heavy snow storms which broke down power lines.

KOMA, Oklahoma City, was off the air all day, with its power feed lines and the lines from the station to the transmitter down. KFXB, Oklahoma City, was off the air until 11:05 A. M. and went off again at 2 P. M. due to a second failure of the power line. KCRC, Enid, was off the air all day with all communications disrupted. KVSO, Ardmore, was off air but the Oklahoma network lines were in working order.

All national network lines, including MBS, NBC and CBS were reported working. WKY, Oklahoma City, had all lines down except one but did not go off the air at any time today. KTOK, key station of the Oklahoma network at Oklahoma City, was broadcasting on its usual schedule, station and transmitter being at the same location.

KOMA officials said the State Highway Patrol would not permit repair trucks to dare the snow difts in attempting to reach the station transmitter eight miles north of Oklahoma City.

Testing Announcers

ALBANY, April 8.—Failing to make the first audition stick, Les Quailey, supervisor of Atlantic Refining's sports announcers, returned to Albany yesterday to solve the knotty problem of selecting a "ballcaster" for the local Eastern League home games. Originally, Gene O'Haire of WGY, Frank Silva of WHAM, Greenfell Rand and Sherb Herrick of WOKO were auditioned. Since Rand is airing the road games for Wheaties, Atlantic is thought to be avoiding chances of competition. O'Haire, Rand and Herrick are scheduled to handle three innings apiece of tomorrow's wire pickup from Barnwell, S. C., where Albany will play the Boston Bees.

KGO Program Renewed

SAN FRANCISCO, April 8.—Bennie Walker's weekly amateur hour has been renewed for 52 weeks on KGO by Homestead Bread. Other new KGO accounts include "Musical Moments," 26 times for Chevrolet; "The Camera Speaks," 13 times for Industrial Training Corp.; announcements for Gas Appliance Society, and Frank Patrick Glass Polish Co.

WOV Signs Loffredo

The WOV artists bureau has signed Joseph Loffredo to a management contract. He is an Italian dramatist and is at present in charge of the "Events on Parade" program on WOV.

Class Selects Heatter

Gabriel Heatter, WOR commentator, has been chosen by the senior class of N. Y. U. as the leading commentator on the air.

Directors Are Changed

ALBANY, April 8.—WBNX, New York, has filed a change of directors in the name of WBNX Broadcasting Co., Inc., with Secretary of State Flynn.

Two Seek Stations In Same Utah Town

WASHINGTON, April 8.—Application for a new station at Provo, Utah, to operate on 1,210 kilocycles with 100 watts power, has been filed with the Federal Communications Commission by the Timpanogos Broadcasting Co.

The commission also received an amended application from Dan B. Shields, also seeking a new station at Provo on the 1,210-kilocycle frequency, asking for an increase in proposed day power from 100 to 250 watts.

Edward J. Doyle, seeking a new station at Rochester, submitted an amendment to his application seeking use of the 1,270-kilocycle frequency and power of 500 watts, day only, in lieu of the 1,500 kilocycles and 100 watts night, 250 watts day, originally contemplated.

New Station Sought

WASHINGTON, April 8.—Application for authority to construct a new station to operate daytime only on 1,310 kilocycles with 100 watts power has been filed with the Federal Communications Commission by Sweetwater Radio, Inc., Sweetwater, Tex.

The commission has assigned tentative dates for examiners' hearings on a number of applications as follows:

April 12: Application of George W. Taylor Co., Inc., for a 1,370-kilocycle, 100-watt daytime station at Williamson, W. Va.

May 4: Applications of United States Broadcasting Co. for a 1,310-kilocycle, 100-watt station at Washington, D. C.

May 12: Application of Roberts-MacNab Co. for a 1,310-kilocycle station at Livinston, Mont., with 100 watts power night, 250 watts day.

Name Weed as Agent

CFNB-Fredericton, New Brunswick, Canada, has appointed Weed & Co. American representative, effective immediately. The station, a basic outlet of CBC, functions with 1,000 watts, and is owned by James S. Neill & Sons, Ltd.

Signs Deal with WHN

Community Opticians Brooklyn Corp., has entered into a contract with WHN for two weeks for participation in Sam Taylor's "Hollywood Sound Stage" program, effective this week. Commonwealth advertising agency handled the account.

Murphy WSGN Engineer

BIRMINGHAM, April 8. — Frank Murphy is the new engineer at WSGN, Birmingham. He succeeds Leonard Thomas. Murphy was connected with WRGA in Rome, Ga., before coming here.

Chet Boswell on KQV

PITTSBURGH, April 8.—The Max Azen fur store has signed Chet Boswell, singing newcomer, for a weekly 15-minute spot on KQV. He replaces the Donald Novis recordings on this station for the same sponsor.

To Offer Radio Course

CINCINNATI, April 8.—A class to cover radio script writing, diction and microphone technique will be offered at the Woodward High School here, to be sponsored by the Works Progress Administration.

Japan Market Cut 75% fo U.S. Produc

(Continued from page 1)

ger. In 1929 he installed the firs equipment in Japan, at the Ho Theatre, Tokyo. In 1935 he beca general manager for Japan with sup vision over China and the Philippir

Normally, he said, between 350 400 features a year were brought Japan by the eight major Ameri distributors and other foreign com nies, chiefly British. The present striction permits only 25 per cent that amount to be imported, or rou ly 100 films.

German companies and busin firms generally are finding a welco in Japan now as a result of the a Communist alliance, Allinsmith s While this has not greatly redu American film companies' busin Tobis Klangfilm is waging a det mined bid for the market and make inroads, although it has b found by the larger circuits that American sound equipment is far perior, he reported.

Currency Embargo a Factor

The currency embargo is playi havoc with Japan as a market, beca while it is permitted to purchase Ja nese goods for export with the block currency, the Government has restri the types of materials and merchand that may be sent out of the count he declared. This is a war measu

Furthermore, the Government decreed an import duty totaling 60 cent, as compared with the pre-w 40 per cent, on sound equipme Erpi's exports to Japan virtually ha been stopped, with the exception replacement parts, which the Gover ment recognizes are needed by the th atres. Imports are further restrict by the fact that a permit has to obtained for each shipment.

Theatre building has ceased order to conserve materials for w except that the Government is encou aging the construction of newsr houses where propaganda films a shown in order to bolster the mora of the people, Allinsmith said. T admission price is three and six cen The newsreels, including Paramou Japanese version, are subject to str censorship.

There are 20 film studios in Japa only five of which are adequate equipped, he said.

Buell Quits Laurel; To Produce on Ow

HOLLYWOOD, April 8.—Jed Bue today received a release from his pr ducing contract with Stan Laur Pictures, Inc., and now will produ on his own under the style of Ass ciated Pictures, Inc. Stan Laure with L. A. French as his busine manager, will produce the remaini Fred Scott musical westerns, thr of which will be released through t state rights market under Spectru and the balance, possibly, through major company.

Buell plans to produce novelty fe tures for the state rights market, fo major release or both. The first wi be "The Terror of Tiny Town," musi cal western with a cast of midgets.

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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 43. NO. 81 NEW YORK, FRIDAY, APRIL 8, 1938 TEN CENTS

nider Sees Concessions In Australia

ys Americans Realize Serious Situation

ıdications that the major distrib-s will make an effort to meet the vances of exhibitors in Australia rding certain trade practices held e inequitable are seen by Leon nider, joint director of the Snider ean Circuit and accredited spokes- for exhibitors in that country.

nider said yesterday that since his val here recently he has con-ed with all the foreign managers are in the city. His impression e said, that "they are seized with seriousness of the situation and make a careful survey of condi-s with a view to a coordination of tices."

pecifically, he said that thus far heads of the foreign departments expressed a more liberal attitude that they are now willing to look he future in order to hold the

(*Continued on page 7*)

ımrosch Speeches 'ondemned by AFM

he executive board of Local 802, erican Federation of Musicians, night officially and unanimously lemned Dr. Walter Damrosch what it termed "conduct injurious he A. F. of M."

he charge against Dr. Damrosch that at a meeting of the National s Conference held on March 5, 3, he had accused the union of ing unemployment among its ıbers by the establishment of es of wages that were too high, that on March 13, 1938, at the Dowell Club he asserted that

(*Continued on page 10*)

port Chesterfield Gets Burns & Allen

urns and Allen have been signed Liggett & Myers Tobacco Co. to over the Chesterfield program featuring Andre Kostelanetz on 5, according to a report.

he contract is for 26 weeks, and comedians will begin the series e time in September. They are broadcasting on NBC for Grape s.

More Radio—P. 10

Herbert Worried

Hugh Herbert came to town the other day. Yesterday the I.T.O.A. thought it would be a good time to present him the gold-plated cup awarded him in a theatre and newspaper poll as the "best comedian" in 1937. Lionel Toll of the I.T.O.A. made the presentation while John Harkins of Warners' publicity department and Mrs. Herbert looked on. The ceremony over, Herbert regarded the trophy reflectively.

"I expect to get a bill for it in a month," he said.

Fight Planned on Labor Board Rule In Booth Closing

United Long Island Amusement Corp. will oppose the enforcement of the Regional Labor Relations Board findings directing the reinstatement of six Local 306 members who barricaded themselves in the projection booths of five Long Island theatres last August in the course of a campaign for recognition of the union, the theatre company counsel said yesterday.

The board's order included a recognition of the strikers' right to barricade themselves in the booth and exhibit a trailer explaining the reason for the stoppage of the performance and requesting patrons to leave.

Martin M. Alpert, attorney for the theatre company, said that he would oppose any move by Local 306 to have the Queens County court confirm the board's findings, the procedure required under the state's "Little Wagner Act." If the board's findings are

(*Continued on page 2*)

Pizor Backs Kent Plea on Joint Talks

Promises Aid in Letter To 20th-Fox Head

Philadelphia, April 7.—Lewen Pizor, president of the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware, has pledged the support of his organization to Sidney R. Kent, president of 20th Century-Fox, "or any distributor leader" in a move to bring about a meeting of distributor and exhibitor leaders.

Such a meeting, says Pizor in a letter to Kent, will prove to Congress "that the real solution to the problems of this industry must come from within the industry."

The full text of the letter follows:

"It is not my intention to enter into the heated argument which has developed over the Neely bill. So many

(*Continued on page 7*)

"Polo" Gets Speedy Start at Music Hall

Yesterday's wintry weather was no deterrent to the crowds which flocked to the Music Hall for the opening of "The Adventures of Marco Polo." United Artists said that the day's figure was the best since the start of "Snow White and the Seven Dwarfs," estimating the take as $13,000 for the day. The picture will be held, according to present indications.

"Rebecca of Sunnybrook Farm" ended its second week at the Roxy last night with $28,000, against $39,500 for the first week. "King of the Newsboys" will finish its week at the Criterion tonight with an estimated $10,500.

I. Blumenthal Dies on Ship; Film Veteran

Long with Paramount In European Posts

Isaac Blumenthal

Ike Blumenthal, head of Paramount's production activities in France and a veteran American film official in Continental Europe, died aboard the *Saturnia,* which docked here yesterday. Funeral services were held yesterday, with burial in Union Fields, Cypress Hills.

Blumenthal, who was 59 years old, was en route to New York for home office conferences when he was fatally stricken. He is survived by two brothers, Ben and William Blumenthal; a son, Dick, who is associated

(*Continued on page 2*)

Review Board Hits Neely Bill's Aims

Attacking the Neely anti-block booking bill as "impractical to a fantastic degree," the National Board of Review yesterday declared that it would, in effect, create a form of Federal censorship of films. The board issued a statement "wholeheartedly opposing" the measure.

An exhibitor, under its terms, can bring action in the Federal courts to void his contract on the ground that he does not wish to show a film containing scenes deemed immoral, and

(*Continued on page 2*)

Bank Nights Banned In Chester Co., Pa.

Philadelphia, April 7.—District Attorney Raymond B. Reid of Chester County today notified theatres to discontinue Bank Night. He intimated that managers who continued the games would be liable to arrest.

Today's action in Chester County is in line with Tuesday's ban on Bank Night in Montgomery county and earlier proscriptions in Delaware and Lancaster counties. All the sections mentioned are parts of the Philadelphia film territory.

New York's Proposed Quota Leaves Lawyers Quite Calm

Legal departments of distributing companies have suffered no increase in blood pressure as a result of the proposed City Council measure providing for a 10 per cent New York City quota. In fact, the calmness of film lawyers as they contemplate the proposal is almost judicial in its detachment.

They point out that New York City as a part of the United States can't maneuver itself into a position where it will need one of Secretary Hull's trade treaties. The good old Constitution, they insist, is still functioning in spite of the recent kicking around and retains a clause giving Congress regulator powers over interstate commerce. Legal fallacies in the measure are so obvious, the attorneys say, that they will be surprised if it even gets the approval of the Corporation Counsel. But even granting this and assuming, in addition, that it becomes a law, the lawyers still shrug their

(*Continued on page 7*)

Purely Personal

W. RAY JOHNSTON, Monogram president, ran into a blizzard in Chicago on his current westward trip and wired that he wished he was back in New York where it doesn't snow in April!

•

CHARLES KEMPER and DANNY KAYE on Tuesday will start work in an Educational comedy which will be their first co-starring vehicle since "Getting an Eyeful." WILLIAM WATSON will direct.

•

DAVE BLUM of M-G-M's foreign department will leave tomorrow with MRS. BLUM for a European trip. They will return in eight weeks. Italy, France and London are on their itinerary.

•

GRADWELL L. SEARS, CARL LESERMAN, S. CHARLES EINFELD, MORT BLUMENSTOCK and SAM SCHNEIDER, Warners' executives, are due here tomorrow from the coast.

•

JULES LEVY, RKO sales manager, returned to New York yesterday from a midwestern sales trip of several weeks.

•

GEORGE J. SCHAEFER and JAMES MULVEY left yesterday for a week's fishing in Florida.

•

VINCENT TROTTA, Paramount art director, was confined to his home yesterday with the grip.

•

N. NAPOLI of Amkino is on a business trip and is expected back next week.

Planning Fight on NLRB Booth Rule

(Continued from page 1)

upheld by the court, Alpert said, United Long Island will appeal the case through the state courts.

The board's order also abrogated a contract subsequently made by United Long Island with the Empire Operators' Union and certified Local 306 as the collective bargaining agent for all five theatres.

Hays Clearing Work For Trip to Coast

Will H. Hays, clearing his calendar as rapidly as possible before leaving for the coast on an extended visit, scheduled almost daily meetings during the past week. The second meeting this week of the M.P.P.D.A. board of directors was held yesterday to transact business left over from the annual meeting. In between were meetings of foreign managers, foreign publicity heads, circuit theatre heads and members of his staff.

Hays may leave for the coast this weekend or early next week.

Leucht Transferred

MARVILLE, Mo., April 7.—C. E. Cook has shifted William Leucht, Jr., manager of the Tivoli at Savannah, Mo., to the Tivoli here.

Irene Kuhn Tells of Shipboard Producing

Film production as it was done while the *Rex* rolled down to Rio from New York on a cruise was described by Irene Kuhn, staff member of MOTION PICTURE DAILY, at the Ampa luncheon at the International Casino yesterday.

Mrs. Kuhn amused the gathering with her story of how she, Harry Rapf, M-G-M producer; Leon Schlesinger, Warners' cartoon producer, and others, including assorted socialites, acted, directed and completed a "super special" during the trip.

Ralph Rolan, president, reported that the new plan for the Ampa advertising awards had met with the approval of film company advertising and publicity directors. P. A. Powers, who has donated the plaques since the inception of the advertising awards will contribute the prizes again this year.

Joseph Tisman, winner of two awards in the ad competition, was introduced as a new member. He is with Warners.

E. J. Monaghan Dead

OMAHA, April 7.—E. J. Monaghan, 59, veteran Omaha theatre man, died in a local hospital following a seven weeks' illness, which started from an infection.

For the past 12 years he had been manager of the Avenue and Arbor, owned by Ralph Goldberg.

Friedhoff's Mother Dies

Maria Friedhoff, 78, mother of Peter Friedhoff, comptroller of Monogram, died suddenly yesterday of a heart attack at her home in Elizabeth, N. J.

"Gladiator" for Brown

HOLLYWOOD, April 7.—"The Gladiator," by Philip Wylie, will be the next vehicle for Joe E. Brown, under the banner of David L. Loew. This will be the second of two Brown features for Columbia release. Adele Buffington and Charles Melson are writing the screenplay. Edward Gross will be associate producer.

Sets Distribution Here

Lenauer International Films will handle American distribution for the following productions: "The Pearls of the Crown," "The Puritan," "Drole de Drame," "They Were Five" and "The Queen of Spades." "Pearls of the Crown," written and directed by Sacha Guitry, who is also the star, will open Monday at the Filmarte.

Schwartzwald Plans Five

Milton Schwartzwald will start production on five musicals, three for Nu-Atlas and two for Mentone, the first week in May at the Biograph studios. Schwartzwald will direct with Larry Williams and Bill Kelly as cameramen.

Closes Century Deal

I. E. Lopert, president of Pax Film, closed a deal yesterday booking "Mayerling" to the entire Century Circuit, numbering 37 houses. Lopert also stated that the play dates of "Mayerling" in Loew theatres have been increased from two days to five days.

I. Blumenthal Dies on Ship; Film Veteran

(Continued from page 1)

with Paramount's Hollywood studio, and a daughter, Mimi, also of Hollywood.

For the past 18 years Blumenthal has been an official of the Continental European companies associated with Paramount. He entered the film industry many years ago through an association with the late Frank J. Godsol, who was instrumental in the reorganization of the old Goldwyn Pictures Co. and in the acquisition of the Capitol, New York, by that company. Blumenthal's first European assignment originated with his brother, Ben, who placed him in charge of the organization of the Efa Film Co., which represented American film companies in central Europe.

Joined Paramount in '20

Blumenthal's interest in Efa was sold to Paramount about 1920, at which time he became associated with that company under the direction of the late Emil E. Shauer, who was foreign head of Paramount at the time. Blumenthal was also instrumental in the organization of Parufamet Films, which distributed in Germany and central Europe for Paramount, Ufa and Metro. Blumenthal continued as Paramount's representative in that company up to the time of its dissolution.

For the past 10 years he had been in charge of Paramount's Joinville studio, where the company's French production activities were concentrated. For several years he was in charge of Paramount's theatres in Paris, as well.

Review Board Hits Neely Bill's Aims

(Continued from page 1)

the courts, in upholding the plea, will render a decision "on moral considerations based on its own interpretation of what constitutes a reasonably true idea of "dialogs concerning and scenes depicting vice, crime or suggestion of sexual passion,'" the statement declares.

"This inevitably in effect makes the courts censors themselves, and since such tribunals would be created under a Federal statute, a form of Federal censorship of the motion picture would then have been created," according to the board, which sees in such "so-called social legislation a wedge for the control of the motion picture itself as a medium for human expression."

The statement is signed by the board's executive committee.

Takes Gastonia House

MOORESVILLE, N. C., April 7.—A. E. Groom of Gastonia, N. C., has purchased the Moor and the lease to the Thompson. Groom has placed Harold Field of Greenwood, S. C., in charge.

The deal was a surprise, as it was only a month ago that the Little-Craver interests leased the Thompson building, now nearing completion.

W. S. Tower Manager For W. E. Cuba Unit

W. S. Tower has been named manager of Western Electric Co. of Cuba, Clifford Smith, general foreign manager of Erpi, stated yesterday. Tower, who is now in New York, formerly was manager of Western Electric Co. of Mexico. George Wolf, formerly supervisor of the Caribbean area for Erpi, will succeed Tower as manager of the Mexican company.

H. B. Allinsmith, manager of Western Electric Co. (Orient) Ltd., with headquarters in Tokyo, has arrived here by way of the Far East and Europe for home office conferences.

Erpi Annual Meet Set

The annual meeting of the board and stockholders of Erpi will be held on April 12. The election of directors and officers may be deferred, however, because of the absence of Whitford Drake, president, who is now in London and is not expected in New York for another two weeks.

Agnew West Before Meet

Neil F. Agnew, Paramount vice-president in charge of distribution, left yesterday by train for Hollywood and new season product conferences. After a week at the studios he will go directly to Washington, D. C., for Paramount's annual sales meeting at the Shoreham Hotel April 15 and 16.

Universal Board Meets

The monthly meeting of the Universal Pictures board of directors was held yesterday. Only routine business was transacted, a company officer reported.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; J. M. JERAULD, Managing Editor; JAMES A. CRON, Advertising Manager. EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone, Thomas Fitzsimmons, Sherwin A. Kane, Irene Kuhn, Joseph Priore.

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IN OLD CHICAGO

HELD OVER 100%

IN RECORD-BREAKING PRE-RELEASE RUNS AT SAN FRANCISCO (3rd week), DALLAS (held for 3rd week), NASHVILLE, SYRACUSE, OMAHA, ROCHESTER, DETROIT, BUFFALO!

And more new records with every new opening:

LOUISVILLE—Topping all *20th's top record-breakers!

INDIANAPOLIS—Thousands of dollars bigger than *20th's biggest!

SALT LAKE CITY—Shattering every house record!

*And 20th's toppers are industry toppers!

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Verlinsky Stay in Russia Unexplained

Mystery shrouds the present stay in Moscow of Vladimir I. Verlinsky, president of Amkino and director of the Soviet's film activities in North and South America.

Verlinsky left New York Dec. 8, called to Moscow reportedly to attend a conference of the heads of the All-Union Motion Picture Trust and directors of the foreign branches.

Amkino, here, in response to queries about the date of his possible return, has repeatedly said that it is indefinite; his office, at the same time, insists that he is still in charge of the American activities and that it is "assumed" he will return.

At the conference which Verlinsky attended charges of inefficiency, waste and extravagance were made against Boris Z. Shumiatsky, head of the Soviets' film industry. Shortly thereafter he was removed.

Verlinsky is in frequent communication with Amkino here, it was said. But his cables and letters always deal with product being made or to be shipped for distribution in this country and contain no reference either to the shakeup in the Soviet studios or when he may be expected to return to the United States.

Tom Mix to Tour Europe

Hollywood, April 7.—Tom Mix will leave next summer on a personal appearance tour in Europe under the management of Kurt Robitscheck, European producer and manager of the Alhambra, Paris. Robitscheck left for New York this week after completing the deal.

Plan Dinner for Durkee

Baltimore, April 7.—A testimonial dinner is to be given April 26 in honor of Frank H. Durkee, recently appointed president of the Baltimore Park Board, by Mayor Howard W. Jackson. It will be at the Hotel Belvedere.

Monogram Signs Karloff

Hollywood, April 7.—Monogram has signed Boris Karloff to star in a series of James Lee Wong detective stories, originally written by Hugh Wiley. Four of the films will be released on the 1938-'39 program.

Wall Street

E. K. Decline Continues

	Open	High	Low	Close	Net Change
Col.	9⅞	9⅞	9⅞	9⅞	— ⅛
E. K.	133½	134½	132½	132½	—3
G. T. E....	9¾	9¾	9¾	9¾	+ ¼
Loew	36½	36½	35⅞	35⅞	.....
Loew, pfd..	104	104	104	104	.....
Para.	6⅞	7	6¾	6¾	— ⅛
Para. 1.....	70	70	70	70	.....
Para. 2.....	7¾	7¾	7¾	7¾	— ⅛
Pathe	4⅛	4⅛	4	4	.....
RKO	2¾	2¾	2⅝	2⅝	— ⅛
20th Fox ..	17½	17½	17¼	17¼	— ¼
W. B.	4¾	4¾	4⅝	4⅝	— ⅛

Curb Issues Hold Levels

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	.....
Univ. Corp.	2⅛	2⅛	2⅛	2⅛	.....

Bonds Drop Fractionally

	High	Low	Close	Net Change
Loew 3½s '46....	95¾	95¾	95¾	— ½
W. B. 6s '39......	65⅜	65½	65¼	— ¾

(Quotations at close of April 7)

Hollywood Preview

"Port of Seven Seas"

(M-G-M)

Hollywood, April 7.—Some fine emotional contrasts and moments of considerable dramatic power have been achieved in this story of a wanted and unwanted baby. The treatment throughout is delicately shaded. Characterizations are finely drawn for the most part, but the subject matter is strictly adult, and exhibitors will do well to keep this in mind both in booking and advertising the film.

The motivation is furnished by, and the story revolves about, an incident in which the girl, at the moment unwed, finds she is to be a mother. This causes the problem and the story tells the solution.

John Beal, son of Wallace Beery, Marseilles waterfront tavern keeper, is torn between his love for Maureen O'Sullivan, oyster vendor, and a craving for adventure at sea. He sails unaware that she is to become a mother.

Morgan, wealthy and aging friend of Beery, long eager to marry Miss O'Sullivan, renews his repeatedly refused proposal. She tells him of her condition and he tells her that during wedded life with a wife now dead they postponed having babies so long that no amount of prayerful effort would accomplish that end, wherefore he is eager to marry her at once and pretend actual paternity of her unborn child. Beery agrees on the promise that the child will be named after his son.

Morgan's relatives, none of whom has children, rejoice in the ultimate birth of a son to Morgan to carry the name. Then Beal returns from the sea, learns of his fatherhood and declares Morgan must surrender both mother and son to him.

Beery, Morgan, Beal and Miss O'Sullivan discuss at length the relative merits of the claims of the real father who gave the baby only life and a volunteer father who has given it a name, security, respectability and love, after which Beal goes back to sea and the baby cuts its first tooth in a fadeout.

Preston Sturges wrote the screenplay based on "Fanny," a stage play by Marcel Pagnol, and James Whale produced and directed as if the film were to be presented to stage play audiences. Beery and Morgan engage in extensive comedy at the start of the story, but treat the subject seriously after the seduction becomes known.

A consistent effort is made to adapt the attitude of waterfront Marseilles characters to the moral and social values involved and considerable emotional tension is developed. The dialogue is in straight English with no attempt at dialect, an deals bluntly with the subject material. The production is well up to M-G-M standards technically.

A Hollywood preview audience applied brilliant adjectives to the picture as a work of art. Showmen who feel that their clientele is of a kind to welcome this type of story will find the picture a sensitive and well-produced subject. In any case, it is adult material. The picture bears Production Code Seal 4127. Running time, 80 minutes. "A."

New York Preview

"Arson Gang Busters"

(Republic)

The chief point of interest about this film is the great deal of excitement and action that has been crammed into the story. It is a tale of a fire department and its efforts to break an arson syndicate. The story utilizes thrilling backgrounds and realistic atmosphere in the telling. The average audience should find it satisfying.

Bob Livingston plays the fire captain who is assigned to the arson investigation squad. His way is beset by Rosalind Keith, a reporter, who spoils a carefully laid plan to trap arsonists by spilling the story in her paper. Livingston, in cahoots with his chief, works a gag that makes everyone in the proceedings think he has been discharged from the service. He becomes an undercover worker and gets in with Jack La Rue's outfit of fire-starters. Many buildings are burned before the logical climax arrives wherein the real head of the outfit and the rest of the gang are captured by the police through Livingston's efforts. Warren Hymer contributes one of his standby performances as Livingston's buddy. Jackie Moran, a youngster, gives a good account of himself. Miss Keith makes the role of a girl reporter convincing enough. The story has the usual conclusion in which everyone involved in the coup of the gang is rewarded and the hero marries the heroine.

Joe Kane directed. There are many stock shots of big fires worked into the plot and they still have thrills. Ernest Miller photographed.

Running time, 64 minutes. "G."

Short Subjects

"The Secret of Treasure Island"

(Columbia)

This serial has much to recommend it. The production has plenty of fights, weird settings, an utterly fantastic plot and even a ghost. These should prove valuable exploitation possibilities. The development of t[illegible] story is exciting. It offers a hu[illegible] for treasure by a girl and a young newspaper man, and, of course, their competition in the form of an underworld character. The first three chapters are filled with what it takes.

The cast is comprised of Gwen Gaze, Don Terry, Grant Withers, Hobart Bosworth, William Farnum, Walter Miller, George Rosener and Sandra Karina. They do their stuff in good style. Elmer Clifton directed. Credit for ingenious sets goes to Paul Palmentola.

The first episode runs 28 minutes. The rest average 19 minutes each. "G."

P.

"The Captain and the Kids"

(M-G-M)

A new cartoon series gets off to a good start. The famous comic strip is delivered to the screen with all the familiar dialogue and laughs as the walrus-bearded mariner attempts to get out of doing some housework by playing sick. The kids queer his game. New characters, new twists. Running time, 8 mins. "G."

"Old Towns of Normandy"

(P. P. Devlin)

The quaint towns, architecture, religious shrines and countless other attractions of this French province make highly acceptable material in a travel short. The camera compositions are beautiful and the narration leaves nothing desired. Running time, 10½ mins. "G."

"Paramount Pictorial P 7-9"

(Paramount)

Good variation of material and fine presentation. The items include testing light bulbs, rope, etc., at the Bureau of Standards, tame fish and an aqueduct in the Alps. Worth playing. Running time, 10 mins. "G."

"Three on a Rope"

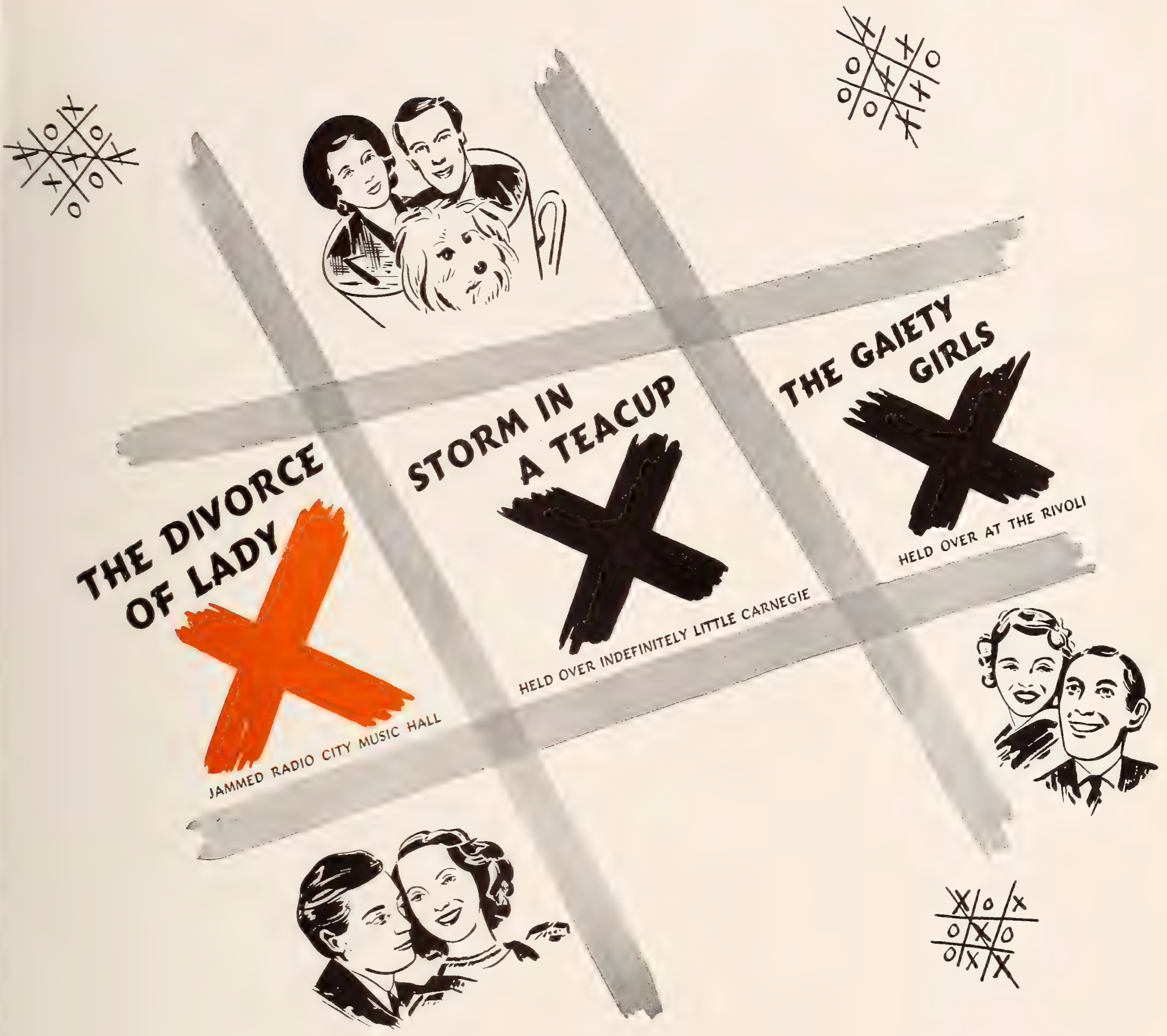
(M-G-M)

Mountain climbing engages the attention of Pete Smith. There are many thrills and laughs as two sets of climbers scale a peak. Well filmed. Good shots in slow motion. Entertainingly educational. Running time, 10 mins. "G."

"Going Places No. 48"

(Universal)

This issue is comprised of scenes of wood turning in Haiti, the rare mechanical gadgets in the Museum of Science and Industry and brief glimpses of Mongolia. Good. Running time, 9 mins. "G."


THE DIVORCE OF LADY
JAMMED RADIO CITY MUSIC HALL
STORM IN A TEACUP
HELD OVER INDEFINITELY LITTLE CARNEGIE
THE GAIETY GIRLS
HELD OVER AT THE RIVOLI

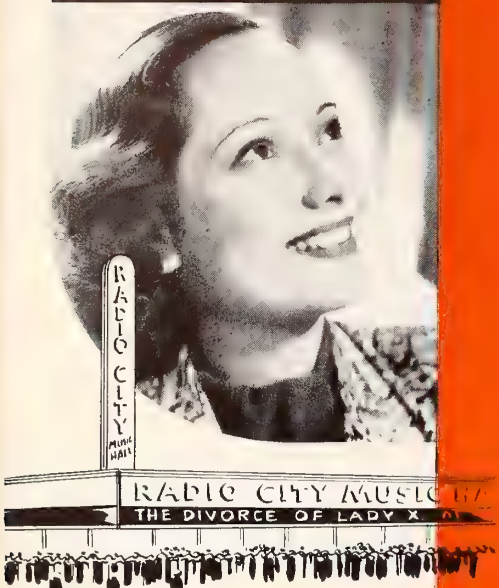
"THE DIVORCE OF LADY X"

MAKES IT 3 HITS IN A ROW FOR KORDA

says FRANK NUGENT in the NEW YORK TIMES

AMERICA IS KORDA CONSCIOUS!

NO. 1 ON YOUR KORDA HIT PARADE



MERLE OBERON

in

The Divorce of Lady X

A comedy in Technicolor with LAURENCE OLIVIER
BINNIE BARNES • RALPH RICHARDSON • MORTON SELTEN

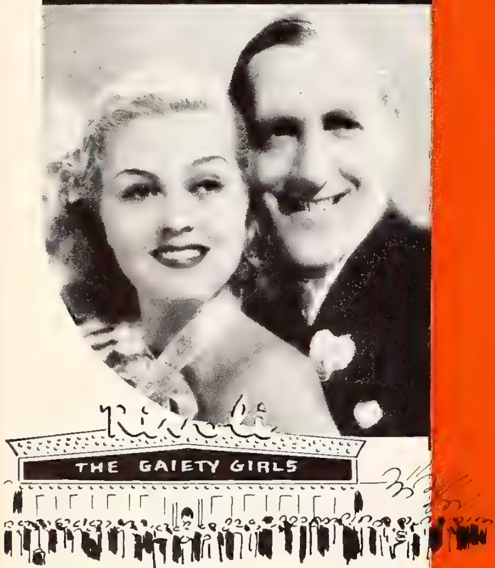
"Gay and urbane comedy jauntily played —*N. Y. Times*

"Utterly delightful farcical material. A great deal of refreshing charm." —*N. Y. Herald-Tribune*

"Picture moves merrily. Oberon exquisitely lovely . . . her beauty must be seen." —*N. Y. Daily News*

"My big laugh of 1938. Rich source of fun . . . built on solid and lasting foundation of humor." —*N. Y. Post*

NO. 2 ON YOUR KORDA HIT PARADE



THE MAN WHO MAKES SCREEN HISTORY SWINGS TO SWING!

The Gaiety Girls

with JACK HULBERT • PATRICIA ELLIS
Directed by THORNTON FREELAND

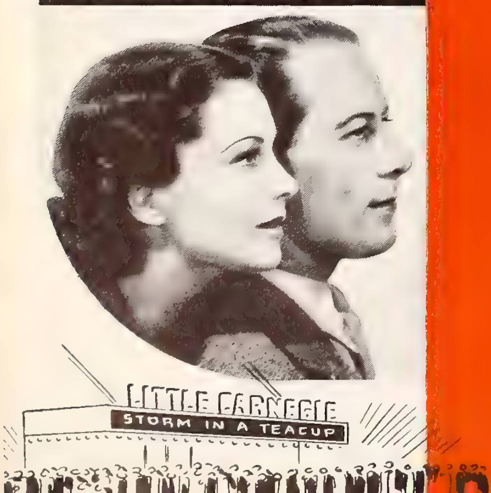
"Bright musical, altogether refreshing . . . compact, clever and tuneful. We enjoyed it." —*N. Y. Times*

"Fresh and diverting . . . sparkling fare . . . lively, tuneful." —*World-Telegram*

"Full of surprises . . . humor uncommonly pleasing. Songs are first-rate." —*N. Y. Post*

"Refreshing plot . . . interludes of disarming enchantment." —*Herald-Trib.*

NO. 3 ON YOUR KORDA HIT PARADE



ALL NEW YORK IS TAKEN BY

Storm in a Teacup

with VIVIEN LEIGH • REX HARRISON • URSULA JEANS

"A rare treat—excuse for honest laughter. Comedy delightfully played." —*N. Y. Times*

"Better than the original up and down the line." —*N. Y. Herald-Tribune*

"Gentle and hilarious at the same time . . . Excellent cast." —*N. Y. Sun*

"Bounces off the screen with hilarious abandon . . . furious and funny." —*N. Y. News*

ALL RELEASED THRU
UNITED ARTISTS

Newsreel Parade

Movietone News
ol. 20, No. 60
20th Century-Fox)

The newsreels come to the aid of e Levine family this week. The nidweek releases include an appeal rom Murray Levine who asks the ublic to cooperate in the search for is kidnapped son, Peter. Shots of 6mm. films taken by Levine of the ad in various poses are reproduced o aid in the identification.

Lew Lehr's "newsette" showing a ouple of railroad shop hands juggling 00-pound locomotive wheels is funny. The balance of the reel, of varying interest, is made up of odds and ends: he Army Day parade in Washington; talian diplomatic mission greeted in apan; an Easter lily display; Egypt's ing witnessing artillery practice; the pening of icebound Lake Michigan to teamers; striking shots of army ombers against fleecy clouds; Helen Wills Moody in fine tennis form, and ther sports shots. Running time, 10 mins. F.

News of the Day
ol. 9, No. 258
M-G-M)

The editors used good judgment in making up this release. It gets immediate attention by having as its ead-off story Murray Levine's plea or aid in finding his kidnapped son. Stress is given also to incidental matter, apparently on the premise that a good story is worth playing up.

The manufacture of French armaments rates second spot and discloses he speed at which that country is preparing for "contingencies." Other ubjects are: Reception of Mussolini's nvoys in Japan; trained elephant roupe entertaining hospitalized children; Washington's Army Day parade; hard riding and upsets at a Los Angeles rodeo; shots of Seabiscuit and War Admiral, two race orses currently in the public eye. The "women's page" departs from ustom to show how Percy Westmore transforms a middle-aged man into a andsome sheik. Running time, 9 mins. F.

Paramount News
No. 71
Paramount)

Good editorial treatment and narration make a highly interesting and ntertaining newsreel of the somewhat rdinary material making up this release.

Construction work on London's new subways with a sidelight on what the completed lines will mean to the average commuter are shown. The rescue of several horses which were found alive a New York stable which was almost completely destroyed by fire is interestingly pictured. There are shots of munitions making activity in France, nd of American military forces in an Army Day parade in Washington, reviewed by President Roosevelt.

Scenes of the springtime snowstorm hich swept the middle west and east, f mountain climbers scaling the slope f a Yosemite Falls ice cone and a lea to film audiences to aid in the search for the kidnapped Levine boy of New Rochelle, N. Y., complete the release. Running time, 9 mins. K.

RKO Pathe News
Vol. 9, No. 75
(RKO)

The single clip which takes this issue of the reel anywhere outside the routine is that picturizing the ascent of three climbers over an ice cone to the base of Yosemite Falls. The clip contains a good measure of excellent photography, although it is completely lacking in mountain climbing thrills.

RKO Pathe News, along with the other reels, issues the plea of Murray Levine of New Rochelle that people assist in the recovery of his kidnaped son, Peter. Motion pictures taken of the boy last year are included in the clip. The 21st anniversary of the entry of the United States into the World War is celebrated in a military parade reviewed in Washington by President Roosevelt. Henry Picard captures a golf tournament in Georgia, a four-year-old displays remarkable skill at the American Bowling Congress tournament in Chicago, and the reel concludes with a picturization of the manner in which tanks and other implements of war are rolling off the assembly line in French arms plants. Running time, 8 mins. A.

Universal Newsreel
Vol. 10, No. 656
(Universal)

Perhaps it is due to the scarcity of events which lend themselves to interesting presentation on the screen that is to blame for the "news" offered here. A rhymed bit on the advent of spring in England, done with purportedly humorous British comment, seems flat. Graham McNamee does a parody with scenes of the recent snowfall in New York. His rhyming is a bit better.

An appeal by the father of Peter Levine asking for aid in locating his kidnapped son opens the reel. Mule Day is celebrated in Columbia, Tenn. President Roosevelt is shown signing the TVA investigation resolution. There are also library shots of the project. New Orleans contributes scenes of the damage wrought by a blast in a grain elevator.

French armaments are shown in process of manufacture. A bouncer academy shows the results of its instruction. A circus performs for the young patients in a Los Angeles hospital. The Army Day parade in Washington with President Roosevelt reviewing closes the reel. Running time, 9 mins. P.

New York's Proposed Quota Leaves Lawyers Quite Calm

(*Continued from page 1*)

shoulders and observe inelegantly, "So what?"

They can't be made to admit that a court test of its constitutionality would provide an interesting contest for a beginner at the bar.

The measure proposes to require producers whose pictures are to be exhibited in New York City to obtain a license from the commissioner of licenses, and to obtain one, the company must certify that 10 per cent of its total product was made or will be made within the city limits. The measure has the backing of eastern studio unions for obvious reasons, and Queens County promoters who expect it to furnish them with a World's Fair bonanza in admissions to be collected from apple-knockers who will pay to sit on a plank and watch 'em make movies.

But those old legal pickle-pusses say they can't do it—at least, not under a law which, according to all legal precedents, is in violation of the Federal and state constitutions, is "confiscatory," "discriminatory," an "illegal, improper and unwarranted use and abuse of the police power" and, in short, all wet.

"You might just as well," say the lawyers, "pass a law requiring the sellers of pineapples to grow 10 per cent of their crop in Central Park."

Yeh. And what's wrong with that?

Concession Seen for Australia Exhibitor

(*Continued from page 1*)

Australian market more economically and to overcome "the arguments of the political propagandists."

The situation, he said, is that because of exhibitors' complaints regarding "inequities," the politicians have been disposed to make it more difficult for the American companies to operate in Australia.

Snider looks for a sharp increase in the cost of theatre operation during 1938 in his country, which, he said, is enjoying prosperity. Admissions will be increased to overcome the boosted overhead, he anticipates.

Because of larger attendance and higher percentages charged by the distributors, American companies will, according to his estimate, take $7,500,000 out of Australia this year, an increase of $1,750,000 over 1937.

The total investment in the Australian industry is $200,000,000 he said. Of the 1,190 theatres in Australia, 45 to 50 per cent are operated by circuits, he estimated, while 85 per cent of the 402 theatres in New Zealand are circuit-controlled.

Studio Technique to Feature SMPE Meet

The latest developments in the tools and technique of production will feature the numerous papers planned for the 43rd semi-annual convention of the Society of Motion Picture Engineers at the Wardman Park Hotel, Washington, April 25-28. Particular attention will be paid to color and sound recording and reproduction.

Three sessions will be devoted to sound and others will be occupied with photographic and laboratory processes, optics and projection developments, 16mm. equipment, new apparatus and educational and industrial films. The semi-annual banquet will be held April 27, and on April 25 an informal luncheon will be addressed by Secretary of Commerce Roper, Senator William G. McAdoo and others.

Pizor Backs Kent Plea on Joint Talks

(*Continued from page 1*)

words have come forth from so many pens that I fear the most important development of the entire discussion may be lost. I am referring to the manner in which the independent exhibitors and the distributors have been aroused to the need for some constructive action from within the industry, not from the law makers.

"In a statement, you say: 'During the 20 years that I have been in the industry, I do believe I have done a number of things that have been beneficial to the independent exhibitor.'

"I agree with you and I think there is no time like the present to have you again lead the way for further benefits for the independent exhibitor.

"If, at the present time, a meeting of exhibitor and distributor leaders were called, I feel certain that the gentlemen in Congress will need no more proof that the real solution to the problems of this industry must come from within the industry.

"The United Motion Picture Theatre Owners of Eastern Pennsylvania, Southern New Jersey and Delaware, Inc., stands ready to work with you or any distributor leader to start the ball rolling."

Universal Testing Old "Horror" Films

Universal is making several experimental bookings in the metropolitan area to test the current box-office strength of reissues of the so-called "horror" pictures produced three to four years ago. If the pictures show sufficient drawing power here, prints will be made available to all of the company's exchanges in the near future, F. J. A. McCarthy, eastern sales manager, said yesterday.

The first of the experimental bookings is being made currently at the first run Rialto with "Dracula." Another, involving a double feature program of a comedy re-issue and "Frankenstein," is being made in Long Island theatres to test the box-office strength of the old "horror" picture on that type of program. Results to date in both tests have been good, McCarthy said.

Try "Nickelodeon Night"

The Tower at 49th St. and First Ave. has launched a series of "Nickelodeon Nights" during which the audience is invited to "hiss the villain, applaud the hero and weep with the heroine," just like in the "old days." The performance consists of a two-hour screening of scenes from famous films of another day.

Stop Brattleboro Shows

BRATTLEBORO, Vt., April 7.—Sunday shows will be dropped here as a result of the imposition of $10 fines in Municipal Court following the issuing of warrants by Attorney General Lawrence C. Jones. The men fined were Spero Laichis of D. Laichis & Sons, Inc., and George L. Daley of Western Massachusetts Theatres, Inc.

"Golden West" Gets $17,500 In Pittsburgh

PITTSBURGH, April 7.—"The Girl of the Golden West" was the best thing in town last week, doing around $17,500 in a general increase in trade. At the Warner, "Snow White and the Seven Dwarfs" finished a month's run smartly, getting $6,100 in its fourth and last week, while "Mad About Music," in its second at the Fulton, was good for an excellent $5,400.

The combination of "Wise Girl" and Tommy Dorsey's band on the stage was considered in the end fair enough at $18,000.

Total first run grosses were $50,800. Average is $45,000.

Estimated takings for the week ending March 31:

"SALLY, IRENE AND MARY"
(20th-Fox)
ALVIN—(2,000), 25c-50c, 5 days, 2nd week. **Gross:** $3,800. (Average, $6,500)

"MAD ABOUT MUSIC" (Univ.)
FULTON—(1,750), 25c-40c, 7 days, 2nd week. **Gross:** $5,400. (Average, $4,500)

"GIRL OF THE GOLDEN WEST"
(M-G-M)
PENN—(3,300), 25c-50c, 8 days. **Gross:** $17,500. (Average, $11,000)

"WISE GIRL" (RKO)
STANLEY — (3,600), 25c-60c, 7 days. Stage: Tommy Dorsey's band, Jack Leonard, Edythe Wright, Jay and Lou Seiler, Ann Anderson. **Gross:** $18,000. (Average, $18,000)

"SNOW WHITE" (RKO)
WARNER—(2,000), 25c-50c, 7 days, 4th week. **Gross:** $6,100. (Average, $5,000)

"Sawyer" Beats Out Slump in Oklahoma

OKLAHOMA CITY, April 7.—"The Adventures of Tom Sawyer" was the only attraction in town to get into the profit column on the week. The take at the Criterion was $5,500, up by $300.

The Liberty and Tower split their weeks, but didn't get much benefit from it. "The First Hundred Years" was weak with $3,500 at the Midwest.

Total first run business was $14,450. Average is $18,800.

Estimated takings for the week ending April 2:

"ADVENTURES OF TOM SAWYER"
(U.A.)
CRITERION—(1,500), 10c-35c-40c, 7 days. **Gross:** $5,500. (Average, $5,200)

"ARSENE LUPIN RETURNS" (M-G-M)
"SHE'S GOT EVERYTHING" (RKO)
LIBERTY—(1,200), 10c-20c-25c, 4 days. **Gross:** $1,750. (Average, 7 days, $2,600)

"PATIENT IN ROOM 18" (W.B.)
"THE COUNTY CHAIRMAN" (20th-Fox)
LIBERTY—(1,200), 10c-20c-25c, 3 days. **Gross:** $700. (Average, 7 days, $2,600)

"FIRST HUNDRED YEARS" (M-G-M)
MIDWEST—(1,500), 10c-35c-40c, 7 days. **Gross:** $3,500. (Average, $4,500)

"START CHEERING" (Col.)
STATE — (1,100), 10c-25c-40c, 7 days. **Gross:** $1,800. (Average, $4,000)

"ROMANCE IN THE DARK" (Para.)
TOWER — (1,000), 10c-25c-40c, 4 days. **Gross:** $400. (Average, 7 days, $2,500)

"THE BUCCANEER" (Para.)
(Return Engagement)
TOWER — (1,000), 10c-25c-40c, 3 days. **Gross:** $800. (Average, 7 days, $2,500)

Theatre Unit Meet Set

DENVER, April 7. — The Theatre Owners and Managers of the Rocky Mountain Region will hold a special meeting at the Cosmopolitan Hotel on April 11. Legislative and other matters will be discussed.

Out Hollywood Way

HOLLYWOOD, April 7. — Following completion of "Whirlwind Cowboy," now shooting, and "Trails West," for Max Alexander - Grand National, KEN MAYNARD will leave for his annual circus tour.

M-G-M's "Test Pilot" is expected to open in 352 theatres April 22. . . MIRIAM HOPKINS is slated to have the top role in "We Are Not Alone," which Warners will produce from the novel of JAMES HILTON. . . DICK POWELL and ROSEMARY LANE are set for the top spots in "For Lovers Only," Warners. . . MYRNA LOY will co-star with CLARK GABLE in M-G-M's "Too Hot to Handle," which will be directed by JACK CONWAY.

✚

Casting—JAN HOLM, new Warner contract player, draws her first assignment in "In Every Woman's Life." . . GEORGE BARBIER and JESSIE RALPH in "Hold That Kiss," M-G-M. . . C. HENRY GORDON in "Yellow Jack," M-G-M. . . PAT O'BRIEN and MABEL TODD in "Garden of the Moon," Warners. . . JANE BRYAN gets the feminine lead in Warner's "The Singing Cop." . . CHERYL WALKER has been given one of the feminine leads in Paramount's "Men with Wings." . . PRISCILLA LAWSON in "Shopworn Angel," M-G-M.

✚

Contracts—M-G-M has extended the contract of HENRY HULL and has given JOHN TAINTOR FOOTE and HARVEY FERGUSSON writer pacts.

✚

Writers—JOHN C. MOFFITT has been assigned to write the screenplay for Paramount's "Behind the Eight Ball," W. C. FIELD's next vehicle.

"Rebecca" Up In Boston on $30,000 Gross

BOSTON, April 7.—"Rebecca of Sunnybrook Farm," with Bill Robinson on the stage, pulled $30,000 at the RKO Memorial last week and topped the otherwise non-spectacular Lenten week. The figure was $8,000 over par.

"The First 100 Years," combined with the second run of "A Slight Case of Murder," was also comfortably over average last week at the Paramount and Fenway. The bill grossed $8,500 at the Paramount and $5,500 at the Fenway.

The Metropolitan did well with nine days on "Bluebeard's Eighth Wife." The feature, combined with "Mr. Moto's Gamble," grossed $22,000. The nine-day average for the Metropolitan with vaudeville has been $31,000.

Total first run business was $93,500. Average is $108,500.

Estimated takings for the week ending March 26:

"THE FIRST 100 YEARS" (M-G-M)
"A SLIGHT CASE OF MURDER"
(F.N.) (2nd Run)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,500. (Average, $4,500)

"A YANK AT OXFORD" (M-G-M)
(2nd Week)
"LITTLE MISS ROUGHNECK" (Col.)
(1st Week)
LOEW'S ORPHEUM—(2,970), 25c-35c-40c-55c, 7 days. **Gross:** $8,000. (Average, $12,000)

"A YANK AT OXFORD" (M-G-M)
(2nd Week)
"LITTLE MISS ROUGHNECK" (Col.)
(1st Week)
LOEW'S STATE—(3,537), 25c-30c-40c-55c, 7 days. **Gross:** $6,500. (Average, $11,000)

"BLUEBEARD'S EIGHTH WIFE" (Para.)
"MR. MOTO'S GAMBLE" (20th-Fox)
METROPOLITAN—(4,332), 25c-35c-55c, 9 days. **Gross:** $22,000. (Average, $31,000)

"THE FIRST 100 YEARS" (M-G-M)
"A SLIGHT CASE OF MURDER" (F.N.)
(2nd Run)
PARAMOUNT — (1,793), 30c-40c-55c, 7 days. **Gross:** $8,500. (Average, $8,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
RKO BOSTON—(3,246), 35c-40c-55c, 7 days, 7th week. Stage: Steve Evans. **Gross:** $13,000. (Average, $20,000)

"REBECCA OF SUNNYBROOK FARM"
(20th-Fox)
RKO MEMORIAL—(2,907), 35c-50c-65c, 7 days, 2nd week. **Gross:** $30,000. (Average, $22,000)

"Bluebeard" Seattle Hit; Gets $8,500

SEATTLE, April 7. — "Bluebeard's Eighth Wife" overcame the effects of a general lull last week by pulling $8,450 at the Paramount. This was $2,450 above normal. "Dangerous to Know" was the other half of a dual bill.

"Snow White and the Seven Dwarfs" was the only other profitable attraction in town. It pulled $8,750, up by $1,750, in its third week at the Fifth Avenue.

Total first run business was $39,100. Average is $36,500.

Estimated takings for the week ending April 1:

"A SLIGHT CASE OF MURDER" (F.N.)
"LOVE, HONOR AND BEHAVE" (W.B.)
BLUE MOUSE—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Orpheum. **Gross:** $3,600. (Average, $4,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days, 3rd week. **Gross:** $8,750. (Average, $7,000)

"WIDE OPEN FACES" (Col.)
"LONE WOLF IN PARIS" (Col.)
LIBERTY—(1,800), 30c-40c-55c, 9 days. **Gross:** $5,250. (Average, $5,000)

"MAD ABOUT MUSIC" (Univ.)
"WALKING DOWN BROADWAY"
(20th-Fox)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 3rd week, extended run from Paramount. **Gross:** $3,950. (Average, $4,000)

"SALLY, IRENE AND MARY"
(20th-Fox)
"INTERNATIONAL SETTLEMENT"
ORPHEUM—(2,450), 30c-40c, 7 days. **Gross:** $5,400. (Average, $6,000)

"SHE LOVED A FIREMAN" (F.N.)
"MISSING WITNESSES" (F.N.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville headed by Joe Williams. **Gross:** $3,700. (Average, $4,500)

"BLUEBEARD'S EIGHTH WIFE"
(Para.)
"DANGEROUS TO KNOW" (Para.)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $8,450. (Average, $6,000)

Adrienne Ames Signed

HOLLYWOOD, April 7. — Adrienne Ames has been signed by Associate Producer Melville Shyer for the lead role in "Scandal House," which Progressive will start next week. Others in the cast include Craig Reynolds and Pert Kelton.

"Jezebel" Top As Takes Gain In Washington

WASHINGTON, April 7.—"Jezebel," with Aunt Jemima and the Radio Rogues heading a stage show, turned in a neat $20,200 at the Earle, thereby topping par by $1,800. The annual influx of cherry blossom enthusiasts helped grosses.

"Rebecca of Sunnybrook Farm," with a show headed by Count Berni Vici, went $1,200 over the line on a take of $22,100 at Loew's Capitol. "Snow White and the Seven Dwarfs" was good for $7,500 in its seventh week at RKO Keith's.

Total first run business was $66,400. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending March 31:

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
RKO KEITH'S—(1,836), 25c-55c, 7 days, 7th week. **Gross:** $7,500. (Average, first week, $10,800)

"JEZEBEL" (W. B.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Aunt Jemima, Radio Rogues, Lathrop Bros. and Lee, Five Balabanows and Three Reddingtons. **Gross:** $20,200. (Average, $18,400)

"REBECCA OF SUNNYBROOK FARM"
(20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Count Berni Vici Revue. **Gross:** $22,100. (Average, $20,900)

"A SLIGHT CASE OF MURDER"
(W. B.)
METROPOLITAN—(1,591), 25c-40c, 7 days, return engagement. **Gross:** $4,500. (Average, first run, $4,300)

"HAPPY LANDING" (20th-Fox)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days, return engagement. **Gross:** $3,600. (Average, first run, $3,600)

"GOLDWYN FOLLIES" (U. A.)
LOEW'S PALACE—(2,370), 25c-55c, 7 days, 2nd week. **Gross:** $8,500. (Average, first week, $15,900)

"Chicago" $18,400 Smash in Buffalo

BUFFALO, April 7.—"In Old Chicago" is currently grabbing the biggest chunk of first run patronage. It charmed $18,400 into the cash box at the Great Lakes in its first week, $10,400 more than average, and the picture was held for another seven-day run.

"Mad About Music" put the finishing touches on a three-week stand at the Lafayette with a take of $8,200, $1,700 over par. Dualled with three different pieces during its stay, the Durbin opus topped $30,000 which puts it up front among the house's all-time money-makers.

Total first run business was $50,000. Average is $42,300.

Estimated takings for the week ending April 2:

"BLUEBEARD'S EIGHTH WIFE" (Para.)
BUFFALO—(3,000), 35c-60c, 7 days. **Gross:** $13,200. (Average, $14,000)

"IN OLD CHICAGO" (20th-Fox)
GREAT LAKES—(3,000), 35c-50c, 7 days. **Gross:** $18,400. (Average, $8,000)

"GOLD IS WHERE YOU FIND IT"
(W.B.)
"LOVE IS A HEADACHE" (M-G-M)
HIPPODROME—(2,500), 35c-50c, 7 days. **Gross:** $4,700. (Average, $7,500)

"DANGEROUS TO KNOW" (Para.)
"DAREDEVIL DRIVERS" (W.B.)
CENTURY—(3,000), 25c-35c, 7 days. **Gross:** $6,400. (Average, $6,300)

"MAD ABOUT MUSIC" (Univ.)
"STATE POLICE" (Univ.)
LAFAYETTE—(3,300), 25c-35c, 7 days. **Gross:** $8,200. (Average, $6,500)

PLAY YOUR COMEDY FAVORITES TO WIN!

In blase Los Angeles* and hard-boiled New York,* they tickled preview audiences laugh-weak!

* *(Theatre names on request)*

AUDIENCE TESTED!

"Comedy freshness . . . Winninger and Brady dominate picture . . . pleased preview audience."
—MOTION PICTURE HERALD

"Lively didoes . . . Comedy in refreshing contrast to corkscrew variety recently dumped on market."
—MOTION PICTURE DAILY

"Alice Brady brings richest gifts . . . to portrayal . . . Winninger makes part live . . ."
—HOLLYWOOD REPORTER

"Captures all entertainment values." —VARIETY

"GOODBYE BROADWAY"

IN ONE PICTURE! . . . The comedy and romantic stars of the year's greatest pictures!

UNIVERSAL PICTURES

Screen Play by Roy Chanslor and A. Dorian Otvos · Based on the Broadway Stage Success by James A. Gleason

Directed by
RAY McCAREY

Associate Producer
EDMUND GRAINGER

A *New* UNIVERSAL Picture

with

ALICE **BRADY** · CHARLES **WINNINGER**

TOM BROWN · FRANK JENKS · DOROTHEA KENT

RADIO'S NEWEST SENSATION **TOMMY RIGGS** and his Betty Lou

JED PROUTY · WILLIE BEST · DONALD MEEK

FCC to Probe 15 Stations On High Power

WASHINGTON, April 7.—Fifteen broadcasting stations which have applications pending in the Federal Communications Commission for authority to increase their power from 50,000 to 500,000 watts today were cited by the F.C.C. to appear at the super-power hearings to begin May 16.

The fate of the applications, which include that of WLW, Cincinnati, for extension of its present experimental authorization to use a half-million watts power, will depend upon the decision reached by the commission, after its investigation, as to the desirability of increasing the maximum power for clear-channel stations.

The stations called to appear at the hearing, in addition to WLW, include: WHO, Des Moines; WJZ, New York; WGN, Chicago; WHAS, Louisville; KFI and KNX, Los Angeles; WJR, Detroit; WSM, Nashville; KDKA, Pittsburgh; WOR, Newark; WOAI, San Antonio; WGY, Schenectady; KSL, Salt Lake City, and WSB, Atlanta.

Problems of Radio Discussed by Lohr

Speaking informally on "The Social Significance of Radio" to the members of the Advertising Club of New York, Lenox R. Lohr, president of NBC, yesterday declared that the "thumb and forefinger of the American listener" constitutes the best method of radio regulation.

"If the listener does not like a program he will cut it off, and you will hear from him in no uncertain terms through the mail," he said. "The best thing we can do is to try to understand what the American public wants and to provide it at all times to the best of our ability, without fear or favor.

Cites Competition

"We are in an intensely competitive business, and all broadcasters are fighting for the same audience. The size and success of the broadcaster depends on how well he serves that audience. The broadcaster, therefore is the best censor, because he reflects the opinions of the audience."

Lohr pointed out that the rules banning discussion of controversial issues from commercially sponsored programs were formulated and adopted by the broadcasters themselves because they early realized that otherwise "he with the most money could undoubtedly win popular approval." Therefore, he said, such programs were broadcast without payment, so that the stations and networks might give all parties to an issue equal opportunity to be heard without regard to financial standing.

"By equal opportunity I mean not only speakers of equal prominence, but also, as far as a network is concerned, an equal number of stations and approximately equally favorable time," he said.

New Station In Virginia Is Asked in F.C.C. Plea

WASHINGTON, April 7.—Application for a new broadcasting station, to operate on 1,260 kilocycles with 250 watts power, day only, has been filed with the Federal Communications Commission by the Fredericksburg Broadcasting Corp., Fredericksburg, Va.

The commission has granted applications of KGVO, Missoula, Mont., for an increase in day power from 1,000 to 5,000 watts, and KAND, Corsicana, Tex., for an increase in day power from 100 to 250 watts, and has issued licenses covering authorizations to WMAZ, Macon, to increase day power from 1,000 to 5,000 watts, and WRC, Washington, to increase power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day.

At its weekly meeting, the commission ordered the holding of examiners' hearings on applications of the Pontiac Broadcasting Co. for a new 1,100-kilocycle, 1,000-watt daytime station at Pontiac, Mich.; Emporia Broadcasting Co., Inc., for a 1,370-kilocycle, 100-watt daytime station at Emporia, Kan.; Sentinel Broadcasting Corp., for a 620-kilocycle, 1,000-watt station at Syracuse, and Eugene DeBogery for a 1,500-kilocycle, 100-watt daytime station at Dallas.

Hearings were also ordered on the applications of KATE, Albert Lea, Minn., for extension of time from day to unlimited with 100 watts night, 250 watts day; WGDY, Minneapolis, for increase of night power from 1,000 to 5,000 watts; KELA, Centralia-Chehalis, Wash., for increase from 500 to 1,000 watts; KWSC, Pullman, Wash., for increase of night power from 1,000 to 5,000 watts; WIBX, Utica, for increase of night power from 100 to 250 watts; KGBX, Springfield, Mo., for increase of power to 1,000 watts; WEMP, Milwaukee, for increase of day power from 100 to 250 watts; WOC, Davenport, for change of frequency from 1,370 to 1,390 kilocycles and increase of power from 100 watts night, 250 watts day, to 250 watts night, 1,000 watts day, and KRKO, Everett, Wash., for increase from 50 watts to 100 watts night, 250 watts day.

Receipt of examiners' reports was announced in which the granting of the application of WBRE, Wilkes-Barre, for increase of day power from 100 to 250 watts was recommended, and denial urged of the applications of C. Bruce McConnell for a new 1,500-kilocycle station at Indianapolis; N. B. Egeland for a 1,500-kilocycle station at Ft. Dodge, Ia.; KSTP, St. Paul, Minn., for increase of power to 50,000 watts; WJSV, Washington, D. C., for increase to 50,000 watts, and WLBL, Stevens Point, Wis., for increase of time from day to specified hours with 1,000 watts power night, 5,000 watts day.

Damrosch Speeches Condemned by AFM

(Continued from page 1)

members of the union were incompetent in their profession.

In the decision of the board, which was rendered in writing, it was charged that Dr. Damrosch's remarks were uttered not as the mere expression of an opinion but as statements of fact. The document closed by declaring:

"We are constrained, therefore, to find Dr. Damrosch guilty as charged, and the board hereby condemns his conduct and reprimands him therefor, admonishing him that a repetition of the offense will be more severely dealt with."

To Talk on Austria

Rene Kraus, Austrian Catholic and a member of former Chancellor Kurt Schuschnigg's government, who has left Austria, will deliver a talk on the European situation over WHN tonight at 9 P. M. Kraus will discuss the Austrian situation with Henry C. Wolff, whose book, "German Octopus," has just been published.

American Oil Gets Race

The American Oil Co. again will sponsor a description of the running of the Pimlico Preakness over 28 stations of the NBC-Red network. The broadcast will take place May 14 from 5:45 to 6:15 P. M. The Joseph Katz agency handled the transaction. Clem McCarthy will describe the race.

Lucky Strike Plans New Mutual Program

Lucky Strike cigarettes will be back on Mutual with a program starting April 11. The show will be heard Mondays, Wednesdays and Fridays from 6:45 to 7 P. M. and will feature Buddy Clark, Frank Novak's orchestra and a dramatic cast. WOR and WGN will be the stations. Lord & Thomas is the agency.

Don Ross' program on WOR for the Bosco Co. has proved so successful the sponsor has decided to extend it to the Mutual network, effective immediately. WOR, WFIL and WNAC will carry the program. WCAE will be added April 25. Kenyon & Eckhart is the agency.

Transradio in Switch

NEW ORLEANS, April 7.—Transradio news will switch from WDSU to WSMB on May 8. While the local Transradio office would not comment on the change, it is understood that the news service was dissatisfied with WDSU's proposal for a new contract. WDSU has had exclusive rights to Transradio news here for the past four years. The WSMB-Transradio contract also covers facsimile rights .

Healy Back on Air

Captain Tim Healy will return to the air with a new series of stamp programs over WJZ on Mondays and Thursdays from 5:45 to 6 P. M., beginning April 11. The series will be sponsored by Temu soap. Ed Oakford of the Fanchon & Marco office set the deal.

Radio Personals

EMIL COLEMAN has signed wit Music Corp. through "Sonny Werblan of the band outfit. Colema formerly maintained his own bookin office. . . After five months as a CB writer-director, Larry Menkin h resigned to free lance. His first ou side deal is to do special free lanc assignments for the WPA Federa Theatre Radio Project. . . "Buster Crabbe will make his network debu on "For Men Only" May 2 over th NBC-Red. . . Orrin Tucker inaugurates a new series of "Compose Nights" on his Mutual program tc night from the Roosevelt Grill whe he presents Carmen Lombardo as hi guest.

+

Richard E. O'Dea, vice-president c WNEW, has returned from a six week tour of the Caribbean and Sout and Central Americas. . . Visiting a WNEW this week is Ruth Ros of the Chicago office of the Williar Rambeau Co. Rambeau represent WNEW in the national field.

Seek to Counteract Loss of Paper Spac

LOS ANGELES, April 7.—Publicit men here serving radio clients ar making plans to extend their servic to the weekly newspapers and fre distribution media throughout Los Angeles County to make up for the los of newspaper space in five Los Angeles newspapers, which have eliminated all radio columns.

Also, one of the newspapermen her already has lined up 27 weekly news papers to carry his radio column, an it is expected that various publications catering exclusively to loca radio will spring up.

The Los Angeles newspapers whic have banded together to give no publicity on radio programs except to advertisers are the *Times, Examine Herald-Express, Daily News* an *Evening News.* The papers, howeve will continue to publish the radi logs, and Jack Holmes, until thi week assistant radio editor of the *Herald-Express,* has been hired by th five papers to arrange the logs fo all of the papers. He will work a home.

Nevins Plans Wide Radio Ad Campaig

PHILADELPHIA, April 7.—An extensive local radio campaign will b inaugurated April 11 when the Nevin Drug Co. will begin a series ove WPEN. The program, "Nevins Presents" will be on the air Monday through Saturdays from 9 P. M. t 12 midnight. The J. M. Korn agenc set the deal.

The program will take place i WPEN'S large studio, seating 75 and admission will be only by carto or wrapper of any of the product sold by the sponsor.

Pope on All Networks

All networks will open an hou earlier than usual April 17 in order t broadcast Pope Pius XI's annual Easter benediction. His Holiness will b heard from 6 to approximately 6:3 A. M.

lert.
ntelligent
nd
ndispensable
o the Motion
Picture
ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

L. 43. NO. 83 NEW YORK, MONDAY, APRIL 11, 1938 TEN CENTS

ew Product Is Classified By 20th-Fox

eakdown of Schedule Goes to Salesmen

ifty-four of the 56 films to be pro- ed on the coast by 20th Century- have been given classification by distribution department in infor- ion sent to field sales forces over weekend.

addition to the coast productions, inimum of three English films are templated for distribution in the ted States and Canada, bringing total to 59. The six British films e made by Robert T. Kane will ude two starring Annabella, two ring Gracie Fields and two spe- s. George Sanders and Virginia ds will appear in one. Other play- will be sent from Hollywood as ilable.

f the 56 coast films, 29 will be le by Darryl F. Zanuck and 26 by Wurtzel. The pictures classified date include nine spectacles, 10 sicals, 10 dramas, four domestic s featuring the "Jones Family,"

(Continued on page 2)

eelect Poster Heads At Convention Here

he National Poster Service Asso- ion, Inc., yesterday wound up its -day national convention at the el New Yorker by reelecting all ers and directors and setting plans new advertising displays and poli- for the coming year.

was tentatively decided to hold t year's convention in Los An-

(Continued on page 6)

Just One Print

At Spyros Skouras' home at Mamaroneck, he has a "little theatre" where he entertains friends at "movie parties." The other day he learned of a Greek picture, "Dr. Epameinondas," being shown at the Miami Theatre on Sixth Ave., and he sent his assistant, Peter Levathes, scouting for the distributor, with the intent of obtaining a print to run off at his home. Pete discovered that there is only one print of the film in this country, so Spyros will have to wait until the Miami is through with it.

MPTOA Head Looks Askance At Conference

Wants Trade Talk Delay Until After Congress

M.P.T.O.A. officials are lukewarm to the mounting demand for another three-cornered trade practice parley, believing that such a move not only might be misinterpreted in quarters unfriendly to the industry, but would be either indecisive or ineffectual, as well, in the event the Neely-Pettengill bills were enacted, Ed Kuykendall, M.P.T.O.A. president, indicated yesterday.

Kuykendall came to New York from Washington Saturday for a brief visit, returning there yesterday.

While declaring without qualification that the M.P.T.O.A. would be willing to participate in any meeting which had as its aim the betterment of trade relations between exhibitors and distributors, Kuykendall said that it was the belief of himself and other M.P.T.O.A. officials that the 10-point trade practice program advanced by his organization two years ago and

(Continued on page 9)

All Users Included In Phila. Games Ban

PHILADELPHIA, April 10.—In a sweeping opinion delivered yesterday Judge Harry S. McDevitt in Common Pleas Court ruled that Bank Night, Bingo, Lucky, Bango and similar games and contests were illegal and in violation of the lottery and gambling ordinances. He specified not only

(Continued on page 6)

RFC FAVORS PLAN TO AID THEATRES

Details Being Studied by Banks, Declares Harry Brandt

The Reconstruction Finance Corp. has approved the proposal submitted by Harry Brandt, president of the I.T.O.A., for five-year loans to exhibitors and he is now completing arrangements with the New York banks, Brandt said over the weekend. The financing will be available to theatre owners anywhere in the country, once they have obtained the approval of a local national bank.

Amounts up to $25,000 will be available to exhibitors for five-year terms at a nominal rate of interest, Brandt said. Under the National Banking Act, national banks are permitted to grant only one-year loans, according to the I.T.O.A. head. The R.F.C. arrangement will permit longer terms. That agency, according to the plan being worked out, will underwrite the loans to the extent that the banks are unable.

The local bank with which the exhibitor does business will have to approve the applications and the borrower will have to provide adequate collateral and otherwise satisfy the requirements of the bank and the Government as to his being a good credit risk.

Brandt expects to complete arrangements with the National City Bank in

(Continued on page 9)

Mountain Theatre Owners Seek End Of Block Booking

DENVER, April 10.—The Rocky Mountain Theatre Owners and Managers, an affiliate of the M.P.T.O.A., has served notice on the heads of four major companies, through Emmett Thurmon, its secretary and counsel, that the local organization will endorse the Neely bill at a meeting to be held at the Cosmopolitan Hotel here on Monday unless those companies agree to an immediate abolition of block booking.

Thurmon wired Sidney R. Kent, president of 20th Century-Fox; Barney Balaban, president of Paramount; Nicholas M. Schenck, president of Loew's, and Harry M. Warner, president of Warners, to that effect this weekend.

None of the four companies had acquiesced to the demand up to a late hour today. The official attitude of

(Continued on page 9)

Sears Will Arrange 3 Months' Releases

Feature releases for the next three months will be set by Gradwell L. Sears, Warner general distribution manager, following his return to his office today from Chicago, where he stopped over en route from the coast.

National release dates are to be set on "The Adventures of Robin

(Continued on page 9)

Monogram Sets Deal On Spanish Pictures

Monogram has closed a deal with Eddie LeBaron Productions, coast Spanish-language producing company, under which the company will produce Spanish films exclusively for distribution by Monogram. The negotiations were terminated Saturday here with

(Continued on page 9)

Farm Families Spend Less For Films, Study Reveals

WASHINGTON, April 10.—Although more than half of the white farm families of the United States attend film theatres to greater or less degree, the percentage of their recreation dollar spent for such amusement is much less than that of the average urban family, according to a report made public today by the Bureau of Home Economics of the Department of Agriculture.

This conclusion was drawn from reports on 16,779 families in 20 states showing detailed expenditures for recreation over a 12-month period during 1935-'36. These reports covered only native, white families.

The average amount spent for pictures by this group was slightly over 19 cents out of every recreational dollar, contrasting with almost 30 cents out of each dollar shown by a recent report on families in 140 villages in the same areas.

Not only does theatre attendance

(Continued on page 9)

Radio News Over the Weekend—Page 10

Oklahoma Leads

Although Oklahoma City continues to be the most favored location for the M.P.T.O.A. national convention next fall, Chicago and Memphis both have made bids to obtain the meeting and are continuing an active campaign for it, Ed Kuykendall, M.P.T.O.A. president, reported yesterday.

Kuykendall said he did not expect the final decision to be made before June.

Purely Personal

WILLIAM C. GEHRING, central division manager, and **WILLIAM SUSSMAN**, eastern division manager, will start a swing through their respective territories today to discuss the results of the 20th-Fox sales convention. **GEHRING** will stop first at Indianapolis and **SUSSMAN** will go to Boston. **WILLIAM J. KUPPER**, western division manager, is expected to leave later in the week.

•

LEWIS M. CLEMENT, vice-president in charge of engineering research for the RCA Manufacturing Co.; **HARRY L. SOMMERER**, RCA Photophone division manager, and **MAX C. BATSEL**, Photophone chief engineer, are en route to the coast office for a routine inspection visit. They will return in two weeks.

•

HAROLD BAUMSTONE, story editor for Pictorial Film Library and Front Page Productions, is collaborating on the dramatization of the novel, "He Swung and Missed," with the author, **EUGENE O'BRIEN**.

•

CREED NEEPER, sales manager of the Harold Lloyd Corp., has been elected president of the newly organized Robert Nutt Memonic Club, composed of graduates of the **ROBERT G. NUTT** memory courses.

•

EMERSON YORKE has returned from the White Mountains, where he shot exteriors for "King Winter," a short subject on winter sports for the U. S. Forest Service. It will be released next fall.

•

WILLIAM F. RODGERS, **TOM CONNORS** and **EDDIE AARON** of M-G-M are scheduled to attend the testimonial dinner to **J. J. MALONEY** in Pittsburgh, April 18, on the occasion of his becoming Chicago district manager.

•

J. DON ALEXANDER, president of Alexander Film Co., with **MRS. ALEXANDER** and young son, will return tomorrow from a South American cruise.

•

JACKIE COOPER is making personal appearance in the east this month, appearing at the Brooklyn Strand April 15-17.

•

WILL H. HAYS left for the coast over the weekend. He will be gone about a month.

•

SPENCER TRACY, accompanied by his physician, will arrive today from Hollywood on the *Virginia*.

•

DAVID BLUM, M-G-M studio executive, sailed Saturday on the *Saturnia* for the Mediterranean.

•

. . . New Haven

JACK BYRNE given an informal party and traveling bag gift by his staff on his departure for the Boston managership.

DR. MARK A. MAY, president of Theatre Patrons, Inc., placed on the education committee for the World's Fair.

MAX TABACKMAN was married to **ETHELDA DANKNER** in New York yesterday.

Insiders' Outlook

THE RCA Manufacturing Co., like Erpi, may withdraw from the theatre equipment servicing field this year. Discussions of this possible move have been held and more are likely to occur from time to time. Nothing positive has developed yet.

Basically, RCA's languishing interest in the servicing field is different from the circumstances which guided Erpi's sale to the Altec Service Corp. The latter was a policy move impelled by A. T. & T's decision to confine its interests primarily to the communications fields. RCA appears to be influenced solely by financial statements. Its servicing operations never have been noticeably profitable. With the recent unionization of service men costs have increased further and there has been no compensating increase in service charges to exhibitors. Charges are lower than they were 12 months ago.

▼ ▼

A broad reorganization of United Artists' producing, distributing and theatre interests and affiliations in England is likely to develop from the meetings and study of the British situation now under way in London with Mary Pickford, Samuel Goldwyn, Douglas Fairbanks and United Artists attorneys participating. Several well known names—both company and individual—may be missing from the United Artists overseas roster thereafter.

While tangled skeins are being unravelled abroad there are reasons for not naming names. But Miss Pickford, Goldwyn and Fairbanks told the press the truth when they said that no "deal" for purchase or sale of a controlling interest in United Artists required their presence in London at this time.

New 20th-Fox Drive Seeks Sales Record

A record sales effort is planned by 20th Century-Fox during the sixth S. R. Kent drive which will start Aug. 20 and run 18 weeks, concluding Dec. 17, and a 52-week contest, both for delivery.

The effort will serve to celebrate Kent's 20th anniversary in the business. There will be 12 cash awards, available to all employes at as many branches. During the 52-week contest, which will include the 18-week drive, there will be additional cash prizes for the first eight branches in the final standings.

J. P. O'Loghlin, who will be drive leader for the second time, will make three trips during the Kent drive, starting from the coast in July. On this final swing he will be accompanied by John D. Clark, general distribution manager.

Clark feels that by including Thanksgiving and the first two weeks of December in the drive, there will not be the temptation to shorten runs on "A" films released prior to Thanksgiving, nor the temptation to pre-release ahead of Thanksgiving.

Takes Shriner Temple

TULSA, April 10.—Ralph Talbot of Ralph Talbot Theatres, Inc., has purchased the Adkar Temple with a bid of $160,000 for the 1,600-seat Shriner building here. The deal has not become final because the Shriners have 60 days to raise the money due bondholders, but Talbot will take charge if the money has not been raised at the end of that period.

Colahan Quits Paramount

Walter Colahan, assistant talent scout in Paramount's eastern office for the past five years, has resigned, effective at the end of this week. Edward Blatt, eastern test director, resigned last week.

Classify New Films At 20th Century-Fox

(Continued from page 1)

eight comedy dramas, six mystery films, four Romantic Girl series, three sports-action films.

The spectacles are: "Alexander's Ragtime Band," "Suez," "Kentucky," "Stanley and Livingstone," "Jesse James," "King of the Khyber Rifles," "Alexander Graham Bell," "Splinter Fleet," "Hudson Bay Company."

Musicals include: Eddie Cantor special, untitled; "Lucky Penny," "Susannah of the Mounties," "They Met in College" (tentative title), with Sonja Henie, and a second Henie film, untitled; football story, untitled; "Five of a Kind," "Straight, Place and Show," "Moonstruck," "Three Musketeers."

Dramas are: "Ellis Island," "Dance Hall," "The Rains Came," "Drums Along the Mohawk," "Falling Star," "Song of the Island," "Time Out for Murder," three True Stories series.

In the "domestic classification are four "Jones Family" pictures, two titled "Safety in Numbers" and "Bundle of Joy" and two as yet untitled.

List Eight Comedy Dramas

Comedy dramas are: "He Married His Wife," "Accent on Love," "Night Before Divorce," "Little Princess," "Hello Hollywood," "Kid Texas," "Salomy Jane," "Meet the Girls."

The "mystery" films will include three Charlie Chans and three in the Mr. Moto series. Warner Oland is scheduled to return to the studio in the summer to resume the Charlie Chans.

The four in the Romantic Girl series will stress feminine appeal. The first will be titled "Girl Models."

The sports-action division includes "Sporting Chance," a second contemplated to be on the adventures of a newsreel cameraman and a third not set.

Seven of Nine Get Approval of Legion

The National Legion of Decency has approved seven of the nine new pictures reviewed and classified for the current week, three as unobjectionable for general patronage and four as unobjectionable for adults, while one has been classed as objectionable in part and one has been condemned. The new films and their classification follow.

Class A-1, Ubjectionable for General Patronage: "Heroes of [illegible] Alamo," "Penrod's Double Trouble," "Stolen Heaven." Class A-2, Unobjectionable for Adults: "Un Carnet de Bal," "Gaiety Girls," "Nobleza Gaucha," "Il Trionfo dell'Amore." Class B, Objectionable in Part: "Battle of Broadway." Class C, Condemned: "The Lie of Nina Petrovna" (French).

Firms Drop Charters

DOVER, April 10.—The charters of 65 motion picture, theatre, radio and miscellaneous amusement companies, incorporated in Delaware, have been rescinded here in a proclamation issued by Gov. Richard C. McMullen. The certificates of incorporation were revoked upon the advice of State Tax Commissioner James P. Truss for failure to pay taxes assessed against them and due by them under the laws of the state for the past two years. Presumably they were permitted to lapse as none of the companies is active in the corporate names included in the Delaware listing.

Close State Rights Deals

"Austria Vanishes," produced by Front Page Productions, has been sold for eight territories.

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DAILY
(Registered U. S. Patent Office)

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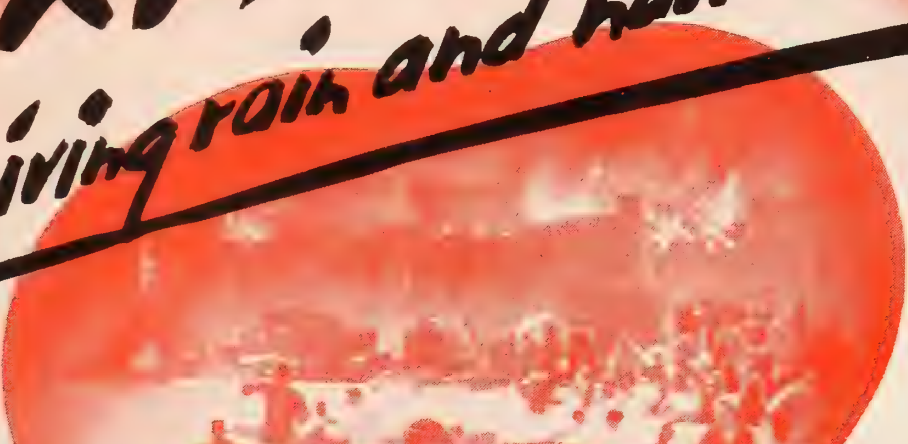
IN OLD CHICAGO

SHATTERS EVERY OPENING DAY RECORD AT ROXY, N.Y.

despite driving rain and hail storm!



20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

Right down the groove for pop appe
Packed with romance, melodrama, acti

MOVITA and John CARROLL IN

Rose of the RIO GRANDE

"Full hour of honest-to-goodness entertainment . . . excellent job." —*Variety*

"Carroll a Doug Fairbanks type, with a magnificent voice to boot . . . most satisfying entertainment." —*Boxoffice*

"Colorful action thriller . . . Movita pleases with an appealing vocal performance." —*Hollywood Reporter*

"Sure fire bet for any type of audience."—*Showmen's Trade Review*

"Romantic adventure picture offers action and thrills." —*Film Curb*

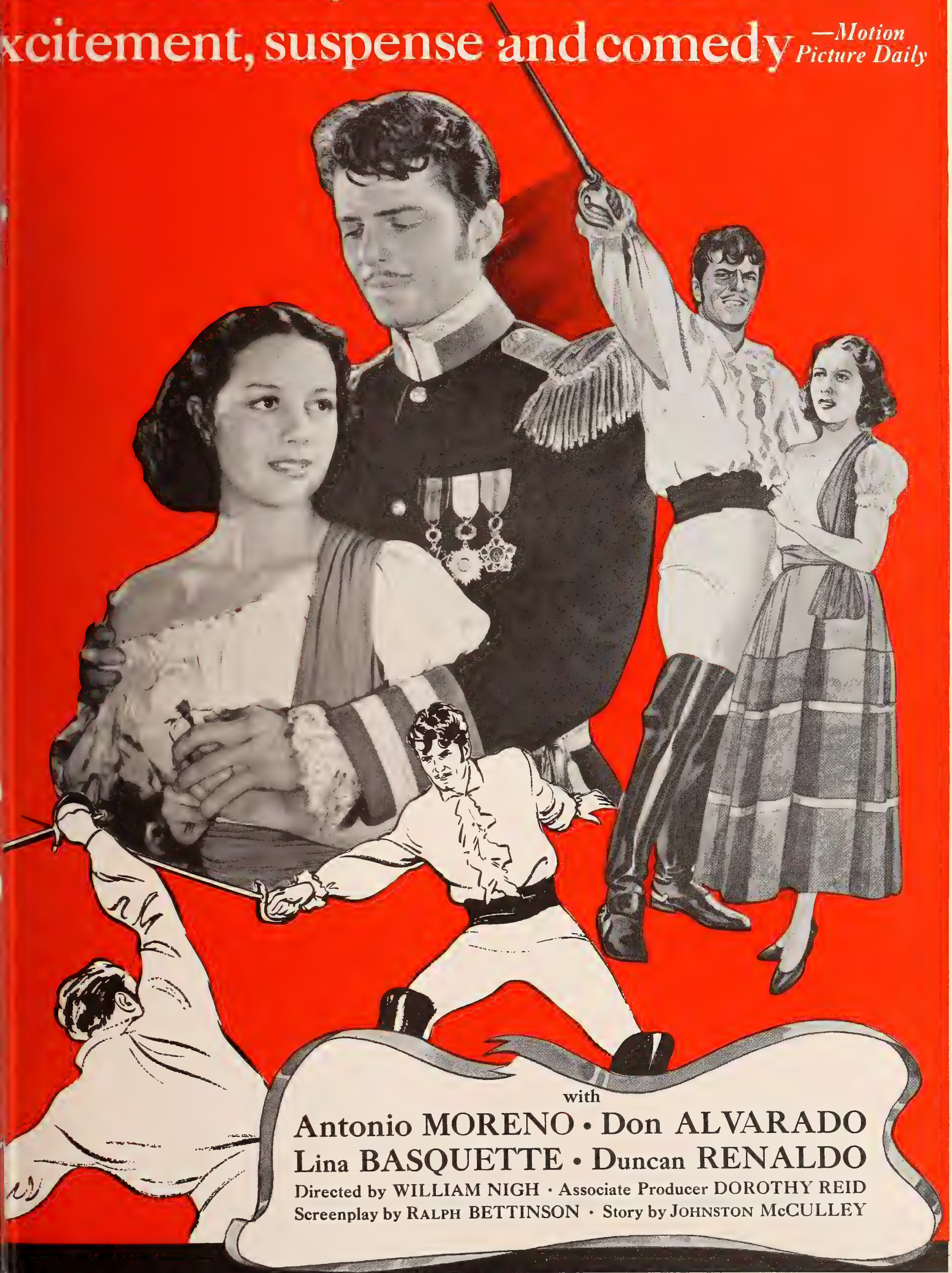
"For the entire family, I promise an entertaining hour." —*Jimmy Fidler*

MONOGRAM PICTURES

A MONOGRAM PICTURE

ith the money label all over it *—Film Daily*

xcitement, suspense and comedy *—Motion Picture Daily*



with

Antonio MORENO • Don ALVARADO

Lina BASQUETTE • Duncan RENALDO

Directed by WILLIAM NIGH • Associate Producer DOROTHY REID

Screenplay by RALPH BETTINSON • Story by JOHNSTON McCULLEY

All Users Included In Phila. Games Ban

(*Continued from page 1*)

their use by movie houses, but by churches and social organizations as well.

Though Bank Night has been specifically banned in Montgomery, Chester, Lancaster and other counties in the Philadelphia zone, this is the first conclusive ruling against other games, and the first time an opinion was delivered against church playing. Bingo is a particularly popular church game in this territory.

Games dealers and exhibitors were caught off guard by the suddenness of the ruling, which grows out of a case more than a year old. The decision dismissed the bill in equity filed by Morris Somerson, Palm Theatre, against Mayor Wilson and the Police Department asking that the authorities be halted from interfering with games in his theatre. The court directed that the plaintiff pay costs and an order was made that today's decree will become final after 10 days if no exceptions are filed.

"Lucky" was the game specifically mentioned in the Somerson case, but the judge's ruling was amplified to cover all similar enterprises.

One games dealer spokesman said: "We will not take this decision lying down. We must have the benefit of legal advice before deciding what action we will take." The general belief is that games will continue until police interference, then injunction proceedings will be launched. There has been no definite action so far.

Meriden Poli Closed

Meriden, Conn., April 10.—Loew's has closed the 1,000-seat Poli after operating weekends only, with vaudeville, since early this year. The Loew lease was taken over for four months recently by Leo Ricci, who has since returned to operating his own Capitol.

Takes Tacoma Theatre

Tacoma, Wash., April 10.—J. B. Smyth, veteran theatre man for many years connected with RKO in Seattle and Los Angeles, is now the owner and operator of the Proctor Street Theatre here.

Wall Street

Substantial Board Gains

	Open	High	Low	Close	Net Change
Col.	10⅞	11¼	10⅞	11¼	+1⅛
Cons.	1¼	1¼	1¼	1¼	+ ¼
Cons., pfd.	6½	6¾	6½	6¾	+1⅜
E. K.	142	143½	142	143½	+6¾
G. T. E.	11½	12¼	11½	12¼	+1¾
Loew	39	41⅜	39	41	+3
Para.	7¾	8	7¾	8	+ ¾
Para. 2	8½	9	8½	8⅞	+1¼
Pathe	4¾	5	4¾	5	+ ½
R. K. O.	3	3	2⅞	3	+ ⅛
20th Fox	19¼	20	19¼	20	+1½
20th pfd.	28½	28½	28½	28½	+1
W. B.	5	5¼	5	5¼	+ ½
W. B., pfd.	26	26½	26	26½	+1

Curb Issues Increase

	Open	High	Low	Close	Net Change
Monogram	1½	1½	1½	1½	.....
Sonotone	1⅝	1¾	1⅝	1⅜	+ ⅛
Technicolor	18⅛	18¼	18	18	+ ¾
Trans-Lux	2½	2½	2½	2½	+ ⅛

RKO Bonds Rise

	High	Low	Close	Net Change
R. K. O. 6s '41	55	55	55	+ ½

(Quotations at close of April 9.)

Hollywood Preview

"The Overland Express"

(*Coronet-Columbia*)

Hollywood, April 10.—Coronet Pictures' "The Overland Express" is a highly satisfactory "ridin' and shootin'" offering for the markets at which it is aimed. It is crammed full of action, as it tells the story of the birth of the Pony Express and the struggle to get the first mails without mishap through the obstacles of road agents and hostile Indians.

It presents Buck Jones in the third of six pictures for Columbia release. Others in the cast are Marjorie Reynolds, Carlyle Moore, Maston Williams, William Arnold, Lou Kelly, Bud Osborne and Ben Taggart. Drew Eberson directed the original screenplay by Monroe Shaff. The picture was produced by L. G. Leonard.

Jones, as the first rider to travel alone from St. Joseph, Mo., to Sacramento, induces a group of Sacramento business men to start the Pony Express. Posts are established along the route, and when the operator of the stage line fears that he will lose his mail contract, he gives rifles to the Indians and stirs them to kill the Pony Express riders. Jones unmasks the criminals, and the express gets the mail contracts.

Running time, 55 minutes. "G."

"Doll," Mae West Hits at Milwaukee

Milwaukee, April 10.—Mae West on the stage and "The Black Doll" on the screen collected $14,000 at the Riverside to top the week's grosses. This was $9,000 above average.

Running a close second, "Snow White and the Seven Dwarfs," grossed $12,300 at the Warner, just $7,300 above average. The film is being held over. As might be expected, with this type of competition, other business was off.

Total first run business was $39,800. Average is $26,500.

Estimated takings:

Week Ending March 30:

"BLUEBEARD'S EIGHTH WIFE"
(Para.)
"BULLDOG DRUMMOND'S PERIL"
(Para.)
PALACE—(2,400), 35c-50c, 7 days. **Gross:** $4,000. (Average, $5,000)

"REBECCA OF SUNNYBROOK FARM"
(20th-Fox)
"WALKING DOWN BROADWAY"
(20th-Fox)
STRAND—(1,400), 35c-50c, 7 days. **Gross:** $3,000. (Average, $4,500)

"THE GIRL OF THE GOLDEN WEST"
M-G-M)
"INTERNATIONAL SETTLEMENT"
(20th-Fox)
WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $6,500. (Average, $8,000)

Week Ending March 31:

"THE BLACK DOLL" (Univ.)
RIVERSIDE—(2,300), 35c-40c-50c, 7 days. Stage: Mae West. **Gross:** $14,000. (Average, $5,000)

"SNOW WHITE AND THE SEVEN
SEVEN DWARFS" (RKO)
WARNER — (2,400), 35c-50c, 7 days. **Gross:** $12.300. (Average, $5,000)

Would Ban Throwaways

Wilmington, April 10.—Several Wilmington theatres, using handbills in connection with advertising current films, would be affected by a proposed resolution introduced by director of the Street and Sewer Department banning the distribution of handbills, circulars, and other advertising matter on the city streets outside the building line. The proposed amendment was given a first and second reading, but action was deferred until city authorities have had an opportunity to study a ruling by the U. S. Supreme Court permitting distribution of circulars.

"Music" Is $13,000 Grosser at Denver

Denver, April 10.—Deanna Durbin's hold on popular favor here seems to be stronger than ever. "Mad About Music" went to $13,000 at the Denver, passing par by $4,500.

"Rebecca of Sunnybrook Farm" garnered a neat $4,500 at the Aladdin following a week at the Denver. This was $1,000 into the profit column. "Bluebeard's Eighth Wife" pulled $6,000 in its second week at the Denham. "Adventures of Tom Sawyer," on a dual with "Sez O'Reilly to McNab," was good for $2,000 at the Rialto following a week each at the Denver, Broadway, Aladdin and Rialto.

Total first run business was $41,800. Average is $32,750.

Estimated takings for the week ending April 7:

"REBECCA OF SUNNYBROOK FARM"
(20th-Fox)
ALADDIN—(1,400), 25c-40c, 7 days, following a week at the Denver. **Gross:** $4,500. (Average, $3,500)

"GOLDWYN FOLLIES" (U.A.)
BROADWAY—(1,100), 25c-40c, 7 days, following a week each at the Denver and Aladdin. **Gross:** $3,000. (Average, $2,500)

"BLUEBEARD'S EIGHTH WIFE"
(Para.)
DENHAM—(1,750), 25c-35c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $5,500)

"MAD ABOUT MUSIC" (Univ.)
DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $13,000. (Average, $8,500)

"BRINGING UP BABY" (RKO)
"NIGHT SPOT" (RKO)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $9,300. (Average, $7,500)

"LITTLE MISS ROUGHNECK" (Col.)
"LONE WOLF IN PARIS" (Col.)
PARAMOUNT—(2,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"ADVENTURES OF TOM SAWYER"
(U.A.)
"SEZ O'REILLY TO McNAB" (G.B.)
RIALTO—(878), 25c-40c, 7 days. "Tom Sawyer" followed a week each at the Denver, Broadway, Aladdin and Rialto. **Gross:** $2,000. (Average, $1,750)

Provenzo to Make Film

Baltimore, April 10.—"Life in Annapolis" is the title of a film to be produced from his own script by Philip Provenzo of this city with Charles King handling the camera work. Elimination trials have been held at the Lord Baltimore Hotel to find a typical Baltimore girl for the leading part. Work will start early in May.

Variety Club

Buffalo

Buffalo, April 10.—National President **Roswell P. Rosengren** of the U. S. Junior Chamber of Commerce and City Judge **Joseph Kelly** helped Variety Club wind up the king-for-a-day luncheons for this season. They spoke briefly at a meeting ruled jointly by **Max Leving** and **Marvin Atlas**, Niagara Falls, and **Jules Jasper**, Buffalo.

Just back from a 29,000-mile t[illegible] of the country, Rosengren analyzed the work his organization is pushing in conjunction with the Young Farmers of America to promote a better understanding between agriculture and business. The alliance, formed only a year ago in Iowa, now represents 7,000,000 young men in 29 states.

Barker **Jack Berkowitz**, as chief of the "Heart of Variety," reminisced about the charity screenings his committee conducts for hospital shut-ins. The films, mostly shorts, are donated by distributors and carried to the hospitals in a special silver-colored car, Berkowitz said. He recalled many patients in recent years who had never seen a sound film before and one or two who had never seen any moving pictures.

Reelect Poster Heads At Convention Here

(*Continued from page 1*)

geles on April 9. The executive committee will make final decision.

Officers reelected were: Simon Libros, president; Guy C. Packard, vice-president; George P. Aaron, secretary and treasurer. The board of directors includes the officers and I. Sokoloff, Omaha; William Bien, Cincinnati; Joseph R. Powers, Minneapolis; John Bylincik, Cincinnati; B. R. Wolf, Los Angeles; LeRoy Kendis, Cleveland, and F. H. Beddingfield, Charlotte. The executive committee, also reelected, includes E. R. Behrend, Harry Schlitt and Louis Weinzimmer, all of New York; Sokoloff and Libros. Aaron is also general counsel.

Ascap's Tennessee Action About Ready

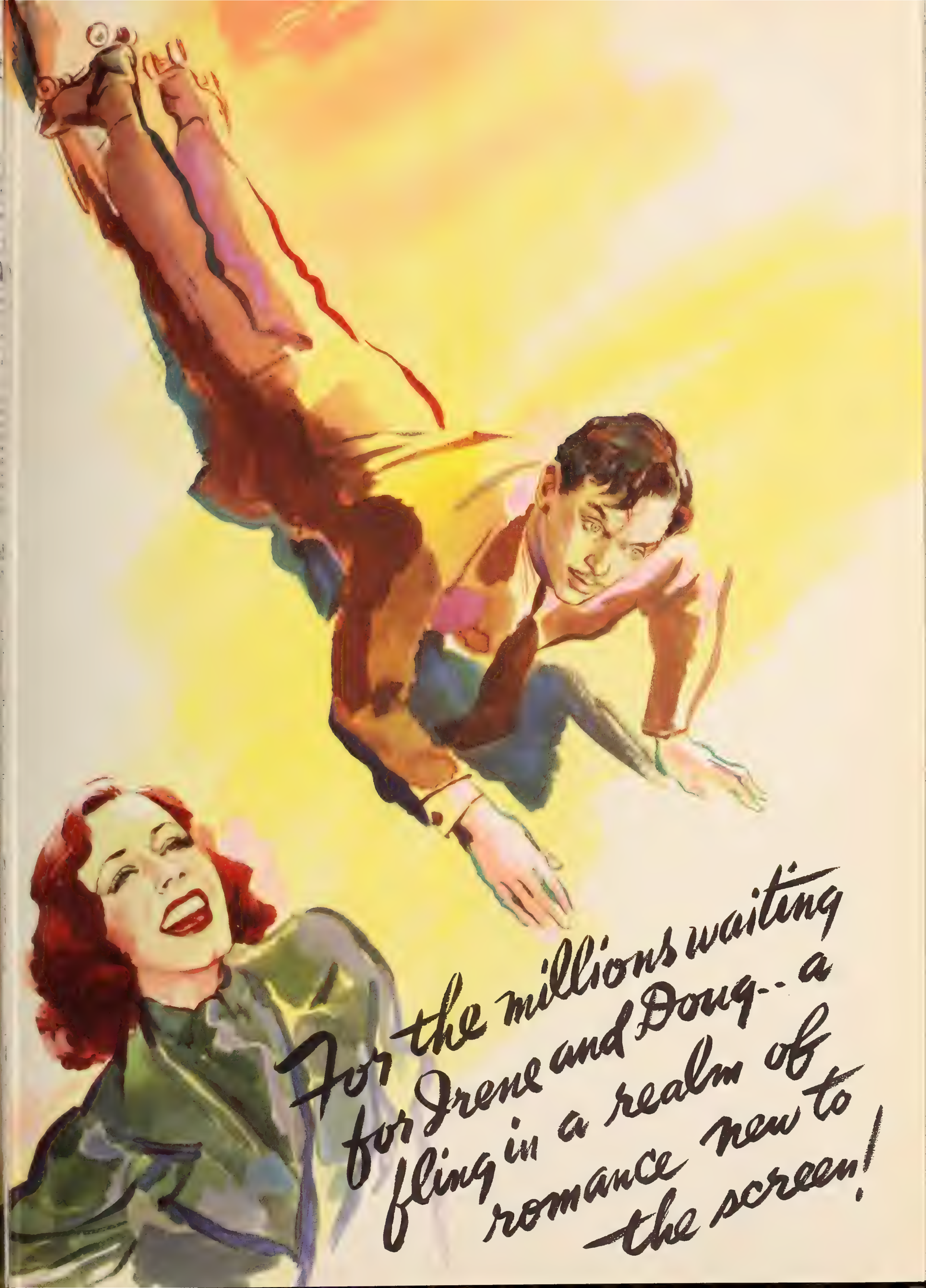
Resident attorneys in Nashville are scheduled to file Ascap's petition for an injunction to restrain Tennessee officials from enforcing the state's anti-Ascap law today or tomorrow.

The society has won similar injunctions in Nebraska and Florida, and has petitions pending in Montana and Washington.

Title Case Up Today

Twentieth Century-Fox Film Corp. will ask the court today to stay Larry Darmour from proceeding further with his suit to enjoin the use by 20th Century-Fox of the title "Second Honeymoon." The application claimed that Darmour is engaged in the film business in Los Angeles as head of Darmour Studios and that he had failed to file a bond for costs as a non-resident of New York.

Darmour brought suit in the N. Y. Supreme Court asserting that he was the successor of Continental Pictures Corp. to the right to use "Second Honeymoon" as a title for a film. The name, Darmour alleged, originally came from a novel by Ruby M. Ayres.


For the millions waiting for Irene and Doug-- a fling in a realm of romance new to the screen!

Irene sings—and your heart listens!

Irene's family faced with the loss of her $10,000 a week salary!

EASTER WEE
ATTRACTION
AT LEADING
FIRST RUNS
EVERYWHER

Go all the way back to "Roberta," come up through "Theodora" and "Awful Truth" — and you've never seen an Irene as sweet and lovely and bewitching! . . . Think of Doug's hit in "Zenda" . . . and imagine a role more dashing, more headlong, more charming than "Rupert" . . . Put them both together, add one of the greatest comedy casts ever assembled, sprinkle with four magic melodies by Jerome Kern, mix in a little of this, a lot of that, and plenty of those — and you've got a show that will pull crowds and crowds till even you holler help!

You'll never forget that night they raise the roof in a Tyrolean beer garden on $1.85—for two!

IRENE DUNNE

Joy of Living

DOUGLAS
FAIRBANKS JR.
with
ALICE BRADY
GUY KIBBEE • JEAN DIXON • ERIC BLORE
LUCILLE BALL • WARREN HYMER
Music by JEROME KERN
Lyrics by DOROTHY FIELDS

RKO RADIO

DIRECTED BY
TAY GARNETT
PRODUCED BY
FELIX YOUNG
A TAY GARNETT Production
Screen play by Gene Towne, Graham Baker, Allan Scott
Based on an Original Story by Dorothy and Herbert Fields

MPTOA Head Looks Askance At Conference

(Continued from page 1)

pproved by all but one of the eight ajor distributors comprised as equible and effective a self-regulatory [illegible] as could be hoped for at this me.

"The 10-point program," Kuykenall said, "is the product of much hought and discussion by all classifiations of exhibitors operating in all ections of the country. It is not a ne-man program, nor the program f a single organization. We sincerely elieve that it offers the most equiable program which either exhibitors r distributors can hope for at this ime. The fact that it was not made perative a year or more ago is the nly reason, in our opinion, that the ndustry is in danger of having its rade relations dictated by legislators oday. The cancellation privilege precribed in our program could, by tself, if it were in operation now, urnish all the answer that is needed o legislators who are inclined to upport the Neely bill."

Considers 10-Point Plan Basic

Kuykendall said that he did not elieve the M.P.T.O.A. would oppose he substitution of a new trade pracice program for his organization's 10-oint plan if a better one could be ound. He said, however, that if a ew conference of exhibitors and disributors should materialize, he was onfident that the M.P.T.O.A. proram would provide the basis for iscussion. He added that he did not xpect to see such a conference before he adjournment of Congress next onth because passage of the anti-lock booking and blind buying bills ow before that body would cancel nything which might be achieved in he meantime within the industry.

Harry Brandt of the I.T.O.A., bram F. Myers of Allied States and ewen Pizor of the U.M.P.T.O. of astern Pennsylvania, Southern New ersey and Delaware are among the xhibitor leaders who have recently dvocated new trade practice parleys with distributors.

H. F. Shaw in New Job

New Haven, April 10.—Harry F. Shaw, Loew-Poli division manager, as appointed Salvatore DiMano, formerly at the Astor, New York, as assistant manager of the Bijou, New Haven, succeeding Jack Sidney, who as been promoted to the Poli, Bridgeport.

Chicago Bans "Life"

Chicago, April 10.—Because of its nclusion of a double page spread containing stills from the film, "The Birth of a Baby," the current issue of "Life" has been barred from the local ews stands by Lt. Harry Costello, police film censor.

Adds Four Portables

Dover, April 10.—Four Colorado pots have been added to the portable ircuit operated by Charles Diller, who also operates a full time circuit.

Mountain Theatre Owners Seek End Of Block Booking

(Continued from page 1)

the local exhibitor organization, as exemplified in its current bulletin carrying a notice of the Monday meeting, is in opposition to the Neely bill, as is that of the M.P.T.O.A., the parent organization.

Thurmon, who is also attorney for Bank Night and is president and chairman of the Rocky Mountain Screen Club, advised the four company heads in his wire that Denver exhibitors have causes of action for recovery "of thousands of dollars" for rentals paid for unplayed shorts and features which they were obliged to buy in block, according to Thurmon.

The Fox West Coast circuit theatres are members of the Rocky Mountain exhibitor organization.

Canada ITA Endorses Neely's Booking Bill

Toronto, April 10.—At a meeting Saturday of the conciliation committee of the Independent Theatres Association of Canada, the Neely bill was thoroughly discussed and members unanimously endorsed the measure. The opinion was that passage of the bill in the U. S. was bound to affect Canadian theatre business in a like manner and that some of the evils now embodied in the standard contract would be eliminated.

Members of the committee comprise Harold Kay, Ben Ulster and Harry Firestone, all Toronto independent theatre men. The board of directors has gone on record as favoring a draft of proposed changes in the Canadian license agreement, after a conference with film exchange representatives, although the suggested changes were not considered wide enough in scope from the exhibitor's viewpoint.

Details of amendments to the contract clauses were not made public, but a draft is to be submitted to members and also to the Associated Theatres, Ltd., in the near future. Independents generally are also being requested to submit the desired changes in the standard contract for use in continued discussion with exchanges.

RFC Approves Plan to Make Theatre Loans

(Continued from page 1)

New York to act as the agency for the metropolitan area. A large number of the I.T.O.A.'s 250 members are prepared to make application for loans immediately, he said.

Brandt expects that the new arrangement will result in a wave of theatre modernization and rehabilitation and installation of new equipment. He said many local exhibitors are prepared to install air conditioning plants early this summer if they can assure themselves of adequate advances.

The R.F.C. arrangement will supplement that in force now with the Federal Housing Administration, which lends sums up to $10,000 only for permanent improvements and immovable equipment. Under that definition, numerous theatre owners have been prevented from borrowing for necessary improvements to their properties.

Brandt said that in his discussion with Jesse Jones, chairman of the R.F.C., in Washington last week he stressed that the requirements should be devised to eliminate "fly-by-night schemes" from the borrowing arrangement and that only bona fide exhibitors and theatre owners who intend to continue in business should be permitted to obtain the loans.

Sears Will Arrange 3 Months' Releases

(Continued from page 1)

Hood," which will have a pre-release engagement at the Music Hall May 5; "Boy Meets Girl," "Four's a Crowd," "Secrets of An Actress," "White Banners," "Crime School," "Cowboy from Brooklyn," "Gold Diggers in Paris."

Plans for a sales convention or regional meetings are to be set by Sears, as well as merchandising plans for the new season. S. Charles Einfeld, who also will return today, will prepare exploitation plans for "Robin Hood" immediately. In the east-bound party were also Carl Leserman, Mort Blumenstock, Sam Schneider and I. Levenson, attorney.

Farm Families Spend Less For Films, Study Reveals

(Continued from page 1)

depend, apparently, to some degree upon the accessibility of theatres—the percentage expenditures ranging from 13.4 in North and South Carolina to 30.8 in New Jersey, but the average farm family has other recreational resources.

"Apparently," the report commented, "the home talent play or baseball game, equipment for games and outdoor sports and the radio put up a lively competition with the movies for the farm amusement dollar."

The percentage of total recreation expenditures going to movies gradually dwindled from 23 per cent in Oregon and Washington to 19 per cent in Illinois and Iowa, 18 per cent in Vermont, 17 per cent in Kansas, North and South Dakota, Colorado and Montana, and 14 per cent in Pennsylvania, Ohio, Michigan and Wisconsin.

In dollars, the average amount expended for pictures per family (based on the total number of families studied and not merely those attending theatres) ranged from $1 per year among 607 North Carolina farm operators to $13 per year among 888 California farm families.

A special study of negro farm families in the Southeast showed the average picture theatre expenditures to be $1 per family per year.

"Jezebel" Up In Frisco on $17,500 Take

San Francisco, April 10.—With business at a low ebb all over town, "Jezebel" made an excellent showing at the Warfield with a gross of $17,500, over normal by $4,500.

The only other first run to better average was the United Artists, where "Hawaii Calls" was boosted by a two-day personal appearance of Bobby Breen. The take was $9,000.

"Snow White and the Seven Dwarfs" pulled $12,000 for a fifth week at the Golden Gate and was moved to the St. Francis for a sixth. "In Old Chicago" grossed $9,000 in its third week at the Paramount.

Total first run business was $71,300. Average is $87,800.

Estimated takings:

Week Ending April 5:

"SNOW WHITE" (RKO)

GOLDEN GATE—(2,850). 25c-40c-55c, 7 days, 5th week. Stage: vaudeville. **Gross:** $12,000. (Average, $16,000)

Week Ending April 6:

"GOLDWYN FOLLIES" (U.A.)
"BREATHLESS MOMENTS" (Univ.)

EMBASSY — (1,400), 15c-35c-40c-55c, 7 days, 4th week. **Gross:** $4,500. (Average, $5,000)

"BLUEBEARD'S EIGHTH WIFE" (Para.)
"WALKING DOWN BROADWAY" (20th-Fox)

FOX—(5,000), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $9,000. (Average, $17,000)

"MAD ABOUT MUSIC" (Univ.)
"MIDNIGHT INTRUDER" (Univ.)

ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days, 5th week. **Gross:** $6,500. (Average, $8,500)

"IN OLD CHICAGO" (20th-Fox)

PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 7 days, 3rd week. **Gross:** $9,000. (Average, $13,000)

"FIRST 100 YEARS" (M-G-M)
"INVISIBLE MENACE" (W.B.)

ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 5 days, 2nd week (moved over from Warfield). **Gross:** $3,000. (Average, $7,000)

Week Ending April 7:

"JEZEBEL" (W.B.)
"ISLAND IN THE SKY" (20th-Fox)

WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $17,500. (Average, $13,000)

Week Ending April 8:

"KARL FREDRIK REIGNS" (S.F.)

CLAY—(4,000), 15c-35c-40c, 7 days. **Gross:** $800. (Average, $1,300)

"HAWAII CALLS" (RKO)
"CASA MANANA REVUE" (M-G-M)

UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days. **Gross:** $9,000. (Average, $7,000)

Monogram Sets Deal On Spanish Pictures

(Continued from page 1)

Charles A. Morla, assistant manager of Monogram in charge of Latin American activities, acting for the company.

LeBaron Productions will be a unit of Monogram and will produce at the Monogram studio on the coast. The company will make three pictures for Monogram during the new season, according to the present schedule, and already one film, "Castillos en el Arre," has been delivered to Monogram.

Spears New Club Head

Atlanta, April 10.—The Jolly Club, local Film Row charity-social organization, has elected Harold Spears, manager of Bailey's circuit, president.

Banner LINES

THE longer one studies William S. Paley's on-the-air discussion of the Government and radio, the greater in stature he grows.

No broadcaster, before or since his address, has had the nerve to tell the Government to cease meddling with radio. True, NBC's President Lohr did speak along similar lines the other afternoon at the Advertising Club of New York, but his talk was an "informal" one, delivered only to the members of the club. WMCA's microphone, which usually airs the Advertising Club discussions, was conspicuous by its absence on the occasion of Lohr's talk.

We hope other broadcasters, inspired by Paley's action, will take to their own microphones and tell their listeners what Paley told his; that radio should be subject to no more censorship than that imposed on other business. In doing what he did Paley placed himself on the firing line for the entire industry. It is to be hoped that his fellow broadcasters will join him there.

▼

Nat Abramson, emir of WOR's artists bureau, has a farm near Kingston, N. Y. Ever since he's had it, the town's bookers and agents have ribbed him about it, referring to the property as "Ten Percent Acres." Yesterday Nat erected a sign about the size of a billboard on the lawn of the estate. The sign reads: Abramson's 10% Acres!"

▼

Why press agents get gray: Lou Frankel, to obtain publicity for his client, Jay Jostyn, sold one of the radio fan mags on the idea of sending a cameraman to the second floor of the RCA Building, a favorite gathering spot for air actors. The publicity pictures were taken yesterday, and practically every actor in town was there—everyone, that is, save Frankel's client, Jostyn, who was detained making RCA recordings.

▼

Sorry to disagree with those who heatedly questioned the veracity of the news report in this page the other morning to the effect that Burns and Allen had been signed to succeed Andre Kostelanetz in the CBS Chesterfield spot. It's so.

—JACK BANNER

Ball Announcers Meet

CHICAGO, April 10.—Sixty baseball announcers of the Socony-Vacuum and General Mills radio campaign met today at the Edgewater Beach Hotel under the auspices of the Knox-Reeves Agency. Today's meeting concerned the general aspects of baseball broadcasting, relations with clubs and leagues and with the baseball public.

Sponsors' problems will be discussed tomorrow, after which the meeting will adjourn.

Husing on CBS Program

Ted Husing will take over the narrator-commentator duties in the "Saturday Night Swing Club" sessions over CBS, beginning April 16.

Broadcast Hearings Numerous This Week

WASHINGTON, April 10.—Hearings on broadcasting applications for the current week have been scheduled by the Federal Communications Commission as follows:

April 11, before an examiner: Application of WPRA, Mayaguez, P. R., for change of frequency from 1,370 to 780 kilocycles and increase of power from 100 watts night, 250 watts day to 1,000 watts night, 2,500 watts day.

April 12, before an examiner: Application of George W. Taylor Co., Inc., for a new 1,370-kilocycle, 100-watt daytime station at Williamson, W. Va.

April 13, before an examiner: Application of Garden Island Publishing Co., Ltd., for a 1,500-kilocycle station at Lihue, Hawaii, with 100 watts night, 250 watts day.

April 14, before the commission: Applications of Shirley D. Parker for a 1,310-kilocycle station at Yakima, Wash., with 100 watts power night, 250 watts day; Colonial Broadcasting Co. for a 620-kilocycle, 1,000-watt station at Morristown, N. J.; Evening News Press, Inc., for a 1,500-kilocycle station at Port Angeles, Wash., with a 100 watts power night, 250 watts day; Platt & Platt, Inc., for a 1,000-kilocycle, 1,000-watt station at Poughkeepsie, N. Y.; and WAAB, Boston, for increase of night power from 500 to 1,000 watts.

April 15, before an examiner: Applications of WCBA and WSAN, Allentown, Pa., for increase of power from 500 to 1,000 watts.

Cincy Features Ad Talks

CINCINNATI, April 10.—In cooperation with WLW, WSAI, WKRC and WCPO, and the three local dailies, WCKY has inaugurated a series of five-minute talks by members of the Cincinnati Advertising Club and business executives in an effort to educate the public on the value of advertising. Material, prepared by the Advertising Federation of America, emphasizes the ethics of both radio and newspaper advertising. Scripts are prepared by Lloyd G. Vernard, WCKY director of sales.

WCKY Adds Music Group

CINCINNATI, April 10.—A new musical group, consisting of Gene Hoctor, piano; Eli Chalfie, guitar, and Chris. Christensen, vibraphone and saxophone, has joined WCKY, and will be heard on the "Bit o' Home" program, conducted by Ann Hunter, 11:30 A. M. to 12 noon, daily, except Sunday, and on the "Melodic Whispers" half-hour at 6:30 P. M., Monday through Thursday. The trio replaces Gershwin Cohan, Johanna Grosse and Clarence Melter.

Rogers Joins WORL

BOSTON, April 10.—Lew Rogers has joined the WORL announcing staff, coming here from WPRO, Providence.

Renew WOR Program

Andrew F. Kelly's WOR program for the Emigrant Industrial Bank has been renewed for 13 weeks, beginning April 29.

Pierce Will Study World Propaganda

Russell E. Pierce, publicity director of Cecil, Warwick & Legler, on Thursday will leave on a world tour which will be an international propaganda study. The survey will include Japan, China, British colonial and French colonial possessions and Italy.

Pierce recently returned from Moscow, where he was the American delegate to the International Press Conference. He will have on the forthcoming trip his wife, Jane Laidlaw, M-G-M foreign fiction editor.

Sign Several at KNX

LOS ANGELES, April 10.—Considerable new business has been recorded at KNX. The list of contracts includes: The Stop-Wear Co., six participations on the Eddie Albright program, through Lord & Thomas; DeForrest Radio Training School, Inc., three transcribed programs, through Presba, Fellers & Presba; L. H. Beauchamp & Son, 13-week combination participation on the two Fletcher Wiley programs, account placed by Lockwood-Shackelford Co.; renewal of the Roi-Tan cigar sports program over the Columbia Pacific network for 13 weeks, through Lawrence C. Gumbinner agency; announcements for Zonite Products Co., through McCann-Erickson; Knudsen Creamery Co., 52 weeks participation on the Fletcher Wiley programs, placed by Heintz, Pickering & Co.

International News Contract Is Upheld

LOS ANGELES, April 10.—The contract of International News Service has been upheld in a decision of the Superior Court in a suit against KMTR, Beverly Hills. International instituted the suit on an alleged breach of contract and sought $1,260 as the balance due for services rendered and also the sum of $2,361.86 in damages.

The court ordered a judgment entered against KMTR for the amounts in full. International News had been supplying the news to KMTR under a regular form contract, and in March, 1937, the station sought to terminate the services regardless of the contract.

"Court" Time Changed

"Court of Human Relations," now heard Sundays from 4 to 4:30 P. M. on Mutual, will be heard at a new time, from 9 to 9:30 P. M., effective April 17, over WOR and WGN. Beginning April 24, the Don Lee stations will carry the program.

Takes Transmitter Site

NEW ORLEANS, April 10.—WWL here has purchased a site for the erection of a new 50,000-watt transmitter. The Federal Communications Commission already has granted the station permission to move to the new location. It is expected to be on the air between Aug. 1 and Sept. 1.

IT'S THIS WAY

The truth is we often wonder whether we are giving our sponsors honest measure on this station. Just when we begin worrying about it, something happens to reassure us. Like the seven WOR announcements that pulled 142,271 requests some weeks ago. After all, we can't be TOO particular.

WOR

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News
Brief, Accurate and Impartial

VOL. 43. NO. 84 NEW YORK, TUESDAY, APRIL 12, 1938 TEN CENTS

Sears Favors Long Runs as Industry Need

Will Be Warner Policy on Big Pictures

Gradwell L. Sears, general distribution head for Warners, yesterday declared himself in favor of longer runs, indicating this would be Warners' policy for big pictures during the 1938-39 season. Arriving from the coast where he conferred on new season plans with Harry M. and Jack L. Warner and other company executives, Sears was emphatic that "more extended runs are needed."

"Exhibitors have been quick to blame Hollywood for waste in production," he said. "It is now time for the waste in distribution to be done away with. The idea that seven days is long enough to run a picture is not a set rule. The industry needs more extended runs. There's no reason why exhibitors should not play pictures until they secure every dollar they possibly can for an engagement.

"This business has no past because of its very nature. It has only a fu-

(*Continued on page* 2)

McNinch Heads FCC Broadcasting Probe

WASHINGTON, April 11.—Chairman Frank R. McNinch of the Federal Communications Commission, who was announced last week as an ex-officio member only of the committee which is to conduct the commission's investigation of chains and alleged monopoly in broadcasting, today was given an active part in the inquiry, being elected chairman of the group.

Commissioner Thad H. Brown, was

(*Continued on page* 8)

Phila. Game Hearing Is Set for April 25

PHILADELPHIA, April 11.—Action on the sweeping order against all chance games in Philadelphia issued on Saturday by Common Pleas Judge Harry S. McDevitt is not expected before April 25, when a hearing will be held on exceptions filed by David S. Malis, attorney for the Palm Theatre. Morris Somerson, owner of the

(*Continued on page* 6)

Radio News—P. 8

Good Timing

Kansas City, April 11.—Joe Radmond, manager of the Fox Brookside, last week turned out some heralds on which was printed in large type: "Warning! Hurricane is headed this way—Tonight! Take Cover." Smaller type explained that it was the Samuel Goldwyn picture.

That evening rain turned to sleet, and during the night the worst blizzard in 50 years raged over Kansas City and the midwest.

Warners Plan 60 Next Season; To List No "B" Films

Warners plan a schedule of 60 features for 1938-'39, the same number as this season, and no "B" films will be scheduled, it was said by Gradwell L. Sears, vice-president in charge of distribution, on his return from studio conferences yesterday.

The shorts program is expected to be approximately the same as this year's, which provided for 134 subjects.

The question of whether to have a national sales convention or regional conferences was discussed at the Burbank sessions, said Sears, and indications are that Warners will have regional meetings, probably in three strategic key cities.

Warners' selling season will start earlier that usual, it was indicated by the returning executives. It is planned to have 10 big pictures completed for trade showing late in July, over a period of three days. Last year the

(*Continued on page* 2)

"BIRTH" BEGUN AS COMMERCIAL FILM

Makers of Mellen's Food Paid $50,000 to Have Christie Make It

By IRENE KUHN

While cities and communities throughout America are banning the sale of the magazine *Life* on the newsstands, because of its publication of stills from a motion picture showing actual childbirth, the commercially sponsored origin of "The Birth of a Baby" film was disclosed yesterday.

The controversial picture, still under consideration by the New York Board of Regents, deciding on whether it may be shown in New York or not, was intended at the begininng to advertise baby foods and secure medical goodwill for the manufacturers.

Mead, Johnson & Co., Evansville, Ind., manufacturers of Mellen's Food and other articles of baby diet, conceived the idea of a commercial picture built around childbirth which they could distribute to doctors for their use. But if no serious objection was encountered on the part of the public, the picture was also to be shown in public theatres.

The company asked for bids on the production. Christie Productions, Inc., an affiliate of Educational Pictures,

(*Continued on page* 7)

Neely-Pettengill Defeat Sought by Denver Exhibitors

DENVER, April 11.—The Rocky Mountain Theatre Owners and Managers voted unanimously at a special meeting here today to call upon Senators and Representatives from Colorado, Wyoming and Nebraska to defeat the Neely-Pettengill bill.

Approximately 150 theatres, including 90 operated by independent exhibitors, were represented at the meeting. In calling for the defeat of the Neely-Pettengill bill, the organization went on record as favoring adjustment of industry disputes and the abolition of unfair trade practices by exhibitor-

(*Continued on page* 7)

"Chicago," "Polo" Setting Fast Pace

"In Old Chicago" and "The Adventures of Marco Polo" are defeating the traditional Holy Week box-office blues this week, the first-named film heading for an expected gross of $62,000 at the Roxy, which is very big, and "Marco Polo" giving the Music Hall management anticipations for about $100,000.

The Roxy garnered $35,700 on Friday, Saturday and Sunday, and yesterday's gross was reported as $200

(*Continued on page* 8)

Monopoly Message Is Due This Week

WASHINGTON, April 11.—President Roosevelt's long promised message on monopoly will go to Congress this week, it was learned in authoritative circles here today.

While details of the message are being closely guarded at the White House, it is generally expected that it will ask no more than that Congress make a full study of the question of

(*Continued on page* 8)

Annette and Her Reactions To "Jungle Love" Analyzed

By J. M. JERAULD

Annette was entertained with the first reel of "Jungle Love" in the Paramount 12th floor projection room yesterday. Annette is a three-and-one-half-year-old chimpanzee from the Central Park Zoo. For the occasion she had on a red sweater, plaid skirt and pink bloomers—the new spring fashion note in jungle circles.

Dorothy Lamour, on the screen, wore a blue figured sarong.

The reason for all this, according to H. Spencer Berg, was that Paramount wanted to get the screen reactions on Annette, who is being considered as a possible successor to Jiggs, the chimp in "Jungle Love," who died about two weeks after the picture was finished. "Dr." Thomas Waller, psychiatrist for the Paramount publicity department, who decides when stunts are cuckoo, or nearly so, stood by to give the press photographers and newspaper writers learned explanations of Annette's reactions.

A plane crashed in a jungle, a crocodile snapped at Lynne Overman while he attempted to drink on the

(*Continued on page* 5)

Fox Referee Takes Case to High Court

WASHINGTON, April 11.—Another chapter in the so-far unsuccessful effort of Hiram Steelman, trustee in bankruptcy of William Fox, to secure access to the books and records of All-Continent Corp. has been written with the filing of an appeal by Steelman with the Supreme Court for review of the March 31 decision of the Third Circuit Court of Appeals.

That decision, Steelman told the

(*Continued on page* 5)

◂ Purely Personal ▸

A. P. WAXMAN, director of Will Rogers National Theatre Week, is expected back this week from the coast. The short to be shown in theatres in connection with the drive was completed at the Warner studio yesterday.

•

JULES LEVY, general sales manager of RKO, held Depinet Drive conferences at Boston yesterday with ED MCEVOY and WALTER BRANSON, drive captain.

•

SI SEADLER, right hand man to HOWARD DIETZ at M-G-M, is due to check in at his office today from studio huddles and a rest at B-Bar-H ranch.

•

MAE WEST and her retinue are due at the Pennsylvania Station this afternoon. She will open a week's engagement at the State on April 21.

•

HERMAN LANDWEHR, manager of the Capitol, was confined to his home with a cold over the weekend, but is expected at the theatre today.

•

CHARLES MAYER, 20th Century-Fox manager for Dutch East Indies at Batavia, has arrived in New York on a vacation.

•

TERRY DE LAPP, Paramount studio publicity chief, arrived in New York yesterday for a home office visit.

•

HARRY GREEN, actor, who returned from Europe recently, yesterday left via TWA plane for the coast.

•

NORMAN MORAY, head of Vitaphone sales, is due to return today from Philadelphia.

"Robin Hood" Book Out

The Warner advertising department has turned out an unusually elaborate and impressive pressbook on "The Adventures of Robin Hood." The book is most attractive, with covers done in a light brown with a tree-trunk stripe effect. The book, measuring 17 inches by 22 inches, is crowded with information designed to assist in the merchandising of the picture. Containing 60 pages, the book includes a 20-page separate advertising section, 11 pages of publicity material, a special section devoted to 25 national tieups, exploitation items and a line of advertising accessories.

Goetz Joins Monogram

DES MOINES, April 11.—Howard Goetz, for two years in the ad sales department of the local 20th Century-Fox office, has resigned to take charge of ad sales and the major part of the booking at the Monogram exchange. He will accompany Everett Rushing and F. E. Judd to the Monogram convention in Cincinnati May 8-10. Don Nelson, treasurer of Monogram, who has been handling the booking, has become chief accountant and auditor for the Monogram exchanges in Des Moines and Omaha.

Allied Unit to Elect

NEW HAVEN, April 11.—Allied Theatres of Connecticut will meet tomorrow at a luncheon meeting at the Hofbrau Haus to elect officers.

Sears Favors Long Runs as Industry Need

(*Continued from page 1*)

ture. To insure this future we must be concerned about what we will play tomorrow, not about what we played yesterday."

Sears was optimistic as a result of what he observed during his visit in Hollywood.

"Never in my visits to Hollywood have I seen such effort on the part of all studios to make good pictures as they now doing," he declared. "If all industries applied themselves to bettering their interests as is the film industry, the recession would be a thing of the past in three months' time.

"With a greater number of big and important pictures scheduled for production than in years past, Hollywood is taking advantage of mistakes previously made and has eliminated much of the waste in studio production costs. What is needed now is more astute handling of films through better exhibition methods. Longer runs is one of the solutions to the problem."

No "Robin Hood" Roadshow

Sears said that Warners would do its part to help stimulate theatre business by releasing "The Adventures of Robin Hood" on May 15 as a regular release and not as a roadshow as originally planned. The film will have its premiere pre-release engagement at the Music Hall on May 5.

S. Charles Einfeld, advertising and publicity director, and Mort Blumenstock, eastern head of Einfeld's department, returned with Sears. Carl Leserman, assistant to Sears, and Sam Schneider, executive assistant to Harry M. Warner, arrived from Burbank on Sunday.

Einfeld said he would be here three or four weeks and then return to his headquarters on the coast. Harry M. Warner is due here in August.

Drop Cartoon Feature

Nothing will come of Leon Schlesinger's idea to make a cartoon feature for Warner release, it was said yesterday on the return of company executives from the coast. A few weeks ago Schlesinger submitted a proposal for a feature to cost about $700,000 and it was discussed with company heads. The cartoon producer is recuperating from an operation on the coast.

RCA Will Remain in Service Work: Cahill

CAMDEN, April 11.—E. C. Cahill, head of RCA Photophone's equipment department, issued a statement here today denying MOTION PICTURE DAILY'S published report that the company was considering withdrawing from the servicing field.

"Photophone is in the servicing business to stay," Cahill stated. "We have a permanent stake in the business and have no intention of withdrawing from the field. Our servicing operations are increasing and our service staffs are being enlarged. Nine men were added to the New York staff recently and others will be added elsewhere in the near future. The report is definitely untrue."

Strike Possible

London, April 11.—A strike of operators of the film theatres of London after Easter is possible as the result of a vote taken yesterday.

The operators are asking a 48-hour week and a higher minimum wage.

Thirty Warner Men Get Bernhard Prizes

Thirty managers selected by Joseph Bernhard, general manager of Warner Theatres, in a service contest which was under way six weeks will be presented wrist watches. The contest resulted from Bernhard's New Year message to managers at the end of last year in which he stressed that service is a form of advertising and builds patronage for theatres.

The winners were selected on the basis of incidents of service in which they figured which Bernhard considered most valuable. The reports ranged from finding lost articles and children to quieting audiences during fires and taking care of patrons who became suddenly ill. Bernhard originally planned to give five prizes, but increased the number when the list of entries mounted.

Will Publish Letters

Harry Goldberg, advertising and publicity manager for the circuit, is preparing a booklet containing the winning letters for distribution.

The winners are:

Clarence F. Sletz, Plaza, Sandusky; Glenn H. Nelson, Harris, Findlay, O.; Carl H. Miller, California, Santa Barbara; Henry A. Clark, Arcade, Waynesboro, Pa.; Frank K. Shaffer, Virginia, Harrisonburg, Va.; Fred D. McMillan, Savoy, Washington, D. C.; Leo Rosen, Troy, Troy, N. Y.; W. A. Haynes, Stanley, Utica; Jack Maher, Oritani, Hackensack; Nat Mutnick, Union, Union, N. J.; Louis Stein, Millburn, Millburn, N. J.; S. S. Solomon, Sanford, Irvington, N. J.

Stanley Lambert, Shore, Chicago; Karl Schaeffer, Richmond, Philadelphia; Gerson Shalita, Bromley, Philadelphia; Richard Raesly, Home, Holmesburg, Pa.; Mickey Kippel, Victoria, Philadelphia; H. J. Thacher, Hamilton, Lancaster, Pa.; Stanley E. Benford, Orpheum, Philadelphia; Joseph E. Murdock, Stanley, Camden; C. McHale, Broadway, Lawrence, Mass.; Joseph S. Borenstein, Embassy, New Britain, Conn.; T. C. Grace, Circle, Manchester, Conn.; M. E. Kugell, Palace, South Norwalk, Conn.; W. H. Decker, Cambria, Johnstown, Pa.; Eddie Johns, Arsenal, Pittsburgh; Harry H. Koch, South Hill-Harris, Dormont, Pa.; Ralph Russell, Strand, Parkersburg, W. Va.; W. Lee Byers, Harris & Liberty, Donora, Pa.; Joseph Rosenfield, Modjeska, Milwaukee.

To Close Good Friday

PITTSBURGH, April 11.—Although the Pittsburgh Theatre Managers Association as a body turned down the request of the Catholic Diocese here to keep film houses closed on Good Friday until 3 P. M., one first run, the Harris-Alvin, will do so anyway. The plea was refused on the ground that it would "set a bad precedent," the Alvin deciding to do so on its own initiative.

Warners Plan 60 Next Season; To List No "B" Films

(*Continued from page 1*)

company held trade showings of five films in 30 cities in the latter part of August.

Sears said that instructions concerning the national survey of p[illegible] popularity to be made by the sales staffs have been sent to the branch managers. The survey, which will be conducted at theatres to gauge audience reaction to players appearing in current films, will guide the studio in lining up the new program and in the handling to be given the studios' younger players.

Film Clearing House Is Launched by KRS

By AUBREY FLANAGAN

LONDON, April 11.—Following the publication by the Cinematograph Exhibitors' Association of a list of films which should be booked through those distributors who are not attempting to institute the grading plan of the Kinematograph Renters' Society (distributors), the K. R. S. has launched a film clearing house claimed to be designed at the elimination of excessively long theatre programs.

The plan follows along the general lines of the suggestion of the C. E. A., and is regarded by exhibitor interests as a political manuever.

Marjorie Lesser to Wed

HOLLYWOOD, April 11.—Marjorie Lesser, daughter of Sol Lesser, tomorrow will be married here to Morris Pfaezer of Philadelphia.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; J. M. JERAULD, Managing Editor; JAMES A. CRON, Advertising Manager. EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone, Thomas Fitzsimmons, Sherwin A. Kane, Irene Kuhn, Joseph Priore.

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after 3-month road-show run at Astor, N. Y.

- S. R. O.—absolute capacity—all day from first opening show (Friday) to press-time Monday!
- Theatre forced to stop ticket sales repeatedly every day!
- Opening-show crowds Sunday too great for police to handle... theatre forced to open full hour earlier!
- Ten minutes after picture started, house jammed to absolute capacity (6,000 people) . . . and continued throughout day!
- All this despite terrific, all-day downpour Friday and Saturday!

And elsewhere:

4th WEEK: DALLAS (first 4th week holdover in Dallas history!) and SAN FRANCISCO!

3rd WEEK: BUFFALO, ROCHESTER, SYRACUSE, DETROIT!

AND HELD OVER IN EVERY OTHER PRE-RELEASE RUN!

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

MOTION PICTURE DAILY'S HANDY BOOKING CHART

(Dates Are Based Upon National Release Schedules and Are Subject to Change—This Chart Is Revised Weekly)

	COLUMBIA	M-G-M	MONOGRAM	PARAMOUNT	REPUBLIC	RKO RADIO	20TH FOX	UNITED ARTISTS	UNIVERSAL	WARNER FIRST NAT'L
March 18	**Woman Against The World** *Forbes* *Alice Moore*	**Girl of Golden West** *MacDonald* *Eddy*	**Rose of Rio Grande** *Movita* *John Carroll*	**Bulldog Drummond's Peril** *John Barrymore*	**King of The Newsboys** *Ayres* *Mack*	**Condemned Women** *Hayward* *Eilers*	**Rebecca of Sunnybrook Farm** *Temple*	**Gaiety Girls** *Hubert* *Patricia Ellis*	**State Police** *John King* *Constance Moore*	**He Couldn't Say No** *McHugh* *Jane Wyman*
March 25	**Lone Wolf in Paris** *Lederer* *Drake*	**Judge Hardy's Children** *Lewis Stone* *Rooney*		**Bluebeard's 8th Wife** *Colbert* *Gary Cooper*	**Arson Gang Busters** *Livingston* *Keith*		**Mr. Moto's Gamble** *Lorre* *Luke*		**Let's Make A Night of It** *Buddy Rogers* *June Clyde*	**Jezebel** *Bette Davis* *Fonda*
April 1	**When G-Men Step In** *Terry* *Wells*			**Tipoff Girls** *Lloyd Nolan* *Carlisle*	**Invisible Enemy** *Allan Marshal* **Feud Maker** *Bob Steele*		**Island in The Sky** *Stuart* *Whalen*		**Goodbye Broadway** *Brady* **Last Stand**	**Over the Wall** *Foran* *Travis*
April 8	**The Overland Express** *Buck Jones* *Reynolds*		**Land of Fighting Men** *Jack Randall*		**Call of the Yukon** *Roberts* *Arlen*	**This Marriage Business** *Victor Moore* *Lester*	**Raw Hide** *Gehrig* *Ballew*		**Reckless Living** *Wilcox* *Grey*	**Accidents Will Happen** *Reagan* *Gloria Blondell*
April 15	**Flight Into Nowhere** *Jack Holt* *Wells*		**Female Fugitive** *Venable* *Reynolds*	**Her Jungle Love** *Lamour* *Milland*	**Outlaws of Sonora** **Under Western Stars**	**Joy of Living** *Dunne* *Fairbanks, Jr.*	**In Old Chicago** *Power* *Faye*	**Divorce of Lady X** *Merle Oberon* *Laurence Olivier*	**Nurse From Brooklyn** *Eilers* *Kelly*	**Fools for Scandal** *Lombard* *Gravet*
April 22	**There's Always A Woman** *Joan Blondell* **Extortion**	**Test Pilot** *Clark Gable* *Myrna Loy* *Spencer Tracy*	**Two Gun Justice** *McCoy*	**Heart of Arizona** *Boyd* *Natalie Moorhead*		**Go Chase Yourself** *Ball* *Penner*	**Battle of Broadway** *McLaglen* *Hovick*		**Lady in the Morgue** *Preston Foster* *Patricia Ellis*	**Women Are Like That** *Kay Francis* *Pat O'Brien*
April 29	**Call of the Rockies** *Starrett*	**Swiss Miss** *Laurel and Hardy*	**Gunsmoke Trail** *Jack Randall*	**College Swing** *Burns & Allen* *Raye*			**Four Men and A Prayer** *Loretta Young*	**Return of Scarlet Pimpernel** *Barnes*		**Beloved Brat** *Granville* *Dolores Costello*
May 6	**The Main Event** *Paige* *Wells*	**Three Comrades** *Robt. Taylor* *Sullavan*	**Marines Are Here** *June Travis* *Gordon Oliver*	**Stolen Heaven** *Raymond* *Bradna*		**Law of the Underworld** *Chester Morris* *Shirley*	**A Trip To Paris** *Prouty-Deane* *(Jones Family)*		**Sinners in Paradise** *Boles* *Evans*	**Torchy Blane in Panama** *Paul Kelly*
May 13	**Law of the Plains** *Starrett* *Iris Meredith*	**Hold That Kiss** *O'Keefe* *O'Sullivan*	**Phanton Ranger** *McCoy*	**Professor Beware** *Harold Lloyd* *Welsh*		**Vivacious Lady** *Ginger Rogers* *Stewart*	**Kentucky Moonshine** *Ritz Bros.* *Martin*			**Adventures of Robin Hood** *Flynn* *de Havilland*
May 20		**Yellow Jack** *Montgomery* *Virginia Bruce*	**Private Nurse** *Sally Blane* *John Arledge*	**Hunted Men** *Lloyd Nolan* *Mary Carlisle*		**Blind Alibi** *Richard Dix* *Bourne*	**Rascals** *Jane Withers* *Robt. Wilcox*			**Men Are Such Fools** *Wayne Morris*

riminal Action Is Opened in Madison

ILWAUKEE, April 11.—Three offis of B. E. Buckman & Co., Madi- , investment firm, have been bound r to Municipal Court for trial on ud charges in connection with the ged sale of unregistered securities, luding stock of Condor Pictures,

is marks the first criminal proseon of the officials, who are B. E. ckman, president of the firm; Louis George, vice-president, and Edgar Holt, secretary-treasurer, all of adison.

avid Loew Talking Release for Series

HOLLYWOOD, April 11.—David L. ew is negotiating major release a series of from four to six pices, to be made outside of the two e E. Brown vehicles on schedule. he first Brown story, "The Gladior," is scheduled for production in ay, and will be released by Colum- . The second, "Flirting with Fate," remake of the silent Douglas Fairnks vehicle, may be released by KO, although the deal has not been gned. Edward Gross will act as sociate producer.

Posters Ordered Down

CHICAGO, April 11.—Charged with ing a "display of indecency" by poe censors, posters advertising "The ance of the Virgins," formerly own as "Legong," were ordered reoved from the lobby of the B. & K. rrick. Lieutenant Harry Costello, ad of the censor board, stated he d received complaints regarding this splay. Costello said B. & K. comed with his orders immediately.

Heads M-G-M Club

NEW HAVEN, April 11.—George eber has been elected president of e newly-formed M-G-M Pep Club. nil Gravitz is treasurer and Alice e secretary.

Wall Street

Paramount Rises 11½ Points

	Open	High	Low	Close	Net Change
l.	11¾	11¾	11¼	11½	+ ¼
ns. pfd ..	6	6	6	6	— ¾
K.	143⅝	144½	142	142½	—1
T. E....	11⅝	11⅝	11⅛	11⅛	—1⅛
ew	40¾	41	40	40	—1
ra.	8	8	7¾	7¾	— ¼
ra. 1.....	80⅛	81½	80⅛	81½	+11½
ra. 2.....	9	9	8⅝	8⅝	— ¼
the	4¾	4¾	4½	4½	— ½
KO	3⅛	3⅛	2⅞	2⅞	— ⅛
h Fox ..	20	21⅛	19⅞	20½	+ ½
h pfd. ...	28	28	28	28	— ½
iv. pfd...	31	32	31	32	+3
. B.	5⅜	5⅜	5⅛	5⅛	— ⅛
. B. pfd..	27	27½	27	27½	+1

Curb Generally Holds Levels

	Open	High	Low	Close	Net Change
N.	7/16	7/16	⅜	⅜	.....
notone ..	1⅝	1⅝	1⅝	1⅝	.....
ch.	17½	17⅞	17⅜	17½	— ⅞
iv. Corp.	2	2	2	2	.....

Warner Bonds, Others Gain

	High	Low	Close	Net Change
ith 6s '46.......	80	80	80	.....
ew 3½s '46.....	95½	95½	95½	+ ¼
ra. B'way s '55...........	58	58	58	+1
KO 6s '41........	56	56	56	+1
. B. 6s '39......	67½	67½	67½	+3

(Quotations at close of April 11)

Annette and Her Reactions To "Jungle Love" Analyzed

(*Continued from page* 1)

edge of a pool. A parrot screeched, a lion cub rambled into the scene, and Jiggs threw cocoanuts. Annette watched it all and paid little attention until the lion cub rambled in. Then she threw both arms around a park attendant's neck and looked the other way.

Capt. Donald Cheney-Stout, headkeeper at the Central Park Zoo, said Annette didn't like lions. She didn't like flashlight bulbs either.

At the end of the reel they turned on flood lights so the photographers could snap Annette in various poses. She shaded her eyes and seemed disinterested. Even Herb Berg's Bronx jungle noises didn't make her cheer up. When "Dr." Waller explained her psychological reactions, however, she climbed up on the back of one of the seats and stared coldly at him. One of the expert lip readers behind a camera translated Annette's comments.

The Park Department man asked where the bathroom was and the show was over.

Picture Stocks Hold Gains Over Weekend

Industry stocks listed on the N. Y. Stock Exchange held the gains yesterday which were recorded on Saturday following the defeat of the Administration's reorganization bill. Major company shares, led by Paramount first preferred, which gained 11½ points yesterday, showed considerable strength. Several issues were off fractionally, however. At the close of yesterday's trading virtually all issues were well above the lows for the year which have prevailed for the past few weeks.

Despite the gain made by the first preferred, Paramount's common and second preferred were off fractionally, closing at 7¾ and 8⅝, respectively. Warners common was off fractionally but the preferred gained one point. Loew's was off one point, closing at 40. A gain of one-half point was made by 20th Century-Fox common, while the preferred lost one-half point. Columbia gained one-quarter point, closing at 11½, up 2½ from its low of two weeks ago. RKO, Consolidated Film, Eastman and Pathe were off slightly. Motion picture bonds made small gains.

To Show "A" Films Only

MINNEAPOLIS, April 11.—Starting Friday, the State here will inaugurate a policy of presenting only "A" pictures, starting with "The Girl of the Golden West." The State has been operating with duals, using "B" films and an occasional extended run picture. The Aster will now be the only theatre in the loop with a dual policy.

Miss Powell Re-Signed

HOLLYWOOD, April 11.—M-G-M has renewed the contract of Eleanor Powell. Her next film will be "Lucky Star," which Jack Cummings will produce.

M-G-M also has signed Anita Loos, writer, and Alan Curtis.

Four-Year Record

Kansas City, April 11.—The Fox Tower this week is celebrating the beginning of its fifth year as the one theatre between Chicago and California that has presented stage shows weekly without a miss for four years.

Imperial Stock Will Be Offered Publicly

The registration with the Securities and Exchange Commission of 425,000 shares of stock of Imperial Pictures, Inc., has become effective as of April 8. Through the underwriting firm of A. R. Titus Co. there will be a public offering at $1.50 per share.

Imperial plans to distribute during the coming season 32 features through Imperial exchanges operating under franchises in key cities throughout the United States. The production plans call for four series: 10 blue ribbon specials, eight frontier dramas, eight musical westerns and six exploitation specials.

Columbian Dance Apr. 29

The Columbian Club on April 29 will hold its spring dance at the Coventry Club.

Fox Referee Takes Case to High Court

(*Continued from page* 1)

court in his petition, reversed an order of the referee, affirmed by the New Jersey District Court, requiring All-Continent to submit its books for examination. The majority of the Circuit Court held that the Bankruptcy Court had no power to compel submission of the books for audit.

"The efforts of this bankrupt and these respondents to obstruct your petitioner and the creditors of the bankrupt have been before this court upon more than one occasion in recent months," Steelman pointed out in his petition. "From its records, this court knows that the most important issue in said bankruptcy is whether the property or capital stock of All-Continent Corp. belongs to the bankrupt estate."

The appeal, he said, presents an important and novel question of Federal law which has never been decided by the Supreme Court, namely, whether a bankruptcy court has power to compel a third party corporation to submit its books for examination in connection with proceedings under Section 21 (A) of the Bankruptcy Act.

Coast City Plugs "Girl"

SAN FRANCISCO, April 11.—The week of April 14-20 has been officially proclaimed "Girl of the Golden West" Week by Mayor Angelo J. Rossi, as part of a buildup for the new M-G-M picture opening at Fox on April 14. A "Girl of the Golden West" contest is being staged in the *Call-Bulletin*.

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"Jezebel" Is Outstanding In the Loop

CHICAGO, April 11.—"Jezebel" at the Oriental was the leader in the Loop last week with $23,200, which was $5,200 above average. "Snow White and the Seven Dwarfs" at the Palace in its fifth week was slightly over average, as was "Adventures of Tom Sawyer" at the United Artists with $17,000 for the first week in a house that averages $15,000.

Other theatres found the going tough except the Chicago which hit the average mark of $32,000 with "Bluebeard's Eighth Wife." The worst spring blizzard in Chicago's history played havoc with grosses the last part of the week and business was away off during the storm which brought heavy snows and rain.

Total first run business was $123,600. Average is $121,000.

Estimated takings:

Week Ending April 7:

"GIRL OF GOLDEN WEST" (M-G-M)

APOLLO—(1,400), 35c-55c-65c, 7 days. **Gross:** $5,200. (Average, $6,500)

"BLUEBEARD'S EIGHTH WIFE"

CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Paul Gerritts and Revue. **Gross:** $32,000. (Average, $32,000)

"OVER THE WALL" (W. B.)

GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $4,600. (Average, $6,500)

"JEZEBEL" (W. B.)

ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $23,200. (Average, $18,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)

PALACE—(2,509), 35c-55c-75c, 7 days, 5th week. Stage: Vaudeville Revue. **Gross:** $20,000. (Average, $19,000)

"BULLDOG DRUMMOND STRIKES BACK" (Para.)

STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Watson Sisters and Revue. **Gross:** $12,000. (Average, $13,000)

Week Ending April 8:

"JUDGE HARDY'S CHILDREN" (M-G-M)

ROOSEVELT—(1,300), 35c-55c-75c, 7 days, 2nd week. **Gross:** $9,600. (Average, $11,000)

"TOM SAWYER" (U. A.)

UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $17,000. (Average, $15,000)

Sanders Services Held

Services were held Sunday for Arthur C. Sanders, 44, for 15 years chief projectionist at 20th Century-Fox, who died Saturday in Knickerbocker Hospital of a heart ailment resulting from his having been shell shocked during the World War. He is survived by his widow, a son, two brothers and a sister.

Abe Shafer Passes

KANSAS CITY, April 11.—Abe Shafer, Edgerton, Mo., exhibitor, died in St. Joseph's hospital here late last week at the age of 49. He had been ill 10 weeks. He had operated the Shafer in Edgerton for a number of years. He was judge of the eastern district of Platte County. He is survided by the widow, Mrs. Winifred Shafer; a son, his mother, Mrs. Bell Shafer, and a brother, Dr. Mitchell Shafer of Edgerton.

Gets American Rights

Frank Kassler has acquired American distribution rights to "Dark Eyes," Vladimar Tourjansky's production starring Simone Simon and Harry Baur.

Phila. Game Hearing Is Set for April 25

(Continued from page 1)

Palm, had sought an injunction to prevent the city authorities from interfering with the use of games at his theatre.

Judge McDevitt issued no formal stay or injunction, but the understanding is that the police will not interfere with the use of Bank Night or any other games until after the hearing on April 25. That hearing will be before Judges McDevitt, Kuhn and Barry.

Operators of chance games here are all organizing their defenses to press the action. There is no record as yet of any theatre throwing out games and more than 35 houses in the city will have them as usual tonight. Protestant clergymen who met yesterday commended Judge McDevitt for his decision with only one dissenting vote.

Drop Oklahoma Games

OKLAHOMA CITY, April 11.—Six Oklahoma City suburban theatres abandoned Bank Night drawings after the managers were informed by Lewis R. Morris, County Attorney, that he would prosecute owners who violate an Attorney General's opinion handed down April 2.

"Operators of theatres holding Bank Night will receive letters from me advising them of my stand," Morris said. "I am going to follow the attorney general's opinion which holds that the Bank Night is in violation of Oklahoma lottery laws."

Five of the theatres affected by the ruling are operated by Standard Theatres, Inc., and the sixth, the Aldridge, a Negro theatre, is operated by Sol Starr.

"I conferred with Morris this week," said Walter B. Shuttee, general manager of the Standard Theatres Corp. "Our theatres will discontinue the practice, effective at once." Starr said Bank Night at his theatre would be stopped immediately.

May Take Milwaukee Action

MILWAUKEE, April 11.—In response to a request from the police department for warrants against the Milwaukee, Modjeska, Uptown and Tower, charged with violating the lottery laws in connection with the playing of Bank Night, District Attorney Herbert J. Steffes indicated action may be taken by his office shortly.

Evidence against these theatres, in addition to 14 others, was collected early in January, but action was postponed pending a decision from Attorney General O. S. Loomis on the legality of the games. The first three houses are operated by Warner-Saxe Theatres and the latter by Harold Mirisch.

At Oshkosh, District Attorney Lewis C. Magnusen has warned exhibitors to discontinue Bank Night and has indicated that if action does not follow Attorney General Loomis' opinion in other counties, he will bring a test case before the local courts.

Orders Florida Games Halted

MIAMI, April 11.—Bank Night recevied another setback in Florida when Circuit Judge Worth W. Trammell granted an injunction against the Little River Theatre Corp., ordering the drawings discontinued. A citizen here, Schuyler C. Hodge, brought the action against the theatre, calling the drawings a "public nuisance." It is believed the theatre will appeal to the state Supreme Court. In other cities where injunctions have been granted no appeal has been made, and the court recently decided that Bingo is legal.

Dana to Be Honored At Dinner in Albar

ALBANY, April 11.—Albany's fi row will honor Pete Dana, recen appointed Universal Buffalo bra manager, at the Ten Eyck Hotel M 9. Dana's successor in Albany, A. Leary, former manager at Oklah City, also will be formally welcon

Norman Ayres, Warners' lo manager, is chairman of the co tee, which includes: Charles Smakwitz of Warner Theatres, B nie Mills of Republic, Ralph Piel of M-G-M, Moe Grassgreen of 2 Century-Fox, Phil Fox of Columb Bernie Kranz of RKO, Artie Ne mann of Grand National, Ben Smi of G.B., Al Leary of Universal, To Ryan of Monogram and Clayton Ea man of Paramount.

Plan Maloney Testimonial

PITTSBURGH, April 11.—John Maloney, recently promoted to d trict manager by M-G-M, will honored here at a testimonial dinn on May 9. Harry Seed is chairm of the affair. Last week both Ja Flynn, who is quitting the territo embracing Pittsburgh, and Malone now in charge of it, were guests honor at a luncheon in the Willia Penn Hotel attended by exhibito distributors and newspapermen.

Honor Rogers in Dallas

DALLAS, April 11.—Roy Roger Republic's new western star, a Smiley Burnette will be guests at luncheon at the Baker Hotel here Thursday at which W. G. Underwo and Claude Ezell, Republic franchi holders, will be hosts. Rogers an Burnette are in "Under Wester Stars" and will appear at the film premiere at the Capitol here on We nesday. This is Rogers' first pictur William Saal is here from the hom office for the festivities.

E. E. Alger Dinner Set

CHICAGO, April 11.—E. E. Alge veteran Illinois exhibitor, will be ho ored with a dinner at Urbana tomor row night and will be given a plaqu commemorating his 30 years in th show business.

Danubia Suit Revealed

A suit against Danubia Distribut ing Corp. and Danubia Pictures, Inc. for the recovery of prints of eigh Hungarian pictures was revealed yes terday in the N. Y. Supreme Cour when Sheriff Daniel E. Finn filed return of a writ of seizure. Max an Sigmund Schurr, doing business a Astor Trading Co., brought the action

Yates to West Soon

H. J. Yates, Sr., has advanced his departure for the coast to April 19. In Hollywood he will look into matters concerning the windup of the current Republic production season, and the 1938-'39 program, and complete plans for the national sales convention, May 3 to 5.

Birth" Begun s Ad Picture or Baby Food

(Continued from page 1)

ch for years has made comedies, awarded the job of producing Birth of a Baby."

ack Skirball, production manager Christie Productions, and a former ident of Evanvsille, Ind., with other mbers of the Educational Pictures ily, went to work shortly after the tract was made in December, 1936. he film cost approximately $50,000, of which was put up by Mead nson & Co. who protected themves in their delicate enterprise by uring supervisory advice from physans on script and production. They exercised complete control over prases of production and permitted copyright on the picture to be en out in the name of the Ameri Committee on Maternal Welfare,

Fire Destroyed Portion

ome thousands of feet of the film e stored in the De Luxe Labora y in Little Ferry, N. J. There was re there on July 9, 1937, and part the negative was destroyed.

n July 14, 1937, Sam Citron, wn to the trade as an expert cut employed by E. W. Hammons' ucational Pictures, filed an applica with the New York Board of nsors for a permit to show the pice in New York. The manufactur name was given in the application Christie Productions. The permit s refused.

ubsequently Citron applied to the mmissioner of Education, Frank P. aves, and his application was dis ssed The matter is now before the ard of Regents for decision this ek.

Meantime, a publicity buildup was progress. Advertised as sponsored the American Committee on Mal Welfare, composed of represenives from more than 16 medical and lth welfare organizations, including United States Public Health rvice, the publicity evoked considble advance interest.

The film baby, which at its concepn just had its Mellen's Food daddy o footed the bill, and a corps of pervising medical experts of high nding to see that it was properly rn, now was everybody's pet.

Relationship in Doubt

Its present family residence is Spe l Pictures Corp., 1775 Broadway, t who is who in the relationship ere is considered a private matter.

Early inquiries about the corporate up of Special Pictures Corp., were swered with the statement that Wilm Skirball is president. A request further information on officers and ectors of the corporation was rered to Dr. Fred L. Adair, head of American Committee on Mater Welfare in Chicago, who appartly is the reputed spokesman for the mpany.

Yet there seems to be a distinct ndency on the part of the principals le to speak for the film not to speak st.

Dr. Adair, replying telegraphically a wired request for names of offirs and directors, said: "Special Pictures Corp., 1775 Broadway, Jack Skirball."

Skirball, reached by telephone, referred the questioner to Dr. Adair. Upon being told that Dr. Adair had implied telegraphically that Skirball do the talking, Skirball said with considerable heat and emotion that he didn't want to be annoyed.

Later, Aaron Horvitz was reached at the same office. Horvitz's name has appeared in various papers having to do with the film. The president of the company, he said, is William Skirball. The secretary is himself, Aaron Horvitz. Special Pictures Corp. is the distribution agent for the film, he said, but would give no details on how it is being distributed. And beyond that Horvitz would make no statement.

Silent on Grosses

"What becomes of the money taken in at the box-office?" the reporter asked, remembering that "The Birth of a Baby" is said to have grossed $11,000 in one week in Minneapolis where it has "wow'd audiences," according to the publicity. That publicity, incidentally, is declared to be supervised by the American Committee on Maternal Welfare, as are the advertising and exploitation of the picture.

"I have no comment to make on the money," said Horvitz. "That is a private matter."

E. W. Hammons of Educational Pictures said that Mead Johnson & Co. had donated the picture to the American Committee on Maternal Welfare and that proceeds from the ticket sale for the film would go to the various sponsoring organizations.

Sponsors to Profit

Oddly enough, included in this group of sponsors, are the U. S. Public Health Service, the U. S. Bureau of Census and the U. S. Children's Bureau. These Government agencies would all benefit from the box-office "take," according to Hammons' statement.

Elsewhere it is reported that neither Mead Johnson & Co. nor the sponsoring group are taking any profits from the picture.

Which brings us to the interesting question:

"Baby, baby, who gets baby's dough?"

Appeals Court May See Banned Picture

ALBANY, April 11.—The controversy over the banning of "Tomorrow's Children" reached the N. Y. Court of Appeals today with the likelihood that it will be the first picture ever screened for that body. The court took under consideration the plea by Jonah J. Goldstein, the petitioner-appellant's attorney, that the film be viewed and Chief Justice F. E. Crane allowed the submission of briefs by both Goldstein and Charles A. Brind, Jr., attorney for Commissioner of Education Frank P. Graves.

Foy Productions, Ltd., and Principal Film Exchange, Inc., are contesting the ban of the picture by Graves, who upheld Irwin Esmond, censor, in refusing a license on the ground that the sex sterilization theme film was "immoral," "tending to corrupt morals" and "tending to incite crime." Previously, the Appellate Division heard the case at the January term and viewed the film in the courtroom, deciding on March 10 to uphold Graves.

Defeat of Neely Bill Is Sought in Denver

(Continued from page 1)

distributor conciliation and negotiation.

Emmett Thurmon, secretary and counsel of the organization, who on Saturday telegraphed Sidney R. Kent, Barney Balaban, Harry M. Warner and Nicholas M. Schenck demanding an immediate abolition by their companies of compulsory block booking and predicting that today's meeting would go on record as favoring the Neely-Pettengill bill if the demand was not complied with, himself urged defeat of the bill during the meeting. None of the four company heads had replied to Thurmon's wire up to the time the meeting adjourned.

During the discussion on the Neely-Pettengill bill exhibitor speakers related that they had been advised by their representatives in Washington that the measure would not be acted upon during this session of Congress. The representatives admitted, the speakers said, that as legislators they knew very little about the theatre business and welcomed expressions from exhibitors on the Neely bill.

Archer Itemizes Grievances

A. P. Archer, president of the organization, cited what he described as the 10 outstanding unfair industry practices which should be corrected by exhibitor-distributor agreements. They are, the application of compulsory block booking to some accounts and not to others; selective contracts for some and not for others; sales of pictures by numbers or in groups without mention of titles, stars or stories; solicitation of contracts on the basis of work sheets and advertising but with the stipulation that these are not a part of the contract; designating pictures for the high percentage brackets and failing to deliver all of the pictures in the lower brackets; using outstanding pictures as inducements for signing new contracts; needless roadshowings and designations of too many pictures as specials; forcing of shorts with features and the weekly pay plan for shorts, newsreels and score charges.

Arkansas Exhibitors Opposing Neely Bill

LITTLE ROCK, April 11.—Arkansas theatre owners today unanimously voted opposition to the Neely bill at the close of a two-day session of the Independent Motion Picture Theatre Owners of Arkansas at the Hotel Marion here.

J. F. Norman was re-elected to his second term as president at the final session. Also re-elected were G. Carey as vice-president and R. V. McGinnis as secretary-treasurer.

A complete new board of directors went into office following a resolution passed by the convention to work more actively as an association during the coming year. Directors are W. L. Landers of Batesville, L. F. Haven of Forrest City, K. K. King of Searcy, C. F. Bonner of Pine Bluff, Sidnew Wharton of Warren, O. G. Wren of Little Rock and W. E. Malin of Augusta.

A suggestion whereby theatre owners would seek local school students to enter various phases of the industry through endowments provided by the exhibitors for proper school and college training was endorsed.

Iowa ITO Studies Delivery

DES MOINES, April 11.—Allied Independent Theatre Owners of Iowa met here today with 80 members present at the Hotel Savery. The most important business considered was the proposed cooperative trucking of films and other methods of delivery. Representatives of the Des Moines Film Delivery Co., and express organizations presented cost statistics to the association. A committee was appointed to determine the best method of delivery for the association. Wayne Dutton of Manchester is chairman.

A. D. Hilton of Sioux City was named chairman of a committee to formulate the stand the association should take on the Neely bill.

Elect Exhibitor Mayor

KANSAS CITY, April 11.—E. P. Michael, who operates the Michlo at Braymer, Mo., has been elected mayor of the town.

THRILL YOUR CUSTOMERS WITH TODAY'S NEWS...

Here's how: Hundreds of exhibitors in 48 states now feature spot news releases daily—farthest overnight, nearest in two hours—by specifying AIR EXPRESS, straight to their door. Cost? A trifle more—but it's a box-office wow! Ship all your films by the "natural" route. Nation-wide service, also to Canada, Latin America, Honolulu, and Far East. Phone the nearest RAILWAY EXPRESS office and merely say "AIR EXPRESS Division".

AIR EXPRESS
DIVISION
RAILWAY EXPRESS AGENCY, INC.

▸ Radio Personals ◂

DUKE ELLINGTON will celebrate his 39th birthday April 29. . . . Sally Eilers and Ralph Bellamy will appear in Thursday's Kraft "Music Hall". . . . Norman E. Reck, radio editor of the Ridgewood, N. J. *Herald,* has added five papers to his lineup. Beginning next week his column, "Radio Highlights," will appear in the *Englewood Press, Fort Lee Sentinel, Hackensack Republican, Bergen County Journal* and the *New Jersey Times.* . . . Maurice Evans will make a guest appearance on the Vallee program Thursday.

+

Cincinnati

Paul Sullivan, whose newscasts are a daily feature over WSAI, has revived his weekly news review over WLW, sister station. . . . WKRC will broadcast a gala anniversary program to celebrate the first year of the "Dawn Patrol" program over that station. Bill Bailey, publicity director of WLW, is building a wide reader following with his column, "This Is Radio," appearing in *The Radio Dial,* local weekly which lists programs and other pertinent data. The column contains a weekly installment of some phase of studio operation of interest to the public.

+

Pittsburgh

Earl Truxell's reorganized staff band at WCAE is now called "The Airliners" and Max Adkins is making all of their arrangements. . . Mrs. Derby Sproul, wife of the KDKA writer, is back from a vacation. . . Joe Villella of KQV is getting a lot of dates for his own dance band. . . Carl Dozer, WCAE announcer, will be married in June. . . Bob McKee's Friday evening interviews with stage celebrities at the Stanley over WCAE are now coming direct from a backstage studio. . . The *Press* has installed a studio in its editorial rooms where news broadcasts over KDKA in the future will originate.

+

San Francisco

Lee S. Roberts, composer of the wartime hit, "Smiles," is making another comeback try on KGO. The program features oldtime melodies, with organ and vocalist. . . John B. Hughes' news comment, aired nightly over KFRC, has been extended to include 25 Mutual-Don Lee stations in California, Oregon and Washington. . . Barbara Bennett, local society girl, was the winner over 100 contestants in audition for Carl Ravazza's orchestra on KPO. . . Ted Maxwell has replaced Tom Breneman as "em cee" of "Secret Ambition," Sunday CBS coast net show, sponsored by Durkee's.

The KPO-KGO daily news letter now emanates from Hollywood, with the transfer of NBC's press headquarters to the south. Three writers—Nell Cleary, Dee Waller and Ruth Chapel—have transferred to the southern division from here. . . Laurance Cross, Berkeley minister whose "Crosscuts" show has been on KGO for 11 years, has added three quarter-hour programs weekly, with organ background. . . Andy Potter, former KGGC program chief, is now manager of KSRO, new Santa Rosa station.

Punishment!

The greatest punishment they have at Boystown, the juvenile colony at Omaha, is to have boys who misbehave stand with their backs to the screen during the weekly picture show. This was disclosed during Jerry Belcher's "Know Your Neighbor" program broadcast from Boystown Sunday night.

McNinch Heads FCC Broadcasting Probe

(*Continued from page 1*)

elected vice-chairman. Other members of the committee are Commissioners Paul A. Walker and Eugene O. Sykes.

First steps in the investigation, it was disclosed, would be the listing of all contracts relative to chain broadcasting now on file with the commission and an analysis of the terms of such agreements.

To Air Track Meets

SAN FRANCISCO, April 11.—The Associated Oil Co. again is sponsoring broadcasts of coast college track meets. The business is being placed by Lord & Thomas, with KYA as the local outlet. KFWB and KFOX have been lined up for southern California meets.. Intersectional meets will be aired over a network composed of the three stations. Douglas Montell has been assigned as sportscaster here, with Frank Bull in the Los Angeles area.

Starts Announcer Contest

SAN FRANCISCO, April 11.—The Sidney Garfinkel agency is conducting its second annual "radio announcers' contest." A board of judges will dial stations in the area for three weeks, rating announcers on the basis of diction, sincerity and effectiveness. The agency will check times of programs heard to determine the identity of the announcers. A trophy will be awarded the winner. Last year's winner was Abbott Tessman of KGO.

Beavers Plan Vacation

LITTLE ROCK, Ark., April 11.—Cecil K. Beaver, KARK commercial manager, and Mrs. Beaver, will leave Saturday for Minneapolis on a vacation trip. Following the rest period Beaver will line up radio campaigns for the various political candidates who will use the Arkansas network heavily.

To Air Hockey Match

A broadcast of the fourth game of the Stanley Cup hockey playoffs between the Chicago Blackhawks and the Toronto Maple Leafs will be presented over Mutual tonight from 11:30 P. M. to midnight. The broadcast will bring to listeners the last period of play.

WLW Engineer Killed

CINCINNATI, April 11.—Harold C. Stocker, radio engineer, was electrocuted today when 11,000 volts passed through his body at the Mason, O., transmitter of WLW and WSAI.

Sports Announcers Told to Give Facts

CHICAGO, April 11.—Radio sports broadcasters are reporters and should present all facts, but they are not commentators, and should leave editorial and critical comment to the newspapers, they were told during talks at the meeting of baseball broadcasters at the Edgewater Hotel here yesterday. Over 100 baseball commentators were present.

Major and minor league presidents refuted newspaper charges that baseball broadcasters were overstepping their bounds.

Speakers at the session included Ford Frick, president of the National League; William Harridge, president of the American League; Frank Shaughnessy, president of the International League; George Trautman, president of the American Association; Bill Slocum, sports editor, and Donald Davis, president of General Mills, Inc.

Frick told the sports announcers and commentators not to hold back on facts about the games. He said with 10,000,000 listeners who were literally "blind," they should be told everything that transpires on the playing field. Frick's statement challenges the viewpoint of newspapers, who feel that the present system of sports broadcasting is overstepping bounds.

Individual conferences were held tonight with representatives of General Mills, Socony Vacuum, Coca Cola, Procter & Gamble and Goodrich Tire Co., all of whom are sponsoring baseball broadcasts this season.

Set Baseball Network

DES MOINES, April 11.—Baseball over a special network including KRNT, Des Moines; WMT, Waterloo; KMA, Shenandoah, all in Iowa, and KFAB, Lincoln, and WNAX Yankton, S. D., will be jointly sponsored by General Mills and Socony-Vacuum, starting April 19. The contract is for the entire season of the St. Louis Cardinals. The broadcasts will originate at KRNT and KFAB with Gene Shumate at KRNT and Harry Johnson at KFAB alternating weekly with the descriptions.

WLW Program Shifted

CINCINNATI, April 11.—Josef Cherniavsky's "Musical Camera," piped to the NBC-Blue from WLW on Sundays hereafter will originate in the Emery Auditorium. The change was necessary, according to Eldon A. Park, assistant program director, because the WLW studio could not accommodate the audiences.

Cronkhite Quits WKY

OKLAHOMA CITY, April 11.—Walter Cronkhite, newscaster and sports announcer for WKY, has resigned to join the exploitation and publicity department of Braniff Airways at Dallas. He has been succeeded at WKY by Terry O'Sullivan.

Sign Novak Orchestra

Frank Novak's orchestra has been signed to provide the musical background for a series of transcriptions to be made by Morton Downey. The discs will be shipped to several European stations for commercial performance, sponsored by Dreene.

"Chicago," "Polo" Setting Fast Pac

(*Continued from page 1*)

ahead of Friday, the opening day. has been a long time since Roxy h had a money-getter as good as " Old Chicago," which is in its fi popular price run locally.

"Marco Polo" tallied $64,500 four days since opening on Thu The verified grosses were $13,0 Thursday, $13,000 on Friday, $19,5 on Saturday and $19,000 on Sunda The annual "Glory of Easter" sta show is credited as a strong draw.

"Storm in a Teacup" finished third week at the 400-seat Carneg Playhouse with $3,700 and is held fourth stanza. The film took in $5,4 the first week and $4,800 the secon

"Her Jungle Love," which will op at the Paramount tomorrow, is in third week at Paramount's Plaza London, which ordinarily is a week change house.

RKO's "Joy of Living" has been s for the Music Hall this month.

Monopoly Message Is Due This Weel

(*Continued from page 1*)

monopoly and draft a plan for mo ernization of the anti-trust laws ne session.

If the message takes this expect form, it will reflect the position Attorney General Cummings, who consistently has been opposed to a attempts to rewrite the anti-tru status without first making an exhau tive study of the subject so that a phases of monopoly may be covered a single bill.

Kusiel Going South For Columbia Toda

Sigwart Kusiel, who was signed b Columbia recently as special foreig representative, will leave for Sout America today on his first assignme for the company. He may supervi the company's Mexican business ten porarily as a result of the resignatio of J. B. Urbina from the Mexic City post, Joseph A. McConville, Co umbia foreign head, stated.

Charles Roberts of the home offic foreign department is en route Mexico City to survey conditions that market. He will meet Kusi there later and the two will make general study of the Central Amer can market before returning to Ne York.

RKO Wins Bowling

Competing against 10 teams an winning all of its games, the RK Radio bowling team has been crowne champion of the Rockefeller Cente Bowling League. In the inter-offic league of RKO Radio, Georg Ronan's Capitol five took first plac and was followed in second positio by the team captained by Joh Farmer.

To Reelect Erpi Men

Erpi officers, headed by Whitfor Drake, president, are expected to b reelected at the company's annua meeting to be held today. Drake is London on company business.

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the Motion
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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 85 NEW YORK, WEDNESDAY, APRIL 13, 1938 TEN CENTS

aylight Time preads Into New Sections

reased Use Mostly in New England

n increasing number of communi- this year have adopted Daylight ng Time which will go into effect A.M. April 24 and continue until . 25. The increase is particularly ble in New England states. A law requires observance of the nced time in New Hampshire and sachusetts, while in other states it matter of local option.

ew York State, in comparison last year, shows a decline of e localities, with a total of 325 pared with 328 for 1937. All com- ities in New Jersey, Rhode Island, aware and Connecticut will observe time change. Pennsylvania shows ncrease of 17, the total being 107 pared with 90. Maine has in- sed to 145 compared to 76 last . Vermont also has increased 31 against 13. Ohio was put on

(*Continued on page* 8)

rnoff Cites Radio War' of Propaganda

While there may be peace on earth ome parts of the world, there is in the ether over a large part of globe," David Sarnoff, chairman he board of NBC, declared yester- in addressing the eleventh meeting he NBC advisory council. He re- ed to the increasing use of short e broadcasts for the spread of paganda.

Additional developments in radio yesterday on page 8.

Members of the council and com-

(*Continued on page* 8)

At First Hand

Lincoln April 12.—Representatives of Cecil B. DeMille were at York last week, visiting Robert V. Grawell, 91, to get some first hand information for "Union Pacific," DeMille's new picture. Grawell is the last surviving witness of the driving of the golden spike at Promontory Point, Utah, in May, 1869, which completed the road and the linking of the two oceans.

Key Takes Continue Lenten Drop to Low of $1,347,244

Key city grosses continued their Lenten decline last week, the total for 23 cities going down to $1,347,244. This is the lowest point, with three exceptions, reached since the start of the current exhibition season last September. The three previous lows occurred during the pre-Christmas slump.

The present decline set in during the week ending January 14-15 following a sudden upswing that sent the total to $1,852,759, a mark very close to the high point of the season which developed the week following Labor Day. There was a slight pickup early in February and another for the week ending February 25-26, but since then the tendency has been uniformly downward, and the number of first run theatres has declined from a high of 150 in September to 143 last week.

In individual cities gross totals have been stimulated by five big pictures—"In Old Chicago," "Snow White and the Seven Dwarfs," "Bluebeard's Eighth Wife," "Rebecca of Sunnybrook Farm" and "Mad About Music," but these haven't been sufficient to make up for the weakness of other product. A number of houses have been using revivals in recent weeks on the theory that nothing would overcome the current lull.

(*Tabulation of grosses on page* 7)

Production Falls; 28 Films in Work

Hollywood, April 12.—Production dropped to 28 features before the cameras last week, two less than the previous week, as eight pictures finished and six started. Fifteen are being prepared, and a total of 42 is in the cutting rooms.

Started were: "City Shadows," Columbia; "The Marines Are Here" and "Private Nurse," Monogram; "Hello Hollywood," 20th Century-Fox, and "Garden of the Moon" and

(*Continued on page* 6)

Efforts to Prevent London Strike Fail

London, April 12.—A last-minute effort to avert the threatened strike of electricians in London's theatres failed today. The union will decide on a strike date at a meeting tomorrow. The Cinematograph Exhibitors' Association has not been informed of the action, and has advised the union that a legitimate vehicle for settlement is the conciliation board.

The National Association of Kine Employes, which numbers projectionists among its membership, and which has representation on the conciliation

(*Continued on page* 7)

CEA Council to Get Grading Study Today

London, April 12.—The rentals committee of the Cinematograph Exhibitors' Association tomorrow will present to the general council of the organization a report on the controversial issue of the grading of pictures by distributors. The committee is expected to ask that the council be authorized to act collectively in any

(*Continued on page* 7)

No Monogram-G.N. Tieup—Johnston

Hollywood, April 12.—W. Ray Johnston, president of Monogram, today denied reports that his company would take over physical distribution of Grand National films until that company completes its financial readjustment.

Allied of Iowa Votes Neely Bill Approval

Des Moines, April 12.—The Allied I.T.O. of Iowa today voted full approval of the Neely bill and called upon distributors to lower film rentals for Iowa and Nebraska theatres described as being on the verge of closing because of the continuing business recession.

The organization's meeting, held at the Savery Hotel here, was attended by 100 exhibitors, branch managers and officers of Tri-States and Central

(*Continued on page* 2)

Lillie Messinger Is Story Head at RKO

Just appointed story editor for RKO in Hollywood, Lillie Messinger of the New York story department will leave Monday night to assume her new duties on the coast. She will be toasted, on the afternoon of her farewell to New York, by Josef and Mrs. Honti, who will give a cocktail party for her at 2 West 67th St.

Miss Messinger has been with RKO for seven years. For four years she scanned synopses of plays, books, stories by day and at night covered theatres, night clubs, radio studios, anywhere there might be potential star or stock material for RKO, although

(*Continued on page* 6)

New Financing Believed Set For Universal

Bank of America Loan Of $2,000,000 Paid

The conclusion of negotiations for new financing for Universal, which have been conducted over the past few months with downtown sources, is bebelieved to be signalized by the repayment yesterday of a loan of approximately $2,000,000 to the Bank of America. The repayment of the loan was announced officially by the company.

Universal officials declined to comment on the report that new banking arrangements had been made under which ample funds for new season production financing and additional working capital for other purposes would be made available to the company. However, the report met with no official denial and indications are that it may be confirmed in the near future.

The company's consolidated statement at the end of its fiscal year in November, 1937, showed a balance of $1,954,000 owing to the Bank of America. The indebetdness was in the form of a revolving fund which at no time greatly exceeded $2,000,000. The fund was set up early in 1936

(*Continued on page* 2)

Lehman Vetoes Bill To Permit Dog Races

Albany, April 12.—Governor Lehman today vetoed the Quinn bill, which was designed to legalize dog racing in four counties in New York State. Lehman's veto message declared that a change in the state constitution would be necessary before dog racing and betting could be allowed.

Theatre owners in the counties involved in the bill had registered vigorous opposition to the measure during its consideration by the legislature, contending that the operation of dog races offered serious competition to theatres.

Schenck Conferring

Hollywood, April 12.—Nicholas M. Schenck today started a series of conferences with M-G-M studio executives. It is expected that an important statement of company policy will be made later in the week.

◀ Purely Personal ▶

NED E. DEPINET was guest of honor at an informal dinner at the Cloud Club last night given by Roy E. Larsen and Louis de Rochemont to celebrate the signing for the fourth consecutive year of a distribution contract for March of Time with RKO. Guests included Cresson E. Smith, S. Barret McCormick, Harry Michelson and Ralph Rolan of RKO, and C. D. Jackson of *Life*, Charles Stillman of *Time*, Daniel Longwell of *Life*, John R. Wood, Jr., and Albert E. Sindlinger of March of Time. Jules Levy, Ed McEvoy and Walter Branson are on a sales trip and were unable to attend.

•

Arthur K. Willi, RKO talent scout, and Mrs. Willi will leave for a short trip to the coast within the next week. It is Willi's regular inspection trip.

•

Martin Finkelstein, vice-president of Globe Productions, will leave tomorrow by TWA for the coast. He will stop off in St. Louis and Kansas City, his home town.

•

Neil F. Agnew will leave the coast by plane tomorrow, flying directly to Washington to open Paramount's annual sales conference there on Friday.

•

Ernest Geyer of the Jam Handy Organization has been named exploitation director in the Cleveland area for the film, "Selling America."

•

Ed Harrison, former trade paper reporter, has sold a story on newsreels to *Ken*.

•

Spencer and Mrs. Tracy are stopping at the Sherry-Netherland.

•

Leo Spitz, RKO president, is due in from the coast Monday.

Set Big 'Grove' Preview

Hollywood, April 12.—Paramount is planning a pretentious press preview for the opening of "Cocoanut Grove." The program will start with a preview of the film in the theatre of the Ambassador Hotel after which 300 newspaper and magazine writers who cover Hollywood will be entertained at dinner in the hotel's Cocoanut Grove. NBC will broadcast the proceedings.

Start WB British Films

London, April 12.—The Teddington studios of Warner Bros. have resumed production. The first picture started, which will qualify under the new Films Act, is "The Return of Carol Sawyer," starring Bebe Daniels.

Sam E. Morris, Warner vice-president in charge of foreign sales, is expected tomorrow on the *Ile de France*.

Gibbons in Warner Trailer

Hollywood, April 12.—The Warner trailer for "The Adventures of Robin Hood" has the voice of Floyd Gibbons for the off-screen commentary.

New Financing Believed Set For Universal

(Continued from page 1)

and was used exclusively for production purposes. Indications are that the reported new financing is of a similar nature.

Universal's new season production plans are in process of formation at the studio, where Nate J. Blumberg, president, has been working out the new schedule with Charles R. Rogers. Blumberg was joined at the studio recently by Matthew J. Fox, his executive assistant.

W. A. Scully, general sales manager, reported yesterday that the new season schedule will include 12 westerns, six of which will feature Bob Baker, the company's new western star who appeared in four pictures this season. The company announced 10 westerns for the current season.

Allied of Iowa Votes Neely Bill Approval

(Continued from page 1)

States Circuits. A proposal calling for the cooperative trucking of films or other methods of delivery was rejected as unfeasible at this time. The meeting, however, voted its appreciation of the services and efforts of the Railway Express Co. in handling deliveries during the current strike of film truck drivers and approved the permanent use of the company's service in the event the strike is not settled on terms which are satisfactory to the exhibitors.

A resolution condemning percentage playing terms for small town theatres as unfair was passed. L. F. Walcott of Eldora, Ia., president of the organization, presided at the meeting, which was regarded as the most successful held by the organization in the past five years.

Cancellations Stir Toronto Complaints

Toronto, April 12.—A number of complaints have been placed before the Arbitration Board of the Film Section of the Toronto Board of Trade by distributors following the action of exhibitors in cancelling a feature from their contracts because the exchange presented one attraction on the year's schedule as a roadshow.

This cancellation is provided for in the Canadian License Agreement, the exhibitors claim, but the point is to be decided by the arbitration plan.

Mae West to Be at Ampa

Mae West will head the list of guests at the meeting of the Ampa at the International Casino tomorrow. Norman Corwin, who conducts "Poetic License" over WQXR, and Glenn Hunter also are expected to be on hand.

Stag for Dennis Caplin

Dennis Caplin, editor of western press books for Republic, was given a stag party by his friends in recognition of his forthcoming marriage to Marsha Greene.

Theatres in Chicago Using Auction Stunt

Chicago, April 12.—The latest form of "giveaway" plan to appear here is "Auction Night" which has been adopted by a number of Warner and Essaness theatres.

The idea is not entirely a new one, but a mixture of several giveaway stunts. So far it has not encountered any legal difficulties.

The way it is worked here is for the theatre to offer a sale of products of a wide variety—at bargain prices. For example, if the theatre plans to giveaway $100 in merchandise once a week, the merchandise will consist mainly of useful articles such as desk sets, table lamps, food mixers, glassware, etc.

Piece by piece the articles are auctioned off to the highest bidder, with refunds when the merchandise is claimed. The money taken in is used as prizes for stunts between sales of the articles. These stunts, such as pie-eating and nail driving contests, etc, afford the audience much fun.

F. P. Canadian Net Up for 1st Quarter

Toronto, April 12.—Gross earnings of Famous Players Canadian Corp. for the first quarter show an increase of over 10 per cent as compared with the similar period of 1937, according to an announcement by J. J. Fitzgibbons, vice-president of the company.

The rate of improvement is increasing over all sections of the Dominion, this official declared, and the showing "is in striking contrast with the current experience in the United States."

Parsons Leaves Lesser

Hollywood, April 12.—Lindsley Parsons, producer of the Smith Ballew series for Sol Lesser, has settled his contract with Principal Pictures. He is planning a vacation in Mexico before announcing a new affiliation.

Parsons formerly was producer of the Tex Ritter series for Grand National. The settlement of his present contract resulted from 20th Century-Fox's dropping of Smith Ballew releases for the coming season.

To Reelect K-A-O Board

The reelection of all directors of Keith-Albee-Orpheum Corp. is expected at the annual meeting of stockholders scheduled for today. The preferred stockholders again this year are entitled to elect a majority of the directors, and the common stockholders the remainder. M. J. Meehan controls a majority of the preferred and RKO the common.

Delay Allied Election

New Haven, April 12.—Elections of the Connecticut Allied unit scheduled for today were postponed to April 26. The nominating committee, which includes Joseph Davis, Leo Shapiro and Samuel Hadelman, will report at that time.

Form 16mm Company

National Film Programs, Inc., has been formed here for the purpose of furnishing complete programs on 16 mm. film for club, organization and college use. Neil P. Horne is president. Two golf programs are now ready for release.

Dave Miller Honored At Cleveland Dinne

Cleveland, April 12.—Approximately 250 members of the loca Variety Club, friends, associates an civic leaders attended the testimonia dinner last night at the Allerton Hote to Dave Miller, chief barker of th club, recently named Universal district manager. His new territory includes this city, Cincinnati, Pittsb h Buffalo and Albany.

The toastmaster was Charles Schaefer, who was introduced by M. B Horwitz, former chief barker. Ber Stearn, United Artists district manager, presented a platinum wrist watc to Miller. Guests included all loca branch managers and salesmen, several judges, Congressman Harol Mosier, Frank J. A. McCarthy, Universal sales executive from the hom office; Joe Engel, Cleveland; Paul Krieger, Cincinnati; A. G. Cleary, Albany, and Pete Dana, Albany, all Universal branch managers; Joseph Kaufman and Harry Handel, salesmen; Maurie White, Cincinnati circuit operator, and Louis Lazar, Schine Ohio representative.

Expect Autry-Rep. Peac

Hollywood, April 12.—M. J. Siegel, president of Republic, today stated that he expects the current misunderstanding with Gene Autry to be settled within two weeks. An adjustment of the differences, he said, is now being worked out.

Theatre Meeting Off

A meeting of the board of governors of the League of N. Y. Theatres, which was scheduled for yesterday to appoint a successor to the late Dr. Henry Moskowitz, was postponed to today.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; J. M. JERAULD, Managing Editor; JAMES A. CRON, Advertising Manager. EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone, Thomas Fitzsimmons, Sherwin A. Kane, Irene Kuhn, Joseph Priore.

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LANG SYNE"

THEATRE WEEK

Major L. E. Thompson,
Chairman

FOR THE WILL ROGERS MEMORIAL COMMISSION

DAY AND DATE RELEASE
WEEK BEGINNING APRIL 29th

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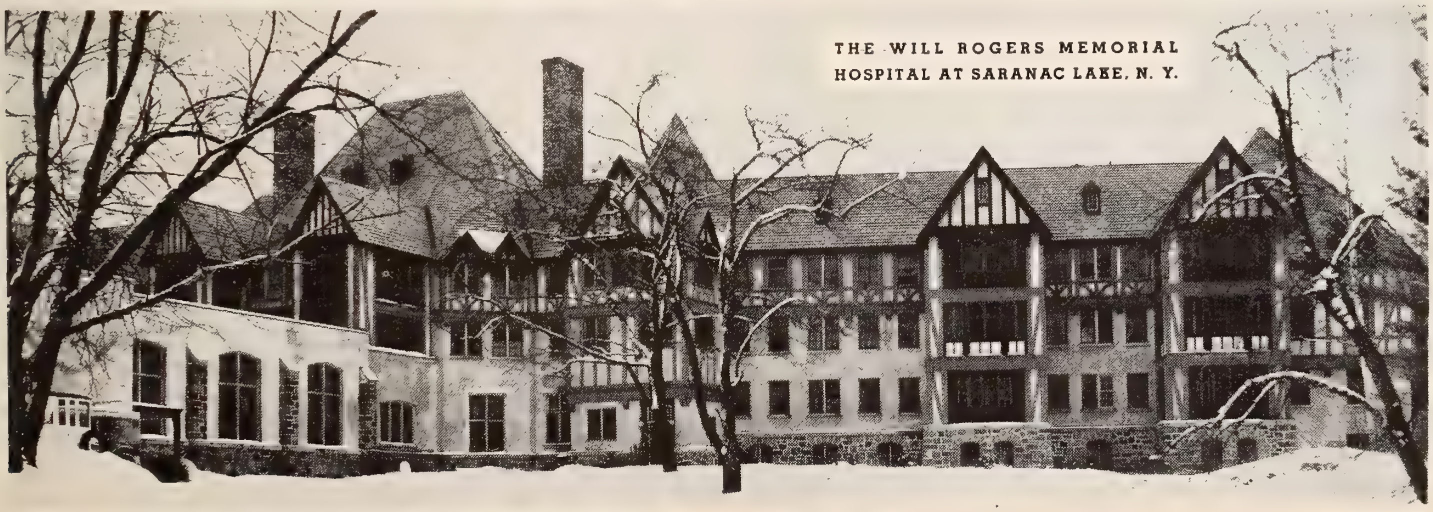
ALBANY	Phillip Fox	Columbia
ATLANTA	Paul S. Wilson	20th Century-Fox
BOSTON	Tom Spry	United Artists
BUFFALO	Sydney Samson	20th Century-Fox
CHARLOTTE	Robert J. Ingram	Columbia
CHICAGO	T. R. Gilliam	Warner
CINCINNATI	J. J Oulahan	Paramount
CLEVELAND	Frank D. Drew	Metro
COLUMBUS	M. R. Clark	Paramount
DALLAS	L. Bickel	Metro
DENVER	Wayne C. Ball	Columbia
DES MOINES	Lou Elman	RKO
DETROIT	J. J. Sharkey	RKO
INDIANAPOLIS	George T. Landis	20th Century-Fox
JACKSONVILLE	Erman Price	Paramount
KANSAS CITY	William Warner	Warner Bros
LOS ANGELES	Clayton T. Lynch	Metro
MEMPHIS	J. J. Willingham	Metro
MILWAUKEE	A N Schmitz	RKO
MINNEAPOLIS	J M. Podoloff	20th Century-Fox
NEW HAVEN	Lou Wechsler	United Artists
NEW ORLEANS	Harold Wilks	Paramount
NEW YORK CITY	H. H Buxbaum	20th Century-Fox
OKLAHOMA CITY	R B Williams	RKO
OMAHA	R. M. Palmquist	Universal
PHILADELPHIA	Harry G. Bodkin	United Artists
PITTSBURGH	Harry Seed	Warner Bros.
PORTLAND	G C. Craddock	Universal
ST LOUIS	J E Garrison	Universal
SALT LAKE CITY	M. Saffle	Metro
SAN ANTONIO	L. W. McClintock	Paramount
SAN FRANCISCO	Charles Muehlman	Warner Bros.
SEATTLE	Neil Walton	Columbia
SIOUX FALLS	Sherman Fitch	RKO
WASHINGTON	Fred W Beiersdorf	Warner Bros.



THE WILL ROGERS MEMORIAL HOSPITAL AT SARANAC LAKE, N. Y.

Production Falls; 28 Films in Work

(Continued from page 1)

"In Every Woman's Life," Warner Bros.

The firms in work are:

"Holiday" and "State Patrol," Columbia; "The Texans," "Sing, You Sinners" and "Spawn of the North," Paramount; "The Muddled Deal," RKO; "Gangs of New York," Republic; "Yellow Jack," "The Toy Wife," "Lord Jeff," "Hold That Kiss" and "Shopworn Angel," M-G-M; "Alexander's Ragtime Band," "Josette," "The Mysterious Mr. Moto," "Handle With Care," "Three Blind Mice," 20th Century-Fox; "Algiers," Wanger, and "Flaming Frontiers," "Rage of Paris," "Letter of Introduction," and "Riot Patrol," Universal.

Those finished were: "The Amazing Dr. Clitterhouse," "Boy Meets Girl," and "Mr. Chump," Warners; "Sporting Chance," 20th Century-Fox; "Blind Alibi," RKO, "Three Comrades," M-G-M, and "Crime Takes a Holiday" and "Swingtime in the Saddle," Columbia.

Four short subjects are shooting, one each at Columbia, M-G-M, RKO, and Roach. Columbia and M-G-M each finished one. A total of eight is being prepared, and 12 are being edited.

RKO Studio Resumes With 5 Films Ready

Hollywood, April 12.—With five pictures slated to start at RKO within two weeks, 2,500 workers will be returned to the studio which is now idle, company officials stated today.

Among those films on which shooting is about ready to start are two high budget features: "Carefree," starring Fred Astaire and Ginger Rogers, and "Mother Carey's Chickens." It was learned today that Joan Bennett, scheduled to supplant Ginger Rogers in the latter film, has refused the role and that top casting is still unset.

Other productions which will start soon are "Border G-Man," a second George O'Brien western; "Fortuneers," featuring Alan Lane and Frances Mercer, and "The Cleanup," a story with a rackets background starring Chester Morris.

It was disclosed today that RKO will not extend the contract of Herbert Marshall and that the actor will go to M-G-M for one picture.

Lillie Messinger Is Story Head at RKO

(Continued from page 1)

her main interest always was stories.

Ned E. Depinet sent her to London in 1934 to scout the British field for writing talent. She spent a year abroad in London and on the Continent.

During the past year Miss Messinger carried on the New York negotiations for most of RKO's big bets for the current season, "Stage Door" and "Damsel in Distress." She also put through deals on properties not yet released—"Having Wonderful Time," "Vivacious Lady," "The Saint in New York."

She believes that the coming year in Hollywood will see some interesting picture experiments.

The Newsreel Parade

Movietone News

Vol. 20, No. 61

(20th Century-Fox)

The martial note in world news appears to be becoming as inescapable in the newsreels of recent weeks as were Florida and California bathing cuties in the midwinter releases. This issue of Movietone gives a general idea of France's air power and Australia and New Zealand's sea power. With what has gone before and is still to come every film fan should be an expert on international armaments by July.

Chicago's spring blizzard, a reindeer roundup in Lapland and a smelt run in Michigan complete the reel's general news section. Shots of drilling operations in the world's deepest oilless well—a California bore of more than 15,000 feet—are interesting. Lew Lehr describes the latest addition to the fisherman's equipment amusingly. Sports are in the doldrums at this time of year, but Ed Thorgersen manages to find some aquatic fun in New Zealand, the national A.A.U. championship bouts in Boston, some California racetrack material and a boxing class at a girls' college. Floral decorations for the American woman's Easter wear are shown in the fashions department. Running time, 10 minutes. K.

News of the Day

Vol. 9, No. 259

(M-G-M)

The building of new bombers at the Douglas plant in Santa Monica, Cal., and Army maneuvers using ships of similar design get the lead position in this release. Mussolini's decorations for relatives of Italian soldiers killed in Spain, Chief Justice Hughes on his 76th birthday and Britain's King and Queen on a visit to London slums complete the "headline" news section.

Local news items include pictures of an April snowstorm in New York; Troy college students in a demonstration against "hidden" taxes, and a student experiment with a 1,000,000-volt generator at California Tech. Helen Wills Moody in training for new tennis competition and the rugby game played in New York by an All-East team and the Cambridge Blues of England comprise the sports section. The woman's section finds a class of expectant fathers learning child care occupying the lead position. An Easter fashion show at Pasadena completes the reel. Interest is fairly well maintained throughout despite the absence of an outstanding subject. Running time, 9 minutes. K.

Paramount News

No. 72

(Paramount)

This reel contains about the same degree of general and diversified news interest that the morning newspaper might have on a day when there is little of a stirring or exciting nature. Some of it is amusing, some interesting, but none of it is especially striking.

The reel opens with a diving exhibition in Pasadena, presumably indicative of the approach of spring, if any. Harry Hopkins, Relief Administrator, tells a Senate committee that the relief program should be expanded and Chief Justice Charles E. Hughes looks hale and hearty on his 76th birthday. Czechoslovakian children gleefully partake in machine gun and rifle drill. An interesting clip shows the early gathering of Maine maple sap, and the making of the syrup.

There is an odd interest in pictures of the dust and snow storms which swept over parts of Texas, while the rest of the reel pictures college boys' corner on pennies to publicize "hidden taxes," and stunt flying by Hollywood pilots in reconstructed war planes. Running time, 9 mins. A.

RKO Pathe News

Vol. 9, No. 76

(RKO)

This issue is composed wholly of routine material — unusual spring weather, a bit of politics, scenes of a Government resettlement project and a rugby match. It is interesting, but lacks live news to give it distinction.

Chicago suffers from a blizzard. Helen Wills Moody is seen preparing for a comeback. Harry Hopkins, W.P.A. chief, testifies before a Senate committee. He urges elimination of direct relief and stresses the necessity of employment. Boy Scouts in New Rochelle search for the missing Peter Levine. Farmers are seen at Lake Dick, Ark., on a Government rural resettlement community. New spring fashions are modelled at Pasadena. The refugee question is taken care of with scenes of immigrants on Ellis Island. The comment is good here. The reel closes with shots of a rugby match between Cambridge University and an American team. The English won, 39-0. Running time, 9 mins. P.

Universal Newsreel

Vol. 10, No. 657

(Universal)

Thirteen subjects furnish variety to this release but live news seems to have been lacking, except for the snowstorm scenes at Chicago and Elk City, Okla., and flood shots from Montgomery, Ala.

Easter fashions at Pasadena are shown with an attempt at novel camera angles, an outdoor sculpture show presented men at work with chisels and sandpaper, students corner pennies at Troy, Mussolini gives medals to war heroes, Russians dressed in white shoot cannons on a snowy background, and bands are put on the legs of wild ducks—all of which is only mildly interesting.

Some suspense is involved in a scene where English war trucks cross streams in midair on steel cables. Representative O'Connor speaks from the Capitol steps on the reorganization bill and seems to forget that he doesn't have to shout into a microphone. An element of humor, although it is done seriously, is presented by a class for fathers getting advance training on dolls. Running time, 9 mins. J.

Vidor to Sail April 20

Hollywood, April 12.—King Vidor, M-G-M director, will leave for New York on Friday. He will sail for London April 20 on the *Manhattan* to plan the filming in Britain of A. J. Cronin's novel, "The Citadel."

Irving Trust Asking RKO Claim Approv

The Irving Trust Co. as trustee RKO yesterday filed a petition aski that the claim of the Hippodro Building Corp. for $450,000 agai RKO be allowed in that amount. T claim is based on a lease guarante by RKO and entered into on July 1930, for the Cleveland Hippodro for 17 years at $150,000 yearly. T lease was defaulted in March, 1

Special Master Thomas Tha allowed the claim at $88,666, but t Circuit Court of Appeals overrul him and allowed the claim at $450,00 which is equivalent to three year rental. The Supreme Court recent denied a writ of certiorari to revie the Circuit Court's decision and t Irving Trust petition is a result that denial.

Fox Subpoenas Extended

Federal Judge Alfred C. Coxe ye terday ordered all proceedings inst tuted by the Capital Co. against Wi liam Fox, including all orders, su poenas and injunctions, to be extende for a period of two years. Attorne for Capital Co. gave as the reaso for the extension in their petition th Fox still owes over $200,000 on judgment of $297,412 which Capit has against Fox.

Shipman Appeal Up May 10

Federal Judge Alfred C. Coxe s May 10 as the date for a hearing i the U. S. Circuit Court of Appeals the suit of Samuel Shipman and Cla Lipman against RKO Radio Picture RKO Distributing Corp. and RK Studios, Inc., which was dismissed i the Federal Court Feb. 8, 1938.

The plaintiffs in their complaint as for $1,000,000 damages, claiming th "I Dream Too Much" was plagiarize from their play, "Depends on th Woman."

Reelect Erpi Officers

All officers of Erpi were reelecte yesterday at the annual meeting of th company's board of directors. Officer are, Whitford Drake, president; H. G Knox, D. C. Collins and G. C. Pratt, vice-presidents; Fred Foster, Jr, treasurer, and H. B. Gilmore, secretary.

Wall Street

Board Moves in Fractions

	Open	High	Low	Close	Net Change
Col.	10¾	10¾	10¼	10½	—1
Cons. pfd	6	6	6	6	.....
E. K.	143½	143½	141½	143¼	+ ¾
G. T. E.	11	11	11	11	— ⅛
Loew	40⅛	40⅛	38¾	40	.....
Para.	7⅞	7⅞	7⅜	7½	— ¼
Para. 2	8½	8½	8½	8½	— ⅛
Pathe	4¾	4¾	4¾	4¾	+ ¼
RKO	3⅛	3⅛	3	3	+ ⅛
20th Fox	20½	20½	20	20	— ½
W. B.	5⅛	5⅛	5	5⅛	.....

Curb in Light Decline

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	⅜	⅜	.....
Tech.	17½	17½	16⅝	17⅛	— ⅜
Trans-Lux	2½	2½	2⅜	2⅜	— ⅛

Paramount Bonds Have Light Rise

	High	Low	Close	Net Change
Para. Pict. 6s '55	84	84	84	+ ½
W. B. 6s '39	67¼	67¼	67¼	— ¼

(Quotations at close of April 12)

MOTION PICTURE
DAILY

Merrily" on Dual $7,100; Seattle Lead

SEATTLE, April 12.—"Merrily We " on a dual with "Romance in ark," turned in the best gross of ull week here by getting $7,100, by $1,100, at the Orpheum. The was held.

Bluebeard's Eighth Wife" and angerous to Know" held up to 650 in the second week at the Paraunt and were moved to the Blue use. "Snow White and the Seven arfs" grossed $7,600 in the fourth ek at the Fifth Avenue. This was 0 to the good.

Total first run business was $37,400. erage is $36,500.

Estimated takings for the week ing April 8:

LLY, IRENE & MARY" (20th-Fox)
INTERNATIONAL SETTLEMENT"
(20th-Fox)
LUE MOUSE—(950), 30c-40c-55c, 7 days, week, extended run from Orpheum. ss: $3,400. (Average, $4,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
IFTH AVENUE—(2,500), 30c-40c-55c, 7 s. 4th week. **Gross:** $7,600. (Average, 0)

"I MET MY LOVE AGAIN" (U.A.)
"TRAPPED BY G-MEN" (Col.)
IBERTY—(1,800), 30c-40c-55c, 7 days. ss: $5,200. (Average, $5,000)

"MAD ABOUT MUSIC" (Univ.)
"WALKING DOWN BROADWAY"
(20th-Fox)
USIC BOX—(950), 30c-40c-55c, 7 days, week, extended run from Paramount. ss: $3,550. (Average, $4,000)

"MERRILY WE LIVE" (M-G-M)
ROMANCE IN THE DARK" (Para.)
RPHEUM — (2,450), 30c-40c, 7 days. ss: $7,100. (Average, $6,000)

"PRISON NURSE" (Republic)
SHE'S GOT EVERYTHING" (RKO)
ALOMAR—(1,500), 15c-25c-35c, 7 days. deville headed by Borne & Lawrence. ss: $3,900. (Average, $4,500)

"BLUEBEARD'S EIGHTH WIFE"
(Para.)
'DANGEROUS TO KNOW" (Para.)
ARAMOUNT—(3,050), 30c-40c, 7 days, week. **Gross:** $6,650. (Average, $6,000)

. M. Franklin Returns

TORONTO, April 12.—Joseph M. anklin, well known Canadian thee man, has returned from England ere he underwent treatment for a g-standing ailment. After manag- the Capitol in Ottawa, Franklin ame Canadian representative of O theatres and is now the owner a group of seven houses in Eastern nada.

ave Visual Film Library

ORVALLS, Ore., April 12. — The artment of visual education of the egon educational system has a total 612 motion picture films and 793 ss and film slide sets, according to S. Burt, head of the department. e collection is said to provide the y educational film library in the thwest.

College Finishes Film

OLUMBIA, S. C., April 12. — A nt film of life on the campus of University of South Carolina has n completed by Charles E. Hew- of Hollywood.

The film will be distributed by the versity's extension department to mni groups, high schools and bs.

Key Takes Continue Lenten Drop to Low of $1,347,244

Estimated takings for the latest available periods:

	Week Ending April 1-2		Week Ending April 8-9	
	No. Theatres	Gross	No. Theatres	Gross
Boston	7	$93,500	7	$82,000
Buffalo	5	50,900	5	43,800
Chicago	8	109,700	8	123,600
Cincinnati	8	55,400	8	55,350
Cleveland	5	48,750	5	47,600
Denver	7	41,500	7	41,800
Detroit	6	80,050	6	69,800
Indianapolis	5	31,200	5	30,800
Kansas City	5	52,100	5	33,500
Los Angeles	11	112,420	10	90,344
Milwaukee	5	39,800	5	29,500
Minneapolis	5	28,075	5	36,850
Montreal	5	33,500	5	30,500
New Haven	4	25,100	4	23,300
New York	9	240,750	8	219,200
Oklahoma City	5	14,450	5	16,050
Omaha	3	26,800	3	23,100
Philadelphia	10	83,250	10	99,800
Pittsburgh	5	50,800	5	43,450
San Francisco	9	80,700	9	71,300
St. Paul	4	11,500	5	19,800
Seattle	7	39,100	7	37,400
Washington	6	66,400	6	78,400
	144	$1,416,745	143	$1,347,244

Key city grosses up to the week ending April 8-9:

Week Ending	No. Theatres	Gross
Sept. 3- 4, 1937	142	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Oct. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682
Nov. 5- 6	147	1,510,291
Nov. 12-13	151	1,519,420
Nov. 19-20	152	1,544,974
Nov. 26-27	138	1,419,301
Dec. 3- 4	136	1,612,773
Dec. 10-11	137	1,300,818
Dec. 17-18	137	1,193,642
Dec. 24-25	136	1,076,657
Dec. 31-Jan. 1, 1938	136	1,597,409
Jan. 7- 8	150	1,852,759
Jan. 14-15	145	1,482,955
Jan. 21-22	149	1,535,087
Jan. 28-29	147	1,528,720
Feb. 4- 5	147	1,593,065
Feb. 11-12	149	1,519,866
Feb. 18-19	149	1,520,357
Feb. 25-26	145	1,582,285
Mar. 4- 5	144	1,521,797
Mar. 11-12	144	1,485,345
Mar. 18-19	145	1,443,398
Mar. 25-26	144	1,418,494
April 1- 2	144	1,416,745
April 8- 9	143	1,347,244

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Get WB Jersey Prizes

Joseph Bernhard, general manager of Warner theatres, yesterday presented prize wrist watches to the service contest winners in the Newark zone. The recipients were: Jack Maher, Oritani, Hackensack; Nat Mutnick, Union, Union; Louis Stein, Millburn, Millburn; and S. S. Solomon, Sanford, Irvington.

Title Hopalong Film

HOLLYWOOD, April 12.—"Beneath Western Skies" has been chosen as the title for the first of the new Hopalong Cassidy series which Harry Sherman will produce for Paramount.

Dinner to Honor Bishop

CHARLOTTE, April 12.—A farewell testimonial dinner will be tendered B. Bishop, Jr., manager of the M-G-M exchange here, Thursday. Bishop, manager of the office here for 10 years, has been transferred to Pittsburgh.

Heywood Workers Back

BOSTON, April 12.—Two hundred employes of Heywood-Wakefield Co. are back at work. They had been laid off because of the business recession. An influx of seat orders returned them to their jobs at the Gardner plant.

"Music" with Show Up, But Boston Slumps

BOSTON, April 12.—In an unimpressive week, "Mad About Music" and a stage show featuring Jane Pickens at the RKO Memorial was the only bill that caught a holdover. This show played to $23,000 as against a $22,000 average.

"Adventures of Tom Sawyer" and "Start Cheering" took $1,500 over par at Loew's Orpheum and fell under by $1,000 at the State. The Orpheum gross was $13,500, while the State figure was $10,000.

Total first run business was $82,000. Average is $97,500.

Estimated takings for the week ending April 9:

"OVER THE WALL" (W. B.)
"ARSENE LUPIN RETURNS" (M-G-M)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $3,000. (Average, $4,500)

"ADVENTURES OF TOM SAWYER"
(U. A.)
"START CHEERING" (Col.)
LOEW'S ORPHEUM—(2,970), 25c-35c-40c-55c, 7 days. **Gross:** $13,500. (Average, $12,000)

"ADVENTURES OF TOM SAWYER"
(U. A.)
"START CHEERING" (Col.)
LOEW'S STATE—(3,537), 25c-30c-40c-55c, 7 days. **Gross:** $10,000. (Average, $11,000)

"JEZEBEL" (W. B.)
"LOVE ON A BUDGET" (20th-Fox)
METROPOLITAN—(4,332), 25c-35c-55c, 7 days. **Gross:** $16,000. (Average, $22,000)

"OVER THE WALL" (W. B.)
"ARSENE LUPIN RETURNS" (M-G-M)
PARAMOUNT—(1,793), 30c-40c-55c, 7 days. **Gross:** $4,500. (Average, $8,000)

"WALKING DOWN BROADWAY"
(20th-Fox)
RKO BOSTON—(3,246), 35c-40c-55c, 7 days. Stage show. **Gross:** $12,000. (Average, $20,000)

"MAD ABOUT MUSIC" (Univ.)
RKO MEMORIAL—(2,907), 35c-50c-65c, 7 days. Stage: Jane Pickens. **Gross:** $23,000. (Average, $22,000)

CEA Council to Get Grading Study Today

(*Continued from page* 1)

action against the Kinematograph Renters' Society (distributors).

The report will insist that the actual motive behind the distributor attempt to grade films is an effort to bring about an increase in rentals, and will declare that the issue is the most important ever to confront exhibitors. The committee is expected to agree to continue discussions with the K.R.S. on the situation, but will declare firmly that any move which would tend to increase the rental on films will be actively opposed.

Griffiths Reelected

LONDON, April 12.—D. E. Griffiths was reelected president of the Kinematograph Renters' Society at the distributor organization's annual meeting today.

Efforts to Prevent London Strike Fail

(*Continued from page* 1)

board, is unaffected by the strike move.

An electricians' strike is likewise threatened in Manchester on Easter Monday. A total of 400 electricians are involved in the situation there. Disputes concerning the same trade are understood to be cropping up in other parts of the country as well.

Radio Personals

WALTER HUSTON will be the guest producer of the Lux "Radio Theatre," April 18, pinch hitting for Cecil B. DeMille, who has been ill . . . Morton Downey, who headed the first Camel series of programs some years ago, will make a guest appearance on the Cantor Camel "Caravan" Monday . . . Glenda Farrell, vacationing here, will be interviewed by Radie Harris over Mutual tomorrow night.

✚

Roberta Rountree has replaced Marion Brogan in the Mutual program department. . . . Lee Myles and orchestra, formerly featured at the Casino de Paree, will open at the Cocoanut Grove in the Park Central Hotel May 2, with either a Mutual or NBC wire. . . . Herschell Hart, radio editor of the *Detroit News,* is in town. . . . Georgie Jessel's stage dates are Washington, April 27; Philadelphia, May 6; Baltimore, May 13, and Loew's State in New York May 26, with pickups for his Mutual broadcast emanating from each of those cities each Sunday.

Crowell to Sponsor Program on WNEW

The Crowell Publishing Co. will assume participation sponsorship in WNEW's "Make Believe Ballroom" program, three quarter-hour periods a week for 13 weeks, beginning Friday. The Biow Co. handled the contract.

Another new WNEW contract is for Leroy, seven quarter hours per week for an indefinite period. The contract was placed direct.

Shift "Good Will Hour"

"The Good Will Hour," now heard over Mutual stations WGN, WOR and WLW each Sunday at 10 P. M., will go coast-to-coast on the same network starting April 24. Stations to be added are WAAB, Boston; WLLH, Lowell, Mass.; WRR, Dallas; KTAT, Fort Worth; WGR, Buffalo, and 25 of the Don Lee stations in California and the Northwest. Ruthrauff & Ryan is the agency, Tastyeast Co. sponsors.

Service Deal Closed

Altec Service Corp. has closed negotiations for the servicing of transcription and other electronic devices for more than 170 radio stations, most of them members of the World Broadcasting System, the company stated yesterday.

To Talk on Facsimile

W. G. H. Finch, president of Finch Telecommunications Laboratory, will deliver a talk on facsimile in the home before members of the Radio Club of America at Columbia University tomorrow night.

Miss Gates to Lennen

Virginia Gates, formerly publicity director and advertising manager for Saks Fifth Avenue, has joined Lennen & Mitchell to handle publicity and promotion for their accounts.

Air Probe Aim To Hoodwink, Says Connery

WASHINGTON, April 12.—Charging that the monopoly investigation by the Federal Communications Commission was a deliberate attempt to hoodwink Congress and whitewash the commission, Representative Lawrence J. Connery (Dem., Mass.) in the most bitter attack yet directed at the F.C.C., urged that the House immediately make an investigation of its own into conditions in the radio industry.

"Congress has had presented to it ample evidence of the deplorable conditions prevailing in the Federal Communications Commission, in the *Congressional Record* today," Connery said, charging it has done nothing to break up the monopoly held by a "privileged few, residing in New York City," and has refused to bar from the radio indecent and undesirable programs.

Criticises McNinch

The Congressman charged that Chairman Frank R. McNinch attempted to sidetrack Commissioner T. A. M. Craven's demand for an investigation "in favor of an investigation by a few department employes," and when unsuccessful, suceeded in having the probe conducted by a committee to be appointed by him.

"The honesty and purpose of this investigation, voted by the commission, can well be judged by considering the background and the interest of those members of the commission whom Chairman McNinch appointed to conduct this investigation," he declared.

"We find that Chairman McNinch has appointed as a committee to investigate radio monopoly and chain broadcasting the two members of the commission who, more than all other members combined, made radio monopoly a reality. He turned over control of this so-called investigation to the only two members of the commission whom President Roosevelt inherited from the administrations of Coolidge and Hoover, namely Commissioners Sykes and Brown.

Plan New WEAF Series

J. B. Williams Co. will present Bob Howard, piano and song stylist, in a new series over WEAF starting April 21. He will broadcast Thursdays from 11 to 11:15 P. M. The agency is the J. Walter Thompson Co.

WOR Only Local Unit To Broadcast Games

For the second successive season, WOR will be the only station in the New York area to broadcast major league baseball games on a sponsored basis.

Games to be broadcast include three exhibition games between the Yankees and Dodgers at Ebbets Field, April 15, 16 and 17, and the opening game of the National League season on April 22 between the Giants and the Dodgers. General Mills will sponsor descriptions of the above games, through a contract negotiated yesterday by Blackett-Sample-Hummert. Last year's sponsor was the Crawford Clothes Co. Commentators and announcers for the games have not been selected as yet.

New Sports Program Will Start April 25

A new daily sports commentary to be offered under dual sponsorship will begin on WABC April 25. The series, titled "Highlights in the World of Sport" will feature Ed Thorgersen, of Movietone News, in the spokesman's role. The time is 6:05 to 6:15 P.M.

The program, on Mondays, Wednesdays and Fridays, will be sponsored by the Sinclair Refining Co., through the Federal Advertising Agency. The additional sponsor for the Tuesday, Thursday and Saturday periods has not been signed as yet.

Radio Sales, Inc., conceived and presented the program idea.

NBC Schedules Four World Fair Programs

Four broadcasts in connection with the New York World's Fair will be heard over NBC beginning April 14, when Grover Whalen will talk.

Whalen's address will be broadcast over the Red network at 6:35 P.M. George Hicks will be heard April 21 at 3:30 P.M. on the Blue; on April 29 a description of the Ball of Tomorrow will be aired at 10:30 P.M. on the Blue, and the following day at 11 A.M., WJZ will describe the World's Fair parade.

Don Gilman in Hospital

HOLLYWOOD, April 12.—Don Gilman, NBC vice-president in charge of the western division, last night was taken to Cedars of Lebanon Hospital for observation. He had just arrived from Phoenix. His condition is reported as not serious.

New Shows on the Air

Lucky Strike Program

The new Lucky Strike series on Mutual got off to a faltering start Monday evening with an unhappy script which featured Buddy Clark, the singer, in the principal speaking role. Buddy did get an opportunity to vocalize some place midway in the presentation, but by that time it didn't matter.

The action took place in a boarding house in New York, with Buddy, in the big city to make good as a singer, applying for a room. Following some killing patter among Buddy, the landlady, and a cockney maid, Buddy obliged the opera-loving housekeeper with the "Toreador Song" from "Carmen." The moment they were out of earshot, however, he began to swing with "Mama, I Want to Make Rhythm."

The American Tobacco Co. sponsors over Mutual, Mondays, Wednesdays and Fridays from 6:45 to 7 P. M.

BANNER

Daylight Time Spreads Into New Sections

(Continued from page 1)

Eastern Standard Time in 1927 by the Interstate Commerce Commission [illegible] to demands by many cities and towns for daylight time. A few places near the Indiana State line follow Central Standard Time. Idaho follows Central Standard Time the year 'round. Atlanta and Albany, Ga., adopt the change. Illinois shows an increase, 98 compared with 93 last year. The Michigan total is the same. The annual time change is unofficially observed in places of business only in Minneapolis. Three more Canadian communities have joined the movement this year, bringing the total up to 75. This year Labrador and Newfoundland clocks will be set ahead from May 8 to Oct. 1.

Denver May Vote on DST

DENVER, April 12.—Citizens may vote in 1939 on the daylight saving time proposition. After receiving a petition with about 6,500 signatures, the City Council decided to keep clear of the issue by referring it to the voters. Theatres are opposing the move, while radio stations want the change.

Rosener to New York

SAN FRANCISCO, April 12.—Herbert Rosener, distributor and exhibitor of foreign films in four coast theatres, has gone to New York to seek additional product.

Sarnoff Cites Radio 'War' of Propaganda

(Continued from page 1)

pany officials discussed radio's current problems and advancement and later viewed a demonstration of television and facsimile transmission. The council, organized during the first years of NBC, is composed of outstanding citizens who are consulted by the company on matters of policy.

The meeting endorsed the company's policy of permitting the discussion of controversial subjects on the air only during sustaining program periods where the company affords opportunities for discussion by speakers on different sides of the question. Approval was given also of the policy whereby a commercial sponsor who presents a controversial subject on his program is required to provide a similar opportunity to the opposition for reply during his sponsored time.

Lenox R. Lohr, NBC president, explained the technical, program and other problems involved in the application of radio's latest developments in the fields of facsimile and television, which were demonstrated during the meeting.

Issues Theatre Paper

DENVER, April 12.—The Rocky Mountain Theatre News, to be published twice a month by Ben B. Perlman, has made its appearance here. It is the successor of the former papers published occasionally by the Screen Club and the theatre managers' association.

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 43. NO. 86 NEW YORK, THURSDAY, APRIL 14, 1938 TEN CENTS

ight Planned Against FTC Title Ruling

rand National Promised Majors' Cooperation

The major companies, through the ys office, have offered their "comte cooperation" to Grand National defending the charge of the Fedl Trade Commission that G. N. srepresented in the use of the title His Steps" for one of its films, cording to Ann Rosenthal, attorney the company.

Miss Rosenthal said that legal dertments of the large companies are erested because the citation, if pertted to stand, is "dangerous." The nmission based its complaint on the t that Dr. Charles M. Sheldon's vel of the same name is a religious ry whereas the film is a love story. e G. N. attorney interprets the arge to mean that when a film is

(*Continued on page* 4)

xpect Defeat for Jersey Censor Bill

Trenton, April 13.—Little chance passage of the film censorship bill ently introduced in the House here Assemblyman John M. Kerner of ion County is seen by officials of ied of New Jersey, who are keep a close watch on legislative deopments.

Originally referred to the Ways l Means Committee, of which Asblyman Kerner is chairman, the asure later was ordered tabled and ned over to the Miscellaneous siness Committee, an action which

(*Continued on page* 4)

oldwyn, Pickford Will Sail April 25

Samuel Goldwyn and Mary Pickd are scheduled to sail from Engd next Wednesday on the *Queen ry* and arrive here on April 25, ording to word reaching their New rk representatives yesterday. Ed ftery, attorney for Miss Pickford, expected to return on the same p, and it is presumed that David se, vice-president of Samuel Goldn, Inc., will be in the party. They nt over recently for conferences h Alexander Korda and Emanuel verstone on company matters.

Radio News—P. 4

Propaganda

For ways that are dark and tricks that are devious there's no beating the heathen Chinee, according to the old saying. But H. B. Allinsmith, who has returned from Tokyo where he was manager for Western Electric, says the Japanese can teach the Chinese a few tricks. Shortly before he left the Orient, he bought a few trinkets in a native shop. Upon his arrival in New York he found a booklet sent him by the shop owner defending Japan's course in China.

Para. Sales Heads Will Depart Today

Paramount home office sales officials will leave for Washington at noon today to attend the company's annual sales conference to be held there tomorrow and Saturday.

About four home office officials will accompany Neil F. Agnew, vice-president in charge of distribution, who arrived in New York from the coast by plane last night with last minute data on the company's new season product and plans. J. J. Unger, eastern and southern division manager, and Charles Reagan, western division manager, and their home office assistants will be in the party.

Converging on Washington for the meeting from other sales centers are Paramount's 11 district managers. Robert Gillham, advertising and publicity director; C. N. Odell and Alec Moss, assistants to Gillham, left for

(*Continued on page* 4)

Welfare Group Denies "Birth" Is Commercial

Regents Brief Gives All Details of Objectives

In an answer to the Motion Picture Daily's Tuesday morning story of the history of the film "The Birth of a Baby," Special Pictures, Inc., which is handling the distribution of the picture, issued the following statement:

"The American Committee on Maternal Welfare today issued a denial of statements published in the Motion Picture Daily that "The Birth of a Baby" is commercially sponsored by a manufacturer of baby foods or that it has any advertising tieups of any nature whatsoever.

"It is presented solely by the American Committee on Maternal Welfare, Inc., to whom funds were donated by the manufacturer. The committee further points out that in the film the dialogue of the doctor specifically

(*Continued on page* 2)

"Polo" Does $92,000 In Music Hall Week

The Music Hall grossed $92,000 with "The Adventures of Marco Polo," which finished a first week last night. The stage show included the "Glory of Easter" pageant, presented for the fifth year.

"Bluebeard's Eighth Wife" with Guy Lombardo and his band on the

(*Continued on page* 2)

Bronx Showmen Hail Foley Action in Stopping Bingo

Exhibitors in the Bronx yesterday hailed the statement by District Attorney Samuel J. Foley that he had suppressed Bingo in his borough and that he "would see to it that it stays suppressed."

Chance games in theatres are not affected, the district attorney's office said yesterday, and so long as exhibitors do not violate the gambling laws they can operate the games as much as they like. However, it was said that Inspector Reynolds of the Police Department is "watching the situation" as it affects theatres.

Foley made his statement following the conviction of the president and two members of the North Side Republican Club for running a Bingo game. "We are ready to prosecute any organization that tries to start again," he said.

The I.T.O.A. some time ago launched a survey of the metropolitan area to compile information for law enforcement officials on places running Bingo. John Manheimer, executive secretary, yesterday said that the checkup is still in progress. The organization contends that the games are "unfair competition" to theatres and that they have cut in heavily on night attendance. Under a ruling of the state courts, theatres are in the clear so long as they make no charge for participating in the chance games.

New RKO Plan Would Create 2 Companies

Film and Theatre Units Would Be Divided

A separation of RKO's picture and theatre operations into individual corporate entities as a means of facilitating the reorganization of the company was reported yesterday to be the plan of reorganization factors now being studied by the company's principal creditor groups.

Spokesmen for Atlas Corp., proponent of the plan, withheld comment on the report, as did the representatives of the leading committees for secured and general creditors.

As reported in usually reliable quarters, the plan now under study contemplates the division of picture and theatre operations into separate corporate entities, with a corresponding division of the unsecured claims against the company. For the past four years RKO's theatre operations have been markedly more profitable than those of the picture company. Although lacking official comment or explanation, a reorganization plan on this basis could be devised which

(*Continued on page* 2)

Laboratory Union Deal Is Scheduled

Negotiations for new one-year contracts with 15 film laboratories in the east will be started shortly by the Motion Picture Laboratory Technicians Union, No. 702, affiliated with the I.A.T.S.E., it was said yesterday by J. H. Rugge, president.

The union will ask for wage increases over the scales provided in the contracts which expired yesterday. Individual agreements will be made with each laboratory, and the increases demanded will vary with

(*Continued on page* 4)

Maurice Woolf Due Here for "U" Talks

Maurice Woolf, a director of General Film Distributors of London and fiscal liaison between that company and Universal, in which the British company has a large investment, is accompanying Joseph Seidelman, Universal foreign manager, to America for a visit of indefinite duration. Woolf, a brother of C. M. Woolf, and Seidelman sailed from England

(*Continued on page* 2)

Welfare Group Denies "Birth" Is Commercial

(*Continued from page* 1)

recommends only the natural maternal milk as the best food for the infant. In fact, the donor's name was omitted from all credits to avoid any implication of benefit to him.

The committee further states that the picture was designed for public exhibition, that the donor exercised no control over the picture, but that it contributed valuable advice.

In the brief filed on appeal to the Board of Regents of the State of New York by Millard H. Ellison, attorney for the American Committee on Maternal Welfare, Inc., there appear two significant paragraphs:

The first, titled "Financial Sponsorship," states:

"Mead Johnson & Co. of Evansville, Ind., manufacturers of infant diet materials, defrayed the entire cost of the picture. The picture makes no reference to this company, or to its products. The company will not receive any financial return from the showing of the picture. The company hopes that in partial return for this contribution to the cause of maternal welfare it will continue to merit the high esteem and good will of the medical profession."

Public Exhibition Suggested

The second excerpt from the brief, entitled "Exhibition of Picture," says that the picture can only attain its objectives if shown to the public. It then lists seven methods by which they may be accomplished. The first five are to restricted groups: medical groups, public health organizations, hospitals, mothers' clubs, parent-teachers' associations, religious organizations, college, high school or grade schools. The sixth method suggests: "in motion picture houses by arrangements which will not interfere with the usual feature presentation;" and the seventh, "by motion picture theatres as a regular part of the program."

Maurice Woolf Due Here for "U" Talks

(*Continued from page* 1)

yesterday on the *Aquitania* and are due in New York next Tuesday.

It is believed that Woolf will confer with J. Cheever Cowdin, Universal board chairman, on financial matters here and will also make a general study of American operating methods. Seidelman may leave for the coast late next week with William A. Scully, Universal general sales manager, to participate in conferences on new season production plans now under way between Nate J. Blumberg and Charles R. Rogers. It is not known here whether Woolf will visit the studio.

ATTENTION DOMESTIC AND FOREIGN EXECUTIVES

Young film man, 10 years' experience as office and publicity manager for major company in Spain. Speaks several languages fluently. Will accept position in United States or abroad. References. Box 802, MOTION PICTURE DAILY.

New RKO Plan Would Create 2 Companies

(*Continued from page* 1)

would lighten the outstanding obligations of RKO to its creditors and carry a consequently less burdensome total of fixed charges following reorganization.

Current indications are that the new plan has not progressed beyond the idea stage at this time and the determination of its feasibility is said to be dependent upon the results of a general study of the company's current financial position as reflected in the consolidated statement which is expected from the auditors at the end of the week. This statement is expected to show, among other things, a net profit of approximately $1,900,000 from consolidated operations for 1937, as reported in MOTION PICTURE DAILY on Feb. 4. This is approximately $700,000 less than in 1936.

Directors of K-A-O Renamed at Meeting

Members of the board of directors of Keith-Albee-Orpheum Corp. were reelected yesterday at the annual meeting of stockholders. Because dividends on the preferred stock of the company are still three years in arrears, preferred stockholders again this year were entitled to elect a majority of the board.

Directors representing the preferred stock, a majority of which is controlled by the M. J. Meehan interests, are Donald K. David, Monroe Goldwater, Malcolm Kingsberg and Peter J. Maloney. Other directors who were reeelected were Leo Spitz, K-A-O president, representing RKO; Lunsford P. Yandell, representing RCA, and Richard Jones, representing Atlas Corp.

The meeting approved a reduction of the company's authorized common stock from 2,000,000 shares to 1,400,000 shares.

"Polo" Does $92,000 In Music Hall Week

(*Continued from page* 1)

stage, garnered $27,500 in the third week, against $43,000 for the second stanza and $56,000 for the first. "Her Jungle Love" opened strong at the Paramount yesterday, $3,300 being the reported take by 5 P. M.

The Rialto did $6,000 with a revival of "Dracula."

To Meet on Film Music

HOLLYWOOD, April 13.—Having received from the American Federation of Musicians a demand that the producers discontinue the reusing of music from their libraries, Pat Casey, producer labor contact, next week will meet with studio managers to schedule conferences with J. W. Gillette, officer of the A.F.M.

Reveal Vidor Marriage

HOLLYWOOD, April 13.—King Vidor, who will direct "The Citadel" in England for M-G-M, was married in Mexico last July to Betty Hill, script girl, it was revealed here today.

CEA Plans Active Fight on Grading

By AUBREY FLANAGAN

LONDON, April 13.—The general council of the Cinematograph Exhibitors' Association today was empowered to take immediate and decisive action in combatting the plan of the Kinematograph Renters' Society (distributors) to grade features. A long debate followed the presentation of the exhibitors' committee which has been studying the problem.

Following the meeting a national propaganda campaign was determined upon, which will include the circularization of every exhibitor as well as provincial mass meetings, five of which already have been arranged. The C.E.A. will challenge the distributors by announcing their own grading on "A" films, advising exhibitors which films should not be booked on percentage. National circuits are expected to support the C.E.A. in the fight, which the exhibitors see as merely a maneuver to increase film rentals.

Film Leaders to Aid Charity Show May 11

Plans for a rally and community party at Madison Square Garden, May 11, to open the Greater New York Fund's campaign to raise $10,000,000 to supplement the finances of private health and welfare agencies were described yesterday by Winthrop Rockefeller, executive vice-chairman of the campaign committee, at a meeting in the RCA Lounge.

Hollywood and New York film industry leaders will play a large part in the drive and Hollywood talent will contribute to the entertainment program to mark the opening of the campaign. Rockefeller and William Gaxton, stage star, returned this week from the coast where they conferred on plans for the drive with Joseph M. Schenck, Darryl Zanuck, Louis B. Mayer, David Selznick, Adolph Zukor, Leo Spitz, Jack Warner and Hal Roach. Schenck is acting as chairman in Hollywood for the May 11 program here. A still incomplete list of studio personalities who have volunteered to contribute their services to the Garden program includes Joe E. Brown, Bobby Breen, Leo Carillo, Eddie Cantor, The Marx Brothers, Ethel Merman, James Cagney, Victor Moore, Edward G. Robinson, The Ritz Brothers, Bill Robinson, Hugh Herbert and Dick Powell.

Reilly Gets Theatre Post

James F. Reilly, who has handled labor negotiations for the League of New York Theatres, the producing managers' organization, for the past six months, yesterday was appointed executive secretary of the organization at a meeting of the board of governors. Reilly succeeds the late Dr. Henry Moskowitz, the post having remained vacant since the death of the latter a year ago.

Columbia Votes Dividend

A quarterly dividend of 68¾ cents a share on the $2.75 convertible preferred stock of Columbia Pictures was declared by the company's board yesterday, payable May 16 to holders of record May 2.

◀ *Purely Personal* ▶

SAM E. MORRIS, in charge of Warners' foreign activities, and WALLACE and MRS. BEERY, who were in Europe for a vacation, will arrive on the *Ile de France* tonight.

•

EDGAR AUSTEY, London manag[illegible] of March of Time; MICHAEL HARRIS of the Max Factor Co. and KENT and MRS. TAYLOR will sail today for England on the *Britannic*.

•

JOHN D. CLARK, general distribution manager of 20th Century-Fox, is reported as "about the same" at the Columbia Medical Center. He is in for observation.

•

JAIME SALVADOR, vice-president of LeBaron Productions, left yesterday for Hollywood to start two more Spanish features.

•

ABE MONTAGUE, Columbia general sales manager, will arrive from Bermuda on Saturday after a four-week vacation there.

•

BARNEY BALABAN, Paramount president, will leave for Chicago today and spend the weekend there.

•

LILY PONS has been named an officer of the French Legion of Honor.

•

GARY COOPER has returned to the coast to start work in "Graustark."

•

C. C. MOSKOWITZ is due this weekend from Hollywood Beach, Fla.

•

EVE GREENE, Paramount writer, left yesterday for the coast.

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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READY!

The Adventures of

Robin Hood

with

ERROL FLYNN

OLIVIA DeHAVILLAND • BASIL RATHBONE • CLAUDE RAINS

PATRIC KNOWLES • EUGENE PALLETTE • ALAN HALE • MELVILLE COOPER • IAN HUNTER

UNA O'CONNOR • Directed by MICHAEL CURTIZ and WILLIAM KEIGHLEY

Original Screen Play by Norman Reilly Raine and Seton I. Miller • Based upon Ancient Robin Hood Legends • Music by Erich Wolfgang Korngold • A First National Picture

WARNER BROS. Made It With 1182 Players And TECHNICOLOR

First Showing At RADIO CITY MUSIC HALL Early In May!

MOTION PICTURE
DAILY
Thursday, April 14, 193

FCC Refuses Opposition to Congress Quiz

By BERTRAM F. LINZ

WASHINGTON, April 13.—By a vote of five to two, the Federal Communications Commission today refused to adopt the Payne-Craven resolution submitted last week, explaining that the commission investigation of monopoly is not an attempt to forestall a Congressional inquiry and putting the commission on record as not opposed to a Congressional probe.

The only members voting for adoption were the sponsors of the resolution, Commissioners George H. Payne and T. A. M. Green.

Following the session at which the resolution was discussed, Commissioner Walker, with the concurrence of Chairman Frank R. McNinch and Commissioners Sykes, Brown and Case, issued a statement of explanation of the majority's action.

"Whether an investigation of a Governmental agency created by Congress should be made is wholly a matter for the judgment of the Congress itself," Walker said. "This commission should neither advocate nor oppose such investigation.

"If at any time Congress should see fit to enter upon an investigation in which this commission may be concerned or by which it may be affected, this commission should expect to offer every facility at its command in assisting in the active prosecution of such an investigation and in making immediately available all the facts pertaining thereto."

Gilliam to End Stay With Canadian Web

MONTREAL, April 13.—Laurence Gilliam, BBC producer on loan to Canadian Broadcasting Corp., will make his last Canadian assignment a dramatization of the romance and history of the St. Lawrence. The show will be aired over CBC's national network Sunday at 1:15 P. M., E. S. T., and the British corporation will pick it up and relay it over three transmissions.

Shortly after this job is through Gilliam will return to England, ending a six-month stay with the Canadian outfit. In return CBC will shortly send a Canadian producer overseas to work with the Britishers.

Sues Over Broadcast

LOS ANGELES, April 13.—Charging unauthorized use of material in his story "Trial of Captain Kidd," Cyril Charles Maison has filed suit seeking $250,000 damages against Pickford-Lasky, Inc., and CBS. The material, he alleged, was used in a broadcast, "Parties at Pickfair," starring Mary Pickford, June 2, 1936.

CBS Gets New Program

"Joan and Kermit," a new script series, will be heard over CBS from WBBM, Chicago, Sundays at 7 P. M., beginning this Sunday. The program will be under the supervision of Bobby Brown, CBS program director in Chicago.

▸ *Radio Personals* ◂

MAXINE SULLIVAN, the swing singer, will be presented in her first network series over CBS, starting April 19 at 6:45 P. M. . . Lanny Ross will return to Hollywood on Sunday. . . Cecile B. DeMille will return to the air Monday, so Walter Huston will not have to pinch hit for him in the Lux series, after all. . . The Frazee Sisters, currently at the Casa Manana, are making a Warner short this week. . . Henry Tobias and Dave Oppenheim, song writers, are making a guest appearance in the "New York Town" program via WHN tomorrow.

+

Grace Ballou, secretary to Clay Morgan, NBC's director of public relations, has resigned, effective April 15, to join Henry Souvaine, Inc. . . Bill Stern, the announcer, left yesterday for a week's vacation in Bermuda. . . Five new artists and artist groups have been added by NBC Thesaurus. They are Tom Thomas, Vivian Della Chiesa, Milton Herth, Lukewela's Royal Hawaiians and the Hilltop Harmonizers. . . Tom Riley of NBC's press department is the papa of a new baby girl.

Two Take Control of Atlas; Winston Out

Herbert R. Ebenstein and Harold C. Hopper, president and secretary-treasurer, respectively, of Atlas Radio Corp., have acquired control of the company following the resignation of Lou Winston as vice-president. Winston's stock was purchased by Ebenstein and Hopper.

In addition to the executive realignment, two other changes have been effected. The home office of Atlas is to be changed to Chicago, while the New York office, now on Broadway, will be moved to Radio City by May 1.

Daniel Named Sales Manager for Morner

W. Ralph Daniel has been appointed sales manager of Morner Productions, Inc., radio production and transcription firm. For the past 10 years Daniel has been with Electrolux, Inc., in various sales executive capacities.

Morner Productions also plans to add an industrial department to its organization, contacting those industries not having radio advertising connections.

McCall Pact Renewed

George McCall, whose "Hollywood Screenscoops" are presented twice weekly on CBS, has been re-signed by Old Gold cigarettes for an additional period of broadcasting. "Screenscoops" is presented Tuesdays and Thursdays at 7:15 P. M. Lennen & Mitchell is the agency.

Steffes Asks Air License

MINNEAPOLIS, April 13. — W. A. Steffes, manager of the World Theatre and president of Allied Theatre Owners of the Northwest, has filed application for a license to operate a radio station in the Twin City area.

Fight Planned Against FTC Title Ruling

(*Continued from page* 1)

based on a book, and advertised as being based on or suggested by the original, it must adhere to the book's factual contents.

While G. N. is not greatly concerned, because the picture was released last year and has played most of its possibilities, the company does not intend to give the F.T.C. the requested stipulation and will fight the case.

Miss Rosenthal said that attorneys for B. F. Zeidman, who produced the film, will be asked to assist in the defense since G. N.'s releasing contract with Zeidman warrants that the title is free and clear and indemnifies the distributor against any litigations and claims in its dealings with him.

E. P. Kilroe of the 20th Century-Fox legal department, who is chairman of the major companies' copyright committee, pointed out that G. N. changed the title of the film from "In His Steps" to "Sins of Children" shortly after it was released and that the advertising matter says that the picture was "suggested" by the best seller and not "based" on it, which makes a difference. Kilroe does not believe a ruling in this case would set a "dangerous" precedent.

Expect Defeat for Jersey Censor Bill

(*Continued from page* 1)

ordinarily means defeat. It is not anticipated that the bill will be called up when the Legislature reconvenes next Monday after a recess. No companion bill has been introduced in the Senate.

More Ampa Talent

Jean O'Neill, 19-year-old Brooklynite who won a Monogram talent search contest, will be on the Ampa program at the International Casino today. She will leave Saturday for a part in "Romance of the Limberlost." Tommy Lynn, a child entertainer, Glen Hunter and Norman Corwin of 20th Century-Fox are on the program, and Ampa hopes to have Mae West.

Use Both Duals, Singles

HOLLYWOOD, April 13.—When "The Adventures of Marco Polo" is shown at the Warner Hollywood and Downtown theatres, starting tomorrow, it will be shown as a single bill in the evenings, and on a double bill with Warners' "Daredevil Drivers," in the afternoons. "The Hurricane" was shown in the same manner when it played these houses recently.

Name Race for "Polo"

The fourth race today at the Bowie Race Track, Baltimore, has been designated as The Marco Polo Handicap in honor of the Goldwyn film, which will be shown at Loew's Century, Baltimore. William Saxton of Loew's has donated a cup to be awarded the winner.

Laboratory Union Deal Is Scheduled

(*Continued from page* 1)

each plant, Rugge said. Details ar being worked out by the executi committee and legal counsel.

Rugge said that the union now ha 1,200 members, as compared wit about 500 at the time it obtained i charter from the I.A.T.S.E. last tember. Eight laboratories ha recognized the union and five, including Consolidated, De Luxe, H.E.R and Warners' Ace and Cellulos Products laboratories, have a close shop in effect, he said. The unio has assumed control over film editors certain newsreel employes, cutters and title department workers, in addition to other classifications.

The contracts which expired yesterday were taken over by Local 702 when it was formed last fall with the combined memberships of the Independent Film Technicians Union and Local 669, I.A.T.S.E., which were thereupon disbanded.

Para. Sales Heads Will Depart Today

(*Continued from page* 1)

Washington yesterday on advance preparations for the meeting. The names of the company sales officials from out of town who will attend the meeting were not made public by Paramount yesterday due to the fact that new staff appointments will be announced by Agnew at the meeting and an exact list of those who will attend could not be compiled during Agnew's absence.

The district managers' meeting will be followed by several regional meetings. Paramount is expected to announce 52 to 55 features for next season and the same number of short subjects and newsreels that were scheduled for this season.

"Dark Eyes" to Open

"Dark Eyes," Tourjansky's Russian musical film, will open Monday at the 55th Street Playhouse. Frank Kassler will distribute in this country.

Wall Street

Loew's Best Board Gain

	Open	High	Low	Close	Net Change
E. K.	143	145	143	144⅛	+ ⅞
Loew	40	40¾	40	40	.....
Loew, pfd...	105	105	105	105	+1
Para.	7⅞	7⅞	7⅝	7¾	+ ¼
Para. 2.....	8½	8¾	8½	8¾	+ ¼
Pathe	4⅜	4⅜	4⅛	4⅛	— ⅝
RKO	3	3	2⅞	2⅞	— ⅛
20th Fox ...	20¼	20⅞	20¼	20¼	+ ¼
20th pfd. ..	28¼	28½	28	28	.....
Univ. pfd. .	31½	31½	31½	31½	— ½
W. B.	5⅛	5⅛	5	5	— ⅛
W. B. pfd..	28¼	28¼	28¼	28¼	+ ¾

Technicolor in Small Rise

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	.....
Tech.	17¾	17¾	17½	17½	+ ¼
Trans-Lux	2¼	2¼	2	2	— ⅜
Univ. Corp.	2	2	2	2	.....

Bonds Increase ⅝ to 1½ Points

	High	Low	Close	Net Change
Keith 6s '46.......	80	80	80	.....
Loew 3½s '46.....	96⅛	96	96⅛	+ ⅝
RKO 6s '41.......	57½	57½	57½	+1½
W. B. 6s '39......	68	68	68	+ ⅜

(Quotations at close of April 13)

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 87 NEW YORK, FRIDAY, APRIL 15, 1938 TEN CENTS

'ara. Sales Session Will Begin Today

xecutives Arrive for Washington Meeting

Vashington, April 14. — Para- unt's home office sales executives 1 district managers from the field ived in Washington today for the npany's annual sales conference to held at the Shoreham on Friday 1 Saturday.

Conferences on the company's sales anization in the field will occupy first day's session and will be hlighted by announcement of pro- tions and transfers affecting district 1 branch managers to be made by il F. Agnew, vice-president in rge of distribution, who will pre- e. On Saturday the sales leaders l be given an outline of the com- ny's 1938-'39 production plans, ich, however, are still incomplete.

Agnew returned from the Para- unt studio on Thursday after see- the latest rushes of new product

(Continued on page 6)

Varners to Make 14 at Teddington

Varners will make 14 films at the ldington studios in England in the t year, said Sam E. Morris, vice- sident in charge of foreign activi- , on his return on the *Ile de France* night.

This schedule is in line with the nber produced at Teddington in vious seasons and represents a re- tion of four films from the 18 eduled for 1937-'38.

Morris said that Jerome Jackson, o succeeded Irving Asher as studio

(Continued on page 9)

'arners to Start 11 Features in 3 Weeks

Iollywood, April 14.—Eleven pic- es are scheduled to go into produc- at Warners within the next three eks, according to Hal B. Wallis, duction executive.

They are: "The Changeling," ed on the Donn Byrne best seller; alifornia Adios," based on early ifornia history with the script by Katz; "Heart of the North,"

(Continued on page 9)

Radio News—P. 10

Closed Shop Pacts to Go To Labs Here

Ask Wide Changes from Present Conditions

Contracts calling for a closed shop will be submitted to 15 eastern laboratories, and newsreels, except Universal, early next week, it was said yesterday by John Rugge, president of Local 702, Motion Picture Laboratory Technicians, affiliated with the I.A.T.S.E. Close to 1,300 employes are affected.

The proposed pacts contain other provisions which are wide departures from present labor practice at the laboratories. They are a 35-hour, five-day week, instead of the present 40-hour week; $25 minimum wage for all crafts; seven legal holidays a year with pay; one week vacation for those employed more than one year and two weeks for those employed more than three years; night workers to receive 10 per cent above the regular day scale; overtime and special rates for

(Continued on page 9)

New Simplex Sound Explained to Trade

What International Projector Corp. hopes to accomplish with a new sound reproducing system just developed by using a combination of Erpi and RCA patents was explained to trade paper representatives yesterday at a luncheon given by Earle G. Hines, president of General Theatres Equipment Corp.

Principal features claimed for the new apparatus are that it follows the recommendations of the Academy Committee on Theatre Standardization Research and exceeds its requirements in some respects, that the same type of equipment is applicable to all

(Continued on page 6)

Operators' Strike Hits London Houses

By AUBREY FLANAGAN

London, April 14.—A strike was called this evening of 1,000 projectionist members of the Electrical Trade Union, working in 670 film houses in the London area.

Exhibitors, despite having no official notice of the planned strike, were forewarned, and brought in relief projectionists from all over the country. The majority of the houses

(Continued on page 6)

"BIRTH" BARRED BY N.Y. REGENTS

Rule Film Is Unsuitable For Theatres; Offer Private License

Showing of "Birth of a Baby" in any private or public place of amusement was barred yesterday by the N. Y. Board of Regents in a decision which upheld the earlier ban of Erwin Esmond, director of the Bureau of Motion Pictures.

The board conceded that the film had been produced under "careful scientific supervision and undoubtedly has high educational value," but declared that it was in conflict with Section 1082 of the Education Law. It offered to issue a permit for private showing of the picture, "if the applicant requests it."

An appeal to the courts will be taken immediately, it was stated by Special Pictures, Inc., by the attorney for the American Committee on Maternal Welfare. This appeal will take the form of an application for a writ of certiorari in the Appellate Division.

In a statement explaining the Board

(Continued on page 9)

Cost Sheet Item

Walter Wanger, preparing to film "Algiers," telephotoed to London Hedy Lamarr's costumes to be worn in the picture. Lloyd Knoechtel, cameraman, took the telephotoed reproductions with him to Algiers where he will photograph background shots for the picture.

The costumes will be reproduced for the girl who will double for Miss Lamarr in the Algiers scenes.

Lehman Signs Bill Granting Day Off

Albany, April 14.—Governor Lehman has signed the Wagner bill, making it obligatory that one day of rest in seven be granted film house engineers, firemen and janitors or watchmen tending the buildings. Sponsored by Assemblyman Robert F. Wagner, Jr., son of the U. S. Senator, the measure had the strong support of the State Federation of Labor. No dissenting votes were cast against it in either Assembly or Senate chambers when it passed on March 17.

In signing the bill Governor Lehman said the measure was "in harmony with the progressive policy of the State of New York to prohibit unreasonably long hours of work" and that it would "assure wage earners at least one day of rest during each week." The Wagner bill was not opposed by either the larger circuits or the M.P.T.O.A., legislative representatives telling Motion Picture Daily that it "was right in principle inasmuch as other employes enjoyed the privilege." Total cost to the

(Continued on page 9)

"Chicago" $61,500 Boom for the Roxy

Business zoomed at the Roxy this week, "In Old Chicago" raising the gross to $61,500. The film is being held over as the theatre's Easter Week attraction. "Judge Hardy's Children" did $24,000 at the Capitol in eight days.

A total of 140,000 persons saw "The Adventures of Marco Polo" at the Music Hall during the first week, according to the tabulation of the theatres attendance figures.

Urges Legislation To Solve Problems

Passage of some form of "appropriate" legislation designed to solve trade practice problems was advocated by Emil K. Ellis, attorney, at a luncheon meeting of the Motion Picture Associates yesterday.

"The industry has an opportunity to kill the Neely bill if the exhibitors and distributors through round table discussions can arrive at an acceptable formula themselves," Ellis declared.

"But I have been informed that the

(Continued on page 9)

Name Wilson Local Principal Manager

Jerry Wilson, executive at the local Monogram exchange, has resigned and on Monday will start as manager of Principal Film Exchange, it was said yesterday by S. S. Krellberg, president of Principal. He succeeds Joe Klein, who is going in business for himself.

Wilson will be replaced by Joe Kehoe, assistant New Jersey sales manager. Sidney Kulick will take over the entire New Jersey territory for Monogram. Wilson is chairman of the board of the Motion Picture Associates.

◀ Purely Personal ▶

HARRY GOLDSTONE, salesman for Principal Film Exchange, was married yesterday to **Florence Meyer.** The couple will honeymoon for a week. The groom is a cousin of **Phil Goldstone,** independent producer.

•

Julius Liggett of Universal, **Jack Gelber** of the Interboro Circuit, **Irving Martin, Morris Traub, Jack Rosenfeld** and **Joseph Abramson** are new members of Motion Picture Associates.

•

Harry Ross, head of Ross Federal Service, is expected back from Florida next week. D. A. Ross is making a field trip and is also due back next week.

•

Barrett Kiesling, M-G-M publicity representative, has gone on a newspaper contact trip which will keep him in the field several weeks, and then will return to the coast.

•

William White, general manager of Skouras Theatres, is in Florida, from where **Jack Harris** of the same office returned this week.

•

Sam Goldstein, treasurer of Guarteed Pictures, will return today from a 10-week European trip on the *Manhattan.*

•

Charles Tronolone will be in charge of the new Pathe laboratory on 45th St. which will be opened shortly.

•

Jack Alicoate will sail tonight on the *Ile de France* on an Easter cruise to the West Indies.

•

Jerry Keyser of Warners plans a coast trip in May and has a European journey on tap for the summer.

•

Ted Pitts, assistant manager at the Capitol, was recently married to **Denise Manon,** radio singer.

•

. . . Pittsburgh

Mrs. Harold Bloom of New York is here for a month's visit with her brother, **Joe Feldman.**

John Maloney will speak April 29 at the Visual Education Conference sponsored by the Pennslyvania College for Women.

John Finley is now managing a theatre in Bedford, Pa., for the Dipson circuit.

Clarence and **Mrs. Eiseman** have gone to Atlantic City for a vacation.

Pal Plans Studio Here

A studio in New York or Hollywood is planned by George Pal, creator of "Puppet-toons," animated color shorts using puppets and a novel technique. Before sailing on the *Europa* last night, Pal said that negotiations for his affiliation with a major company will continue on the coast and that if a deal is made he will return in two or three months to consummate it. David Bader, London agent, who represents him, will remain on the coast about two more weeks. Pal returned from Hollywood earlier this week.

The Newsreel Parade

Movietone News
Vol. 20, No. 62
(20th Century-Fox)

The 15 events that make up this issue thoroughly cover national and international affairs of the past few days. Military and naval activities here and abroad occupy more than half of the reel. It is interesting throughout.

The first three clips concern the Spanish situation. General Franco and his troops are seen at Lerida. Refugees flee over the Pyrenees into France and Barcelona stages a recruiting drive to stem the insurgent drive. Leningrad welcomes the polar ice-drifters. The Wollersdorf prison new Vienna, once a Nazi concentration unit, is burned down. Italian troops drill in the Alps. The U. S. Navy maneuvers in the Pacific off Hawaii. Lew Lehr tries his humor with scenes of a juggler on the roof of a Chicago hotel.

"Names in the News" shows Henry and Mrs. Ford celebrating their 50th wedding anniversary. Norman Davis speaks briefly, the occasion being his appointment as head of the Red Cross; William Martin, Jr., poses following his nomination as chairman of the Stock Exchange, and the Sultan of Muscat is seen inspecting a branch of the English army. Ed Thorgersen's sport division is wholly feminine and a press agent's delight. Broadway chorus girls play baseball in Central Park, Pasadena high school girls swim in formation and Texas girls have a time fishing. Running time, 10 mins. P.

News of the Day
Vol. 9, No. 260
(M-G-M)

Here is a varied and interesting assortment of events that manages to depart somewhat from the routine for a brief period. There are also two rather exciting clips depicting street fighting in Lerida and the rescue of the crew of a freighter in a rough sea in midocean. An interesting slant on the current trouble in the Holy Land is given with scenes of British troop movements and activities, the damage caused by Arabs, soldiers guarding the Wailing Wall and in Tel-Aviv where refugee Jews have created a new port. The comment aids in building coherence.

The bulk of the reel offers Richard Whitney arriving at Sing Sing, Mrs. Roosevelt modeling her Easter clothes, and the arrival at a dog maternity hospital of sextuplets while the father waits. It tries to be funny. Oxford beats Cambridge on the Thames, during which Jean Paul King slips in a not-so-sly plug for "A Yank at Oxford." The opening of the season at Bowie, Md., concludes the doings. Running time, 10 mins. P.

Paramount News
No. 73
(Paramount)

Foreign events predominate and war and preparedness for war take up about half of this issue, which is more than ordinarily interesting for a midweek release. From Russia came shots of the ovation to Papanin and his comrades returning in triumph from the Arctic, while in Moscow charges are leveled at those who rescued them.

Loyalist and Insurgent fronts provide scenes of the Spanish war, with a striking shot of Franco inspecting captured Lerida. England furnishes clips of preparedness for gas attacks and the training of youngsters by the Royal Air Force, while off Hawaii the U. S. fleet shows how it will fight enemy submarines. Domestic shots include the Henry Ford wedding anniversary celebration at Dearborn, Mrs. F. D. Roosevelt shopping for Easter finery and a sculpture exhibition. The reel ends on a humorous note when Bob Burns goes ga-ga with his bazooka over his new baby. Running time, 7 mins. F.

RKO Pathe News
Vol. 9, No. 77
(RKO)

There are 10 clips in this issue of the reel, and they range around the news map rather widely. The result is a generally interesting group of news pictures. The Russian populace is seen emulating the "ticker-tape" New Yorkers in welcoming the Arctic explorers, followed by the manly figure of Richard Whitney, en route to Sing Sing to serve a term for grand larceny.

A woman's swimming record is seen in the process of collapsing and the Sultan of Muscat and Oman inspects Britain's new war tanks. A typical newsreel shot is the wrecking of a chimney in Chicago, 175 feet high, and the American Pacific Fleet looks properly impressive in maneuvers off Hawaii. Then follow shots of Henry and Mrs. Ford on their golden wedding anniversary, a new telescope camera which takes remarkable pictures at a distance of 50 miles, thousands of Spanish Loyalist troops arriving in France and being shipped back whence they came. The reel concludes with the annual and historic Oxford-Cambridge boat race, but those races never do look thrilling. Running time, 8 mins. A.

Universal Newsreel
Vol. 10, No. 658
(Universal)

While few of the items assembled in this issue are striking news events, they make a varied and interesting program. Geographically, the 12 subjects are scattered.

Salmon fishing in Oregon opens the reel. An onion fiesta in Texas for dear publicity follows. Henry Ford and the rarely seen Mrs. Ford are shown visiting a school on their golden wedding anniversary. Richard Whitney arrives at Sing Sing. The Sultan of Muscat and Oman rides in a tank at Aldershot. A Martin flying-boat is shipped to Russia. The Navy maneuvers off Hawaii. Spanish refugees are shown arriving in France. Mussolini's Alpine troops get a little practice on skis. The reel concludes on a sporting note with scenes of the Oxford-Cambridge crew race and a rough-and-tumble wrestling match at the New York Hippodrome. Running time, 9 mins. P.

Buffalo Is Leading
Depinet Sales Dri

Buffalo is leading the Ned E.
pinet Drive, which has five m
weeks to go. C. Boasberg is Buff
manager. Vancouver, which is m
aged by W. S. Jones, has moved
into second place, and Cleveland
which H. Greenblatt is manager, is
third place.

Other leaders for the eight
prizes in the 10-week sales driv
Montreal, managed by M. Plott
Toronto, J. F. Meyers, manager;
dianapolis, R. E. Churchill, manag
Los Angeles, N. P. Jacobs, manag
Portland, M. E. Cory, manager.

Corwin Amuses Ampa

Norman Corwin of the 20th C
tury-Fox publicity department st
the show at the Ampa luncheon at
International Casino yesterday w
several humorous versions of "M
Had a Little Lamb." He was assis
by Peggy Burt. Corwin has gi
the act over radio networks recen
Mae West sent her regrets,
Tommy Lynn, Jean O'Neill and Gl
Hunter did appear.

Republic Signs Wayn

Hollywood, April 14.—John Wa
has been signed by Republic for
series of eight "Three Mesquite
features to be made for next seas
He replaces Bob Livingston, who w
appear in action features.

German Ban Plea Deni

Sydney, April 14.—The Gove
ment has refused the request of
German consul here that "Inside N
Germany" be suppressed in Aust
lia on the ground that the film's co
mentary is unfriendly to Germany

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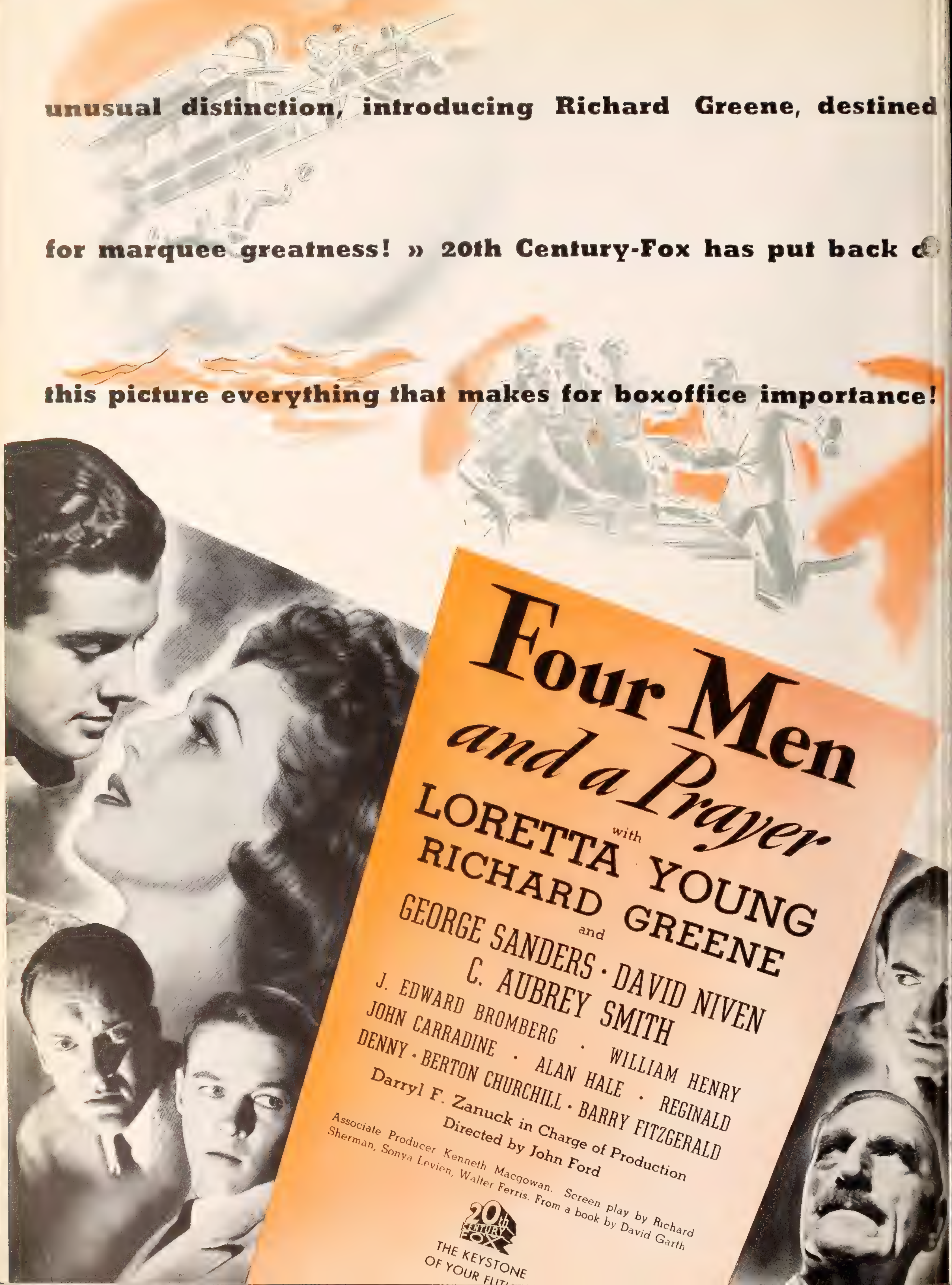
Koehler, representative. STOCKHOLM: Kun
gatan 36; Ragnar Allberg, representative. TOK
880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. To
naga, representative. VIENNA: Neustiftga
54 Vienna VII; Hans Lorant, representative.

Entered as second class matter January 4, 19
at the Post Office at New York, N. Y., un
Act of March 3, 1879.

From 20th Century-Fox comes this startling drama of four men and a gallant girl who have the courage to fight the brooding, secret menace that covers the modern world with a cloud of evil. Unseen . . . it massacres innocents with machine guns in South America! Unknown . . . it strikes in London, as a corpse slumps from a cab! Unchallenged...it stirs revolt among the untamed tribes of India! » The famous Cosmopolitan Magazine story...filmed with all its colorful sweep! » A big cast of



unusual distinction, introducing Richard Greene, destined for marquee greatness! » 20th Century-Fox has put back

this picture everything that makes for boxoffice importance!

Four Men *and a Prayer*

with

LORETTA YOUNG
RICHARD GREENE

and

GEORGE SANDERS · DAVID NIVEN
C. AUBREY SMITH
J. EDWARD BROMBERG · WILLIAM HENRY
JOHN CARRADINE · ALAN HALE · REGINALD
DENNY · BERTON CHURCHILL · BARRY FITZGERALD

Darryl F. Zanuck in Charge of Production
Directed by John Ford

Associate Producer Kenneth Macgowan. Screen play by Richard Sherman, Sonya Levien, Walter Ferris. From a book by David Garth

20th CENTURY FOX
THE KEYSTONE
OF YOUR FU

Wall" High In Slump at Los Angeles

Los Angeles, April 14.—"Over the " on a dual with "He Couldn't No" at the Warner Downtown, s the only attraction to overcome late Lenten doldrums. It grossed 4,600, over par by $2,600. The same l at the Warner Hollywood was ak with $12,500.

'Hawaii Calls," with "Goodbye oadway," was in the black on a ke of $7,100 at the Hillstreet, but led to make much of an impression th $6,700 at the Pantages.

Total first run business was $77,156. erage is $97,700.

Estimated takings for the week end- April 13:

"SNOW WHITE" (RKO)
ARTHAY CIRCLE—(1,518), 50c-$1.50, 7 ys. 16th week. **Gross:** $9,056. (Average, ,000)

ATTLE OF BROADWAY" (20th-Fox)
'INTERNATIONAL SETTLEMENT" (20th-Fox)
HINESE—(2,500), 30c-75c, 6 days. **Gross:** 700. (Average, $12,500)

IFE AND LOVES OF BEETHOVEN" (World)
SQUIRE—(900), 40c-55c, 7 days, 2nd ek. **Gross:** $1,900. (Average, $2,500)

UCREZIA BORGIA" (European Films)
RAND—(750), 35c-40c, 7 days. **Gross:** 400. (Average, $1,200)

"HAWAII CALLS" (RKO)
"GOODBYE BROADWAY" (Univ.)
ILLSTREET—(2,700), 30c-65c, 7 days. oss: $7,100. (Average, $6,500)

ATTLE OF BROADWAY" (20th-Fox)
'INTERNATIONAL SETTLEMENT" (20th-Fox)
OEW'S STATE—(2,500), 30c-75c, 6 days. oss: $6.200. (Average, $14,000)

"HAWAII CALLS" (RKO)
"GOODBYE BROADWAY" (Univ.)
PANTAGES — (3,000), 30c-65c, 7 days. oss: $6,700. (Average, $7,000)

LUEBEARD'S EIGHTH WIFE" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days, week. Stage: F. & M. revue, Lou ood and his California Collegians. **Gross:** ,000. (Average, $18,000)

"OVER THE WALL" (W.B.)
"HE COULDN'T SAY NO" (W.B.)
ARNER BROS. (HOLLYWOOD) — 000), 30c-65c, 7 days. **Gross:** $12,500. verage, $14,000)

"OVER THE WALL" (W.B.)
"HE COULDN'T SAY NO" (W.B.)
ARNER BROS. (DOWNTOWN) — 400), 30c-65c, 7 days. **Gross:** $14,600. verage, $12,000)

Vomen Honor "Jezebel"

Hollywood, April 14.—"Jezebel" s been selected as the best picture leased in the period from March to April 1 by a group of nine ganizations which preview films. ne organizations are National Soety of Daughters of the American evolution, National Society of New gland Women, General Federation Women's Clubs, California Coness of Parents and Teachers, Los ngeles Section of the National Coun- of Jewish Women, Women's niversity Club, Southern California uncil of Federated Church Women, alifornia Federation of Business and rofessional Women's Clubs and the merican Legion Auxiliary of the epartment of California.

Leda Bauer Promoted

Leda Bauer has been appointed ry editor in the New York office RKO to succeed Lillie Messinger, o has been promoted to coast story ad. Miss Bauer has been Miss Mesger's assistant for some years. She ll take over next Tuesday.

New York Preview

"Test Pilot"

(M-G-M)

"Test Pilot" should be one of the great box-office pictures of the year. With four of the best marquee selling names in the business, wrapped around a title which connotes daring, adventure in the skies and action, the film probably will be all that the showman dreams about.

In addition there is a story characterized by a warm human quality, with the dual phases of a man's love for a woman, and, even more important to the strength of the story, the devotion of two hard-living men for each other, one the test pilot who has death at his wings' end every time he leaves the ground, the other his mechanic who is completely devoted to him, and who understands fully the reason for the often strange conduct of the pilot.

The pilot is Clark Gable, his mechanic is Spencer Tracy, who won the 1937 Academy acting award; his wife is Myrna Loy, and his boss is Lionel Barrymore. The rest of the cast is excellent, but unimportant to the selling of the film. The dialogue is intelligent and carries the story with considerably more depth of feeling than might be expected. There is an excellent balance maintained between what might be termed the "non-action" portions of the film and the more active phases. The picturization of a Cleveland air race, with its throbbing suspense, a plane afire in the air, a crash, and the impression of tremendous speed engendered by clever use of the sound mechanism; a test flight for altitude in a huge plane similar to the U. S. Army "flying fortresses," and its crash, bringing death to Tracy, and the "power dive" during which Gable tests a new Army plane are the highlights in thrill material which will make audiences gasp.

The leading players do their work more than well, but the splendid portrayal of Tracy as he suffers the continuously agonizing expectation of seeing his friend crash, is proof that there was good reason for that Academy award.

Much credit must go to Victor Fleming for a fine job of direction, while equal praise belongs to Vincent Lawrence and Waldemar Young for their screenplay from an original story by Frank Wead. Louis D. Lighton produced.

Throughout it is a finished production, and one which should give the exhibitor just cause for rejoicing. It is fine enough to please any audience, with action enough to please the most unimaginative "action fan."

Running time, 121 minutes. "G."

Hollywood Preview

"Under Western Stars"

(Republic)

Hollywood, April 14.—Republic has another Western star of real box-office caliber in Roy Rogers, a young fellow with a rich voice, engaging personality, and masculine ruggedness. Groomed to star in a series of eight musical westerns when Gene Autry started his sitdown strike, Rogers, co-starred with Smiley Burnette, in "Under Western Stars," makes an auspicious debut.

Aided by the comedian Burnette and the feminine lead, pretty Carol Hughes, Rogers "clicks" and if the rest of the contemplated series is of the same caliber as the first, he will rank high in the next poll of exhibitors. The picture will rate among the best western made for any and all budget classifications. Joe Kane guided the production skillfully. Many of the picture's entertainment qualities lie in the screenplay of Dorrell and Stuart McGowan and Betty Burbridge from the McGowans' original. Sol C. Siegel was associate producer.

Rogers, elected to Congress, is blocked by a water company in his fight for lower water rates. He attempts to swing Congressional votes by showing newsreels of a dust storm, but that fails. When a Congressional committee visits his state, Rogers contrives to force the Congressmen to ride horses and they are caught in a dust storm, and change their minds concerning the need for lower water rates.

The picture contains five songs—"Dust," by Johnnie Mercer; "Send My Mail to the County Jail," "When a Cowboy Sings a Song" and "Back to the Backwoods," by Jack Lawrence and Peter Tinturin; "Rogers for Congressman," by Eddie Cherkose and Charles Rosoff, all of which are suited for this type of production.

Running time, 67 minutes. "G."

(Additional Reviews on Page 8.)

Short Subjects

"March of Time, No. 9"

(RKO)

With two episodes, one offering a study of modern methods of improving the American penal system, and the other depicting the background of Hitler's conquest of Austria, this issue of March of Time is an interesting and highly dramatized reel, on a par with the production quality expected of the series.

The first episode notes first the attempts to cure crime by healthful and supervised play for children, while much of the footage is devoted to the attempts to turn young offenders out of prisons as useful citizens rather than as men trained only in the ways of crime. The work of the Prison Industries Reorganization Administration, a Federal unit offering assistance to states desirous of improving their prison systems, is shown, in contrast to the crowded, unhealthy conditions in prisons and on southern chain gangs so prevalent in most of the country's 4,000 penal institutions.

The Nazi sequence traces the Austrian coup back to Hitler's book, "Mein Kampf," in which he declared the destruction of Austria necessary to Germany. Scenes of the old Emperor Franz Josef of Austria and the court life surrounding him, the assassination of Chancellor Dolfuss of Austria by Nazis, and finally the conquest of Austria by armed force are depicted. The reel closes with further quotation from the Hitler book, and the implication that further moves of a similar nature may be expected from him. Running time, 19 mins. "G."

"Out Where the Stars Begin"

(Vitaphone)

This two-reel musical adequately should serve the dual purpose of both entertaining and introducing Evelyn Thawl. Miss Thawl is a personable, pretty young lady who also dances well. The film is in Technicolor, one of the more expert jobs. The plot is a humorous and light variation of the movie-struck girl who gets her chance and acquits herself with honors when the leading lady walks out. There are refreshing laughs. The support includes Jeffery Lynn, Armida, Fritz Feld and Charley Foy and there are also a number of Bobby Connolly dance numbers. Running time, 19 mins. "G."

"How to Figure Income Tax"

(M-G-M)

Taxpayers will have a laugh at their own expense with this Robert Benchley opus. It has humor and a neat conclusion. Benchley utilizes all sorts of charts and models to explain taxation. Finally he is hauled off to explain one of his own reports. Running time, 8 mins. "G."

"Stranger Than Fiction No. 49"

(Universal)

A better than usual collection of curiosities. It should be found engrossing by any audience. Running time, 9 mins. "G."

Para. Sales Session Will Begin Today

(*Continued from page* 1)

and obtaining last minute information on production plans, new story material, stars, players, producers and directors. The sales officials will receive information on pictures for next season which are already in work or for which definite plans have been made, together with the types of pictures to be scheduled. Final information on the 50-odd pictures to be listed for next season will not be ready for another two weeks. Plans for 100 shorts and 104 issues of the newsreel have been completed.

The vanguard of the home office sales force, headed by Charles Reagan, division manager, and J. J. Unger, eastern and southern division manager, arrived this afternoon and was met at the station by Melvin Hazen, president of the Washington board of commissioners, and was given a police escort through the city to the Shoreham. The reception was arranged by Carter Barron, Loew's Washington manager.

Assistants Accompany Executives

In the party in addition to Unger and Reagan were Herman Lorber, Unger's assistant; Arthur Dunne, assistant to Reagan; Terry De Lapp, studio publicity head; G. B. J. Frawley, sales department comptroller; Jack Roper and Fred LeRoy, sales department statisticians; Don Velde, ad sales manager, and Alec Moss and C. N. Odell, exploitation managers.

Robert Gillham, director of advertising, publicity and exploitation, arrived with Agnew this evening.

Balaban, Griffis West

Barney Balaban, Paramount president, and Stanton Griffis, chairman of the executive committee, will leave next Friday for the coast for an extended visit at the studio. They will confer with Adolph Zukor and William LeBaron on production policy and general studio operations. Balaban, who left for Chicago yesterday to attend Passover ceremonies there, is expected back in New York early next week.

"U" May Star Coogan

Hollywood, April 14.—Universal is negotiating for the services of Jackie Coogan for a starring role in "No One Man," college story written by William A. Pierce, assistant to Charles R. Rogers. Plans call for the featuring of Noah Beery, Jr., and Nan Grey, with Mary Blake and William Lundigan in support.

Ross Federal Birthday

Ross Federal Service will observe its eighth anniversary today. Because it is Good Friday, the company's usual anniversary celebration has been postponed to next week, when a staff dinner is scheduled.

Title Denis Picture

Universal has selected "Dark Ecstasy" as the title for the Armand Denis-Leila Roosevelt film which it will release as a special this summer.

Presiding at Paramount's Convention

NEIL F. AGNEW
Vice-President of Distribution

J. J. UNGER
Eastern Division Manager

CHARLES REAGAN
Western Division Manager

ROBERT GILLHAM
Advertising and Publicity Head

New Simplex Sound Explained to Trade

(*Continued from page* 1)

sizes of theatres, with amplification added as the size of the auditorium increases, and that it may be readily adapted to push-pull or stereophonic (binaural) reproduction.

Work on the new apparatus has been in progress since last fall when licensing agreements were made with RCA and Erpi. It is called the Simplex Four Star Sound System. Thirty-five equipments have been sold, it was stated, and the company is about to go on to a volume production basis.

Herbert Griffin, vice-president, said that in order to get improved volume range, noise level had been reduced, with marginal provisions anticipating further refinements in recording. This, he said, will allow exhibitors to utilize the full dynamic sound response recorded on the film.

Technicians Introduced

The number of mechanical contacts in the signal circuit from the photo-electric cell to the loudspeaker voice coil have been reduced to a minimum, the main amplifier volume control and the sound changeover have been placed in isolated circuits, and the only switches in the circuit are those used for testing loudspeakers. A co-axial cable is used to couple the photo-electric cell and the volume amplifier. A new metal alloy has been introduced in the magnet of the permanent magnet type speakers.

Griffin introduced the engineers who have developed the new apparatus. They were: George Friedl, Jr., formerly with Erpi and former assistant chief engineer of Western Electric, Ltd., London; Fowler (Jack) Durst, formerly with A. T. & T. and Erpi; W. J. Harshbarger, in charge of production activities, also a former Erpi man; W. Borberg, an engineer with a background of European training who has been associated with various International Projector developments since 1929; E. J. Shortt, at one time a radio man and later with RCA; C. F. Alexander, long with Western Electric and the Bell Laboratories; E. J. Pirner, chief draftsman; J. L. Stephans, with Erpi from the start of sound in 1929; and E. G. Mercier, design draftsman with a background of experience gained both with Western Electric and Erpi.

Motion on Orpheum Dividend Is Denied

A motion to compel a second interim dividend of 12½ per cent to creditors of Orpheum was denied by Federal Judge Alfred C. Coxe in the U. S. District Court here yesterday. Judge Coxe stated that a creditors' hearing had been set for April 28 before Bankruptcy Referee Oscar W. Ehrhorn, and that the question of dividends could be passed on at that time. Philip Snyder, trustee of certain Orpheum bonds, made the motion.

Marcus Heiman, Orpheum trustee, will apply for approval for his final account. Gross receipts were $703,527 and disbursements $329,306, leaving $374,221 cash on hand. Total claims allowed were $2,152,555 with $322,305 paid out as a 15 per cent first dividend. Orpheum assets were sold to Stadium Theatres Corp., an RKO subsidiary.

Heiman seeks commissions of $7,172. Keekman, Bogue, Leake, Stephens & Black, his attorneys, ask $50,000.

Paramount in Hammerstein Suit

A suit by Emma S. Hammerstein, individually and as an executrix of the estate of the late Oscar Hammerstein, against Paramount Pictures, Inc., was revealed in the N. Y. Supreme Court Wednesday when a motion for an examination before trial of Paramount was filed.

The action seeks a permanent injunction to restrain use of Hammerstein's name in connection with "High, Wide and Handsome."

The complaint charges that use of the name was unauthorized, but the answer contends that Hammerstein wrote the screenplay and lyrics under a contract signed in May, 1936.

Young to Withdraw Suit

Judge William Bondy yesterday granted permission to James Young, a playwright, to withdraw his infringement claim against RKO in the U. S. District Court. Young had alleged infringement of his story, "What Price Sex in Hollywood," in the RKO film "What Price Hollywood."

Sues on Chimp's Death

Los Angeles, April 14.—Jacqueline Gentry, owner of Jiggs, trained chimpanzee, has brought suit for $51,500 against Paramount, claiming that the animal died as a result of overwork forced by the studio.

Equity Pleads for Member Cooperation

A plea for a united front in the membership ranks of Actors Equity Association in the current issue of *Equity*, the organization's official publication, out today, discourages the entry of nominations for Equity offices in opposition to the regular ticket headed by Arthur Byron.

The organization's annual election will be held May 27 and opposition candidates have until May 7 to make their appearance. The editorial declares that the administration of Equity regards the regular ticket as "good" and "representative" and "one which may well be endorsed by the membership." Citing a growing solidarity in Equity ranks, long torn by internal dissention, the editorial points out that peace within the organization is essential to a successful culmination of current efforts of Equity to work out a basic agreement with the producing managers in return for control of theatre ticket speculation, for the organization's aims in connection with Federal Theatre Projects and in resisting the jurisdictional claims of the I.A.T.S.E.

Because of the absence of controversial issues, the fact that the presidency of Equity has been made an honorary rather than a salaried post, and the apparent dearth of competitive candidates, it is regarded as unlikely that an opposition ticket will make an appearance.

Operators' Strike Hits London Houses

(*Continued from page* 1)

affected were parts of the Gaumont British circuit. Odeon and the Associated British Pictures circuits were operating normally tonight.

There was a small amount of damage, but little excitement. The Kinematograph Renters' Society (distributors) sent projectionists as available. Although little serious disturbance followed the beginning of the strike, the exhibitors of the country are faced with the possibility of a more difficult problem. The strike stems from an inter-union dispute.

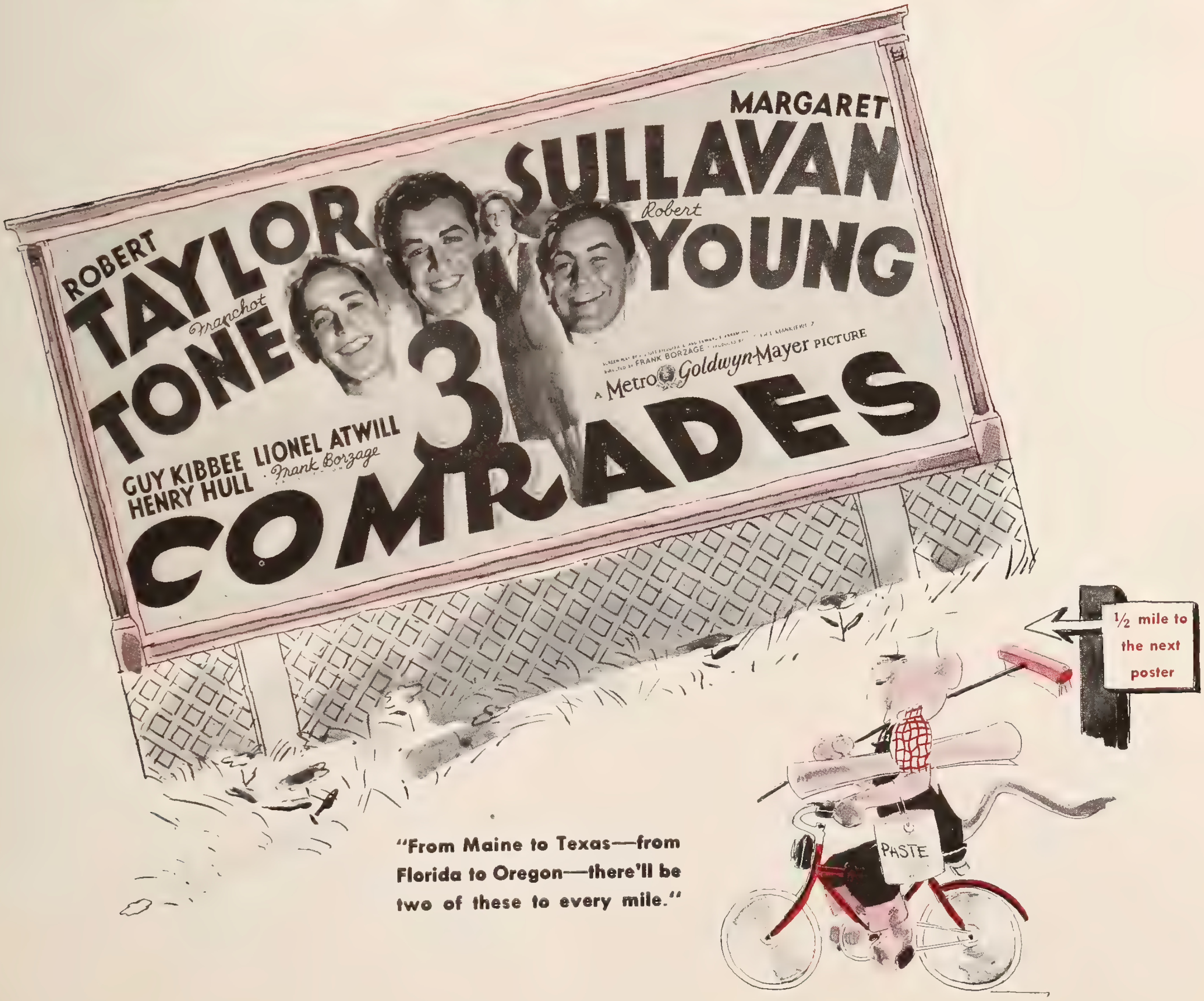
Rebuild at High Point

High Point, N. C., April 14.—The old Orpheum here is being torn down to make room for a modern house.

GABLE LOY TRACY

A Victor Fleming Production of "TEST PILOT" with Lionel Barrymore • Screen Play by Vincent Lawrence and Waldemar Young • Original Story by Frank Wead • A Metro-Goldwyn-Mayer Picture Directed by Victor Fleming Produced by Louis D. Lighton

METRO-GOLDWYN-MAYER AS GREAT AS ALL OUTDOORS


ROBERT
TAYLOR
Franchot
TONE
MARGARET
SULLAVAN
Robert
YOUNG
GUY KIBBEE
HENRY HULL
LIONEL ATWILL
Frank Borzage
A Metro Goldwyn-Mayer PICTURE
3 COMRADES
½ mile to the next poster
PASTE

"From Maine to Texas—from Florida to Oregon—there'll be two of these to every mile."

New "Steel" Films In Color Are Shown

U. S. Steel's $250,000 Technicolor productions—a four-reeler and a one-reeler condensation—were shown to an invited audience in the Waldorf-Astoria Wednesday.

The longer film, "Men Make Steel," and the short one, "Steel—Man's Servant," carry a narrative voiced by Edwin C. Hill.

The film will replace the old picture of steelmaking issued in 1928. Roland Reed Productions produced the films, which took months to make. Batten, Barton, Durstine & Osborn cooperating with Reed and U. S. Steel in the shooting.

The film is the best of the industrials thus far. It is particularly fortunate in that the Technicolor enhances the story. Red hot steel, in the making, leaping in vivid color from the screen, is the hero of the story, and because steel in the making is red and yellow it is the focal point of eye and attention throughout, and is helped further in all the sequences by the neutral black, greys and dull blues of the factory backgrounds.

The one-reeler is intended for "customers," said Edward R. Stettinius, Jr., U. S. Steel board chairman. Distribution of the film has not yet been decided upon, but it will probably go into the nation's theatres to compete with Hollywood made "shots."

KUHN

Exchange Pact Up Soon

A meeting of major distributor representatives and I.A.T.S.E. spokesmen may be held next week to give final ratification to the basic agreement covering exchange employes in 31 distribution centers. The date of the conference is now uncertain because of the absence of John Gatelee, I.A.T.S.E. official, who is vacationing in Bermuda. It is scheduled to be held upon his return.

Sends 25,000 Folders

Carl E. Milliken, secretary of the MPPDA, has sent 25,000 copies of a four-page folder on "The Girl of the Golden West" to members of local music clubs, visual education groups and school heads. The mailing piece includes a signed message from Milliken, reproductions of scenes from the film and a list of the important musical numbers in the picture.

Hays at the Studios

Hollywood, April 14.—Will H. Hays and Mrs. Hays arrived here today. Mrs. Hays, accompanied by Mrs. O. O. McIntyre, will sail Saturday on the *Lurline* for Honolulu, where they will visit with the brother of Mrs. Hays, Maj. Gen. Charles D. Herron.

Two Join Browne Firm

Melvin Kirsch and Bert Kulick have been signed to take over the New York territory for the distribution of the 1938-'39 program of Malcolm Browne Pictures Corp.

Named Dramatic Editor

Cincinnati, April 14.—Groverman Blake of the *Times-Star* staff has been named theatre editor of that paper, succeeding the late Wm. G. Stiegler, who died last week.

Hollywood Preview

"Go Chase Yourself"

(RKO)

Hollywood, April 14.—Joe Penner's first starring vehicle is what is known in trade circles as an "all laugh" feature. It does little to advance the art of the screen, but it should do much to advance the prestige of Penner, Lucille Ball, Richard Lane and June Travis. Everybody in "Go Chase Yourself" plays a comedy part and the film goes for that quality ridiculously and insanely. There's a motivating story thread, to be sure, but quite often that is forgotten in favor of a series of nonsensical gags and rib-tickling situations. Starting out without much promise and giving only a few vague hints of what is to follow, the show erupts into a maze of foolishness at about the end of the first reel and from then on its hilarity had the preview audience whooping all the way through.

The story has to do with the wild and woozy adventures of a goofy bank teller who helps the bandit gang, Bradley Page, Richard Lane and Tom Kennedy, rob the bank. The gang, fleeing in a trailer which Penner has won in a raffle, rip and roar through a round of insanity. Believing that he is doing the girl a favor, Penner helps kidnap heiress June Travis and, as Fritz Feld, Granville Bates, Lucille Ball, George Irving and Frank M. Thomas roam into the picture at odd and unexpected intervals to add to the merriment, the climax is one of the most exciting bits of action seen on the screen as Penner steers the runaway trailer down a steep mountain road.

Walter O'Keefe's original story idea is smart low comedy in conception. Via devious hilarious situations and gags, the screenplay by Paul Yawitz and Bert Granet, emphasizes that quality in bizarre style. Edward Cline's direction is pointed to give exhibitors and fun loving audiences a full dish of comedy.

Running time, 70 minutes. "G."

"Topa Topa"

(Pennant)

Hollywood, April 14.—This patiently produced presentation of an intelligent dog and a well-trained bird in their reactions to man and nature is a direct bid for that type of audience interest which made the late Rin Tin Tin a marquee attraction. The film takes its title from the name of the mountain on which the action takes place. The central incident, from the exploitation point of view, is the vengeful abduction of an infant by an eagle deprived of its young. This is the subject of a screen foreword which is quotable for advertising purposes.

Silver Wolf, the dog hero which rescues the baby, turns in a tiptop performance. Goldie, the eagle, is proportionately notable in less footage. Helen Hughes, James Brush, Leroy Mason, Ruth Coleman, Jill L'Estrange, the baby, Trevor Bardette, Fred Santley, Lyons Wickland and Patsy Moran play out the human story which provides plot setting for the animals. It is an original by Charles Diltz adapted by Hilda May Young with continuity by Arthur Hoerl and concerns a villainous fur trapper, a heroic nature student, a murder, forest fire and other action material.

The picture is a William M. Vogel production directed by Vin Moore and Charles Hutchinson. William Steiner supervised. Modernistic mountain music is contributed by Dr. Edward Kilenyi and Rudy Sooter. Running time, 65 minutes. "G."

"Hearts of Arizona"

(Sherman-Paramount)

Hollywood, April 14.—Stilted discourses on love and several performances done in a manner outmoded when sound came in, prevent "Hearts of Arizona," the next to the last Hopalong Cassidy picture for the current season, from being one of the more attractive in the group. But, nevertheless, the fans who made Bill Boyd No. 2 western star in the Motion Picture Herald-Fame poll will find in this Harry Sherman production enough of action and suspense to satisfy them. With Boyd in the principal roles are George Hayes and Russell Hayden. Supporting are John Elliott, Billy King, Natalie Moorhead, Dorothy Short, Alden Chase, John Beach, Lane Chandler and Leo McMahon.

Lesley Selander directed, with the screenplay, based on the Clarence E. Mulford characters, written by Norman Houston. J. D. Trop was associate producer. Excellent camera work was done by Russell Harlan.

Boyd, befriending Miss Moorhead, who has been released from prison after serving a five-year term because of her defense of her late rustler-husband, is troubled by cattle rustlers. Miss Moorhead is suspected, along with some others, but Cassidy clears her, rounds up the real rustlers, and Miss Moorhead, in the mass gunfight, is killed.

Running time, 67 minutes. "G."

Variety Club

Cincinnati

Cincinnati, April 14. — **Allan Moritz**, national chairman, and his committee are hard at work on the final arrangements for the national convention at the Netherland Plaza here April 23 and 24. Governor **Chandler** of Kentucky, Governor **Nice** of Maryland, **Harold Hoffman**, former governor of New Jerse Senators **Robert J. Bulkley** of Ohio and **Alben Barkley** of Kentucky are among those who have signified their intention of being here. **Arthur M. Frudenfeld**, in charge of the entertainment, promises some real surprises in this line.

Joe Goetz, skipper of the RKO Paramount, is doing a "single," while the wife and young daughter are sojourning in Florida.

Indianapolis

Indianapolis, April 14.—Delegates to the Chicago Association of Dancing Masters 25th annual convention frolicked with barkers of tent No. 10 at their Saturday night party. Louis Stockman, Indianapolis dancing school head, was the barker who brought the guests.

Tent No. 10 will hold a gala party at the Indiana roof ball room the night of April 18.

Minneapolis

Minneapolis, April 14.—With **W. A. Steffes**, chief barker, directing the ceremony, 20 new members were initiated in the Twin Cities Variety Club. The new members are **Henry Baker**, **John P. Devaney**, **William Donnelly**, **Joseph W. Finley**, **Harry Hirsch**, **S. G. Lebedoff**, **M. Frank McCormick**, **Louis B. Schwartz**, **R. J. Seiberlich**, **Earle C. Sly**, **Tony Stecher**, **William Volk**, **Charles Weiner**, **J. M. Fieldman**, **William F. Mailand**, **Earl D. Perkins**, **John Pillar**, **Don Ruliffson**, **Harry Sherman** and **J. McFarland**.

Wall Street

Board Gains ⅛ to 3½ Points

	Open	High	Low	Close	Net Change
Col.	11¼	11¼	11¼	11¼	+ ¾
Cons.	1¼	1¼	1¼	1¼	.....
E. K.	144⅛	148	144⅛	147	+2⅞
E. K. pfd.	169	169	169	169	+ ¼
G. T. E.	11¼	11⅜	11¼	11⅜	+ ⅜
Loew	40¼	41	39½	41	+1
Loew, pfd.	103	103	103	103	—2
Para.	7⅝	8	7½	7⅞	+ ⅛
Para. 1	81	81	81	81	— ½
Para. 2	8¾	8⅞	8⅝	8¾	.....
Pathe	4½	4½	4½	4½	+ ⅜
RKO	3	3	2⅞	3	+ ⅛
20th Fox	20¼	20¾	20	20¾	+ ½
Univ. pfd.	35	35	35	35	+3½
W. B.	5	5⅛	4⅞	5	.....

Few Curb Gains

	Open	High		Close	Net Change
G. N.	7/16	7/16	⅜	⅜	.....
Monogram	1¾	1¾	1¾	1¾	+ ⅛
Sonotone	1½	1⅝	1½	1⅝	.....
Tech.	17⅝	17¾	17	17¾	+ ¼
Trans-Lux	2	2¼	2	2¼	— ¼
Univ. Corp.	2½	2½	2½	2½	+ ½

Para. Bond In Light Rise

	High	Low	Close	Net Change
Loew 3½s '46	96	96	96	— ⅛
Para. B'way 3s '55	58½	58½	58½	+ ½
Para. Pict. '47	58½	58½	58½	.....
RKO 6s '41	55½	55½	55½	—2
W. B. 6s '39	68⅜	68⅜	68⅜	+ ⅜

(Quotations at close of April 14)

"Birth" Held Unsuited for Film Houses

(Continued from page 1)

of Regents' action, the board said: "Special provision is made in the Education Law (Section 1083 subdivision b) for the issuance of a permit to show such a picture, where it is not to be exhibited at any private or public place of amusement. Such permit will be issued, if the applicant requests it.

"As motion picture theatres are attended by children of all ages in large numbers and by people of all creeds, colors and races, this picture is not licensed to be shown in places of amusement.

"As an amusement picture we find the film so far in conflict with Section 1082 of the Education Law that we cannot license it."

Committee in Rebuttal

In a statement issued immediately after the regents' decision became known the American Committee on Maternal Welfare said:

"The committee deplores the decision as a grave tragedy to the thousands of mothers and tens of thousands of infants who will die this year through ignorance or lack of care. The committee asks if the picture is 'highly educational' as the Board of Regents states why should it not be generally shown?

"The committee declares the decision of the majority of the board is against all evidence and against the testimony or belief of qualified judges."

The committee asserted that more than a quarter of a million persons have seen the film in Minnesota and that it had been endorsed by Y.M.C.A. officials, Federal Council of Churches, Boy Scout executives, U. S. Surgeon General Parran, Katharine Lenroot of the Children's Bureau, the *New York Times* and *Herald-Tribune*. An article of Dr. W. A. O'Brien in *Minnesota Medicine* also was quoted.

Hold Newsdealer for *Life* Sale

BOSTON, April 14. — Fred M. Cahaly, Cambridge newsdealer, became defendant today in East Cambridge District Court in a case involving the sale of last week's issue of *Life*, which contained stills from the film "Birth of a Baby." He was specifically charged before Judge Robert Wolcott with selling "a magazine containing obscene, indecent or impure pictures manifestly tending to corrupt the morals of youth." He was released on his own recognizance for a hearing April 26.

The magazine, banned in Boston, was not banned in Cambridge.

U.K. Exports Increase

LONDON, April 14.—Exports of exposed positive film during March totaled 2,078,227 feet, an increase over March of last year of 111,589, according to the Board of Trade. The value of the March, 1938 exports was £12.-802, a gain of £2,055. Imports totaled 1,858,223 feet, over last March by 487,789 feet, valued at £15,556, a gain of £4,583.

No "U" Shakeup

Hollywood, April 14. — Charles R. Rogers, head of production at Universal, today issued a memo to all department heads denying rumors that a general shakeup in Universal personnel impends. He charged that the reports were "spread by habitual knockers trying to upset the morale and progress of the studio."

Urges Legislation To Solve Problems

(Continued from page 1)

major companies have no desire for such conferences, that they are satisfied with things as they are.

"In the absence of a conciliatory attitude on the part of the majors, the only alternative is Federal legislation. If some form of legislation is not passed at this session of Congress or the next, there will be tremendous pressure from aggrieved elements in the industry and public groups for general Federal regulation of the industry and drastic Federal censorship."

Ellis is a brother of Jack Ellis, RKO salesman, who is president of the Motion Picture Associates. The organization includes in its membership local sales executives, branch managers, salesmen and exhibitors. About 100 attended the luncheon, which was at Jack Dempsey's restaurant.

Ellis analyzed the Neely bill and found it impractical in some of its provisions, particularly the synopsis clause. He recommended amendments to the measure to prevent great harm to the industry, or a substitute bill. In substance, he advocated legislation which would represent amelioration of the Neely provisions, but which would give the exhibitor the right of preferment and selection of pictures and the freedom to switch to another company should the product he has contracted for fail to come up to quality.

Asks 3-Mo. Block Booking

Ellis said he would bring this about by permitting a three-month block booking period. Instead of requiring a complete synopsis with each individual film contract, he would require a brief description of the picture with names of the cast.

"If we review the Neely bill in its moral aspect alone, it will not achieve its purpose," the attorney said. "It is too much to expect that the exhibitor can set himself up as an arbiter of morals for the community.

"From an industry standpoint the features designed to bring about a free choice by the exhibitor are desirable because it will result in a condition of open competition and the independent producers will be permitted to enter the market again. The synopsis feature of the Neely bill is bad, and the producers are correct in saying that they could not sell under that provision."

Exhibitor Is Candidate

PORTLAND, Ore., April 14. — Boh White, theatre owner here for the past 20 years, has filed for the Democratic nomination for state representative from Multnomah County.

Lehman Signs Bill Granting Day Off

(Continued from page 1)

houses affected may reach $25,000 annually, it is understood.

Signature by Governor Lehman of the Wagner measure winds up the most successful legislative session within the past several years. Previously the Governor had vetoed the Ehrlich bill, which sought to clarify existing law in relation to admission of children into theatres where matrons were on duty, on the grounds that present statutes are sufficiently clear. Infinitely more pleasing to Greater New York and upstate exhibitors was the Governor's veto of the Quinn dog racing bill.

Stage Bill Is Passed

BOSTON, April 14.—A bill to allow stage dancing in film houses on Sundays has passed the Massachusetts House after an earlier defeat. The measure failed of passage last year. The circuits are pressing the legislation.

Accounting Hearings Will Begin Shortly

Hearings before Special Master Paul J. McCauley to determine damages and an accounting in the action of Frederick Beck Patterson against Samuel Cummins, Empire Laboratories, Inc., Richard Fiedler, Century Productions, Inc., and Bob-Ed Theatres Corp., will open shortly, according to Alfred S. Krellberg, attorney for Patterson. The decision was recently affirmed by the U. S. Supreme Court after the verdict and affirmation by lower courts.

The original action arose out of the production, distribution and exhibition by the defendants of "The Jungle Killer." U. S. District Court Judge Vincent Leibel said at the time of the verdict: "The deliberate purloining of at least 1,000 feet of the Patterson film by the defendant, Cummins and the Century Productions, Inc., was established beyond a reasonable doubt." The decision ordered delivery of the negative and all prints of the infringing film, restrained the defendants from further infringement and ordered an award for damages and an accounting.

Warners to Start 11 Features in 3 Weeks

(Continued from page 1)

Northwest mounted police story written by George Bricker; "Girls on Probation," Crane Wilbur original of a girl in a reformatory; an untitled "Torchy Blane" story with Albert De Mond writing the script; a "Nancy Drew" story to star Bonita Granville, from the novel by Carolyn Keene; "Brother Rat," screen version of the hit play.

"Valley of the Giants," with Wayne Morris, John Litel, Donald Crisp, Dick Purcell, William Haade, Charles Bickford, Jack La Rue and Russell Simpson; "Racket Busters," written by Warren Duff and Robert Rosson; "Because of a Man," with Errol Flynn, Rosemary, Lola, Priscilla and Leota Lane, May Robson and Gale Page featured in the film version of "Sister Act," Fannie Hurst story; "Baby Doctor," based on a story by Charles Bonner.

Closed Shop Pacts to Go To Labs Here

(Continued from page 1)

Saturday and Sunday work. The union's minimum wage heretofore was $22.

These conditions will cover all technicians who are union members in the laboratories signing contracts and are being submitted for the first time. The union considers the closed shop one of the major issues and intends to enforce this condition in the east coast laboratories, officials said.

The contracts also call for wage increases in every craft. Another demand, according to union officials, will be that a worker be assigned to every machine, and where a multiple operation machine is installed the wage be based on the number of operations performed.

Rugge said that the laboratory owners will be asked to consider the new contracts at a general meeting, it being felt that this procedure will expedite negotiations and "aid in establishing minimum wages and conditions throughout the industry."

Wage Pacts to Vary

The union's negotiating committeee will consist of a group chosen from the executive board and former Congressman Vito Marcantonio, its attorney. More than 1,000 members approved the new proposals at a recent meeting, it was said.

The wage pacts to be negotiated will vary with each plant. Laboratories which will get the new demands are: Malcolm, H.E.R., Du Art, Warners' Ace and Cellulose Products, Paramount News and Producers, all of which have granted the union recognition; De Luxe and Consolidated, where contracts have expired; Pathoscope, Mecca, Paramount Long Island, Film Service, Films, Inc., Mercury, Pathe News, March of Time, News of the Day, Fox Movietone.

Closed shop is in effect at H.E.R. and the two Warner plants. The union has no members at Universal News and no contract will therefore will be submitted to this newsreel.

Warners to Make 14 at Teddington

(Continued from page 1)

head, has placed the first of the new season's features in work. It is "The Return of Carroll Dean," with Bebe Daniels.

Morris sailed for England on March 9 to line up the production schedule and install Jackson in his new post, also to make a survey of conditions in England and France. Jackson formerly was associate producer at Teddington. Morris refused to comment on whether a settlement of Asher's contract had been consummated.

Studio Awaiting Jack Warner

HOLLYWOOD, April 14.—Final story selections for new Warner product are awaiting the return from Honolulu of Jack Warner.

Banner LINES

THE news will not be released for some weeks, but Aaron Stein, the *New York Post* radio editor, has been signed by *Time* magazine for similar duties. Stein will be *Time's* first radio editor.

▼

Speaking of air scribes, Jimmy Friedman, who edited a radio page in Los Angeles until the recent ban on radio space in newspapers in that city, is in New York trying to get NBC and CBS to support a radio paper on the coast. He is not meeting with success, due to the belief here that the ban will not last.

▼

Jimmy Melton has been assured of a Met audition, and so Fred C. Schang of Columbia Concerts, who manages Jimmy, now refers to him as "Signor Meltoni."

▼

An inside observer offers the following line of thought regarding the placing of Burns and Allen in the Liggett & Myers setup. He is of the opinion that the cigarette company will not unload Kostelanetz, as has been reported, but will instead shift "Kosty" into the Friday night period now occupied by Paul Whiteman, and fit Burns and Allen into the Wednesday night spot to oppose Fred Allen. It's a plausible theory.

▼

Nick Kenny, burned over a fellow radio editor's written remark that Guy Lombardo is one orchestra leader who will not play a Kenny tune, informs the department that not only has Guy played previous Kenny hits, but that he will introduce the New York Mirror *radio editor's latest song, "Cathedral in the Pines," on his program Sunday.*

▼

Lou Holtz, after taking a lambasting from radio critics, is off the cooperatively sponsored beer program on CBS as of Monday. Hereafter guest players will be used, starting with Hugh Herbert and Jane Froman.

—JACK BANNER

Transradio to Issue Disc Dramas Soon

Transradio News Features, transcription subsidiary of the Transradio news organization, will begin distribution within the next two weeks of its newly developed transcribed dramatic programs. Sales will be made directly to both stations and agencies all over the country through the Transradio organization.

Production of the programs is through Radio Events, Inc. At the outset, three varied types of dramatic programs will be offered. Production plans beyond that, and frequency of releases, will be determined by the capacity of the market to absorb the shows. The three programs to be offered are "Salute to Love," with Selena Royle and Earle Larrimore; "The Green Flame," a mystery series by Libeth Arbarbenel, and "Closed Doors," with James Bell in the lead role.

FCC May Hearings Tentatively Fixed

WASHINGTON, April 14.—Tentative dates for hearings on a number of broadcasting applications have been fixed by the Federal Communications Commission, as follows:

May 5, before the commission: Applications of Floyd A. Parton for a new 1,170-kilocycle, 250-watt daytime station at San Jose, Cal.; Madison Broadcasting Co. for a 1,450-kilocycle, 250-watt station at Madison, Wis.; WMFR, High Point, N. C., for increase of time from day to unlimited; and KWOS, Jefferson City, Mo., for increase of time from day to unlimited and increase of day power from 100 to 250 watts.

May 9, before an examiner: Applications of the Monocacy Broadcasting Co. for a 1,140-kilocycle, 250-watt daytime station at Rockville, Md., and WSFA, Montgomery, Ala., for increase of night power from 500 to 1,000 watts.

To Hear Montana Plea

May 12, before an examiner: Application of Roberts-McNab Co. for a 1,310-kilocycle station at Livingston, Mont., with 100 watts night, 250 watts day.

May 17, before an examiner: Application of Eastern Carolina Broadcasting Co. for a 1,370-kilocycle, 100-watt station at Goldsboro, N. C.

May 24, before an examiner: Applications of F. W. Meyer for a 1,310-kilocycle station at Denver, with 100 watts night, 250 watts day, and Kammeraad-Smith Broadcasting Co. for a 1,200-kilocycle, 100-watt station at Holland, Mich.

May 31, before an examiner: Applications of Cuyuhoga Valley Broadcasting Co. for a 1,500-kilocycle, 100-watt daytime station at Cleveland, and WGTM, Wilson, N. C., for change of frequency from 1,310 to 1,420 kilocycles, increase of time from day to unlimited, and increase of day power from 100 to 250 watts.

Nevada Firm Applies For a Permit at Ely

WASHINGTON, April 14.—Application for a construction permit for a new broadcasting station to operate on 1,500 kilocycles with 100 watts power, day only, was resubmitted to the Federal Communications Commission today by the Eastern Nevada Broadcasting Co., Ely, Nev.

Other applications filed with the commission included requests by WDBO, Orlando, Fla., for increase of night power from 1,000 to 5,000 watts; WJBL, Decatur, Ill., for change of frequency from 1,200 to 1,310 kilocycles and increase of day power from 100 to 250 watts; WBLK, Clarksburg, W. Va., for increase of day power from 100 to 250 watts; and KID, Idaho Falls, for change of frequency from 1,320 to 630 kilocycles.

CBS to Honor WREC

The entire CBS network will join in honoring its Memphis outlet, WREC, April 21, when the United States Junior Chamber of Commerce presents the Tennessee station with a plaque for its outstanding work during the 1937 flood in the Mississippi Valley. The ceremony will be aired from 2:30 to 2:45 P. M.

Sales Training

Philadelphia, April 14.—Benedict Gimbel, Jr., president of WIP here, has evolved a plan whereby the station will take college students and put them through a special eight-week course in every phase of radio in which a salesman might need knowledge. Edward A. Davies, WIP director of sales, has charge of the work.

Already five senior students in nearby colleges have begun the course, and at the end of the eight weeks, they will form the beginning of a WIP "student salesmen" group, which will be added to the station's regular sales force.

Quaker Net Business High During Primary

PHILADELPHIA, April 14. — The Quaker network, keyed by WFIL here, is doing unusual business on Pennsylvania's primary election contest. The chain has landed contracts for 82 15-minute broadcasts at a gross revenue of approximately $150,000, a sum which represents virtually all of the money to be spent on radio by politicians in the state.

The Quaker network was founded early in 1936 solely to attract political business. The stations in the network, aside from WFIL, are WSAN, WORK, WJAC, WKBO, WBRE, WBAX, WLEU, WAZL, WGAL, WRAK, WFBG, WMBS, WHJB, WTBO, WHP, WKOK.

New Show to Start Over WOR April 26

A new program, as yet untitled and featuring James McCormack and a string ensemble, will begin on WOR April 26, Tuesdays and Thursdays from 11:45 A. M. to 12 noon, sponsored by Slide Fastener, Inc. G. Lyman Sumner Co., New York, is the agency.

Beginning April 19, Joseph Middleby Co. will sponsor the John Gambling gym broadcasts Tuesdays, Thursdays and Saturdays on WOR. Child's Restaurant Co. sponsors the Gambling program the other three days each week.

Mutual to Air Concerts

The ninth summer concert season by the Philadelphia Orchestra from Robin Hood Dell in Philadelphia will be broadcast exclusively over Mutual under arrangements just completed by Alfred J. McCosker, president of WOR and chairman of the board of Mutual, and Reginald Allen, manager of the orchestra and of the Robin Hood Dell Concerts, Inc.

Renew Morris Program

The Philip Morris program on Mutual, "What's My Name," has been renewed for 52 weeks. The show, now in its third broadcast, was originally signed for a period of 13 weeks, but the sponsors are convinced that the series has caught on with the public, resulting in the new contract. The Biow Co. is the agency.

▸ Radio Personals

BOB WOOD, formerly editor *Radio Guide* and other publi tions, is now assistant radio direct of the World's Fair. . . . Sa Holmes, who served as interpreter the American delegation to the national Radio Congress at C will return from Europe today. . . Morton Downey will guest appear the "New York on Parade" sh over WEAF tonight.

+

Des Moines

Frank Rand, publicity director f CBS in Chicago, has been at t KRNT offices here in consultati about CBS shows over KRNT. . . H. R. Gross, newscaster for WH is being urged to enter the race f nomination for governor of Iowa b a newspaper in Union County, h old home. . . . New business comi into the WHO office includes o Iowa and four out of state firms.

+

Oklahoma City

Joe O'Neil has been signed b WKY as assistant orchestra directo and assistant staff arranger. . . John Shafer, formerly program director for KFOR, Lincoln, has joine the WKY staff on special events staff . . . The WKY golf tournamen started with 26 entrants, all member of the WKY staff. . . . Jack Wilson' "Musical Diary" is a new show o WKY once a week for 15 minutes.

NBC Asks Dismissal

NBC yesterday filed a general denial in answer to the copyright infringement suit brought by Edwin F. Kalmus in the U. S. District Court here. Kalmus charged infringement of his song, "Roadways," by an allegedly unauthorized broadcast over WJZ December 17, 1937.

NBC answered that performing rights had been assigned to Robbins Music Corp., a member of Ascap, and that a three-year license had been issued to WJZ by Ascap. A dismissal of the suit with costs is asked.

ARTA Changes Name

American Radio Telegraphists Association yesterday officially changed its name to the American Communications Association. A year old yesterday, the union, a C.I.O. affiliate, claims to have obtained benefits totaling $1,100,000 in increased wages and overtime for members in that period of time.

Signs Deal at WHN

Polly Shedlove, who broadcasts as "Polly the Shopper," has signed a contract with WHN, and beginning April 18 she will do a daily participating half-hour program, Mondays through Saturdays from 9 to 9:30 A. M. Before coming to New York she was with KSTP in Minneapolis and St. Paul.

CBS Books Miss Verrill

CBS artists bureau has set Virginia Verrill for a week's stage appearance at the Fox, Detroit, beginning April 29.

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Bank Night Is Lottery, Postoffice Dept. Rules

Is Denied Use of Mails Under a Decision of Solicitor Crowley

By BERTRAM F. LINZ

WASHINGTON, April 15. — Bank Night was today declared a lottery by the Postoffice Department, and Affiliated, Enterprises, Inc., Denver, copyright owner, was denied the use of the mails.

The decision of the department was signed by Solicitor Karl A. Crowley as one of his last actions before he left the Federal service to enter the gubernatorial race in Texas. The order making the decision effective was issued by Postmaster General James A. Farley.

In Crowley's findings of fact it was pointed out that Bank Night was originated by Charles U. Yaeger and Rick Ricketson, "who through Affiliated Enterprises, Inc., for a weekly fee, licensed local theatre operators to use the Bank Night scheme." According to Crowley, the concern in 1936 collected $769,528 from theatre operators under such licenses.

The formal proceedings against Affiliated Enterprises were initiated by the department last October, following investigations by field agents. A number of hearings were held at

(Continued on page 3)

'ara. 1938-39)eals Already Number 2,000

iles Executives Open Two-Day Meeting

3y JAMES P. CUNNINGHAM

VASHINGTON, April 15. — Paraunt sales executives in session at Shoreham Hotel here for 1938-'39 duct and sales policy discussions ay tabulated 2,000 contracts aldy signed for the new program, resenting one-fifth of the 10,000 1 in 1937-'38.

The titles of some of the 50-odd tures to be the backbone of the v lineup will be disclosed tomorrow rning by Neil F. Agnew, distribu1 chief, and in two weeks Adolph kor, from Hollywood, will anance the remainder, as well as the rs and directors assigned to nearly of the program. Also on Satur-'s slate is the classification of the shorts scheduled for the new sea-

Twenty-seven home office, division l district managers met today in the oreham's supper room to work out new season's policies with Agnew, nning to turn tomorrow to individ- district conferences. Agnew stated t the production list for the coming son would be the same as for the vious year.

On hand are J. J. Unger, Charles

(Continued on page 3)

oubles, "B" Films, Trailers Criticized

Double bills, "B" films and the gth and number of trailers are the jor "peeves" of 25,000 readers of Daily Mirror, according to tabuion of results in a poll recently nducted by the newspaper in conction with local theatres.

njudicious spotting of films in ghborhoods was also criticized, and

(Continued on page 3)

Issues 881 Passes

Heavener, Okla., April 15.—Ray Hughes, manager of the Liberty here, has issued 881 passes to school children for the month of March. These passes were earned during the month of February by all children who were neither absent nor tardy during that period.

Negotiations Completed for Sale of KEHE

HOLLYWOOD, April 15.—Clearing the way to purchase KEHE from Hearst Radio, Inc., to replace KECA, present NBC-blue outlet owned by Earle C. Anthony, Inc., Harrison Holliway, KFI-KECA manager, today said negotiations had been completed for the sale of KECA, owned by Anthony, to Warren B. Worcester, San Diego businessman, who will, if the deal is approved by the F. C. C., take the station to San Diego. Application for transfer of KECA ownership will accompany the application for transfer of ownership of KEHE from Hearst to Anthony. It is expected both applications will be acted upon by the F. C. C. simultaneously.

Additional developments in radio yesterday on page 4.

The proposed sale includes all equipment, vertical radiator and property at 81st St. and Compton Boulevard, but not the call letters, the last three of which are Anthony initials.

KECA operates on a frequency of

(Continued on page 4)

Schenck Again Head Of Met. Playhouses

Joseph M. Schenck was reelected president of Metropolitan Playhouses, Inc., at the annual meeting of the company's board of directors yesterday. All other officers were reelected as were all directors of the company at the annual meeting of stockholders which preceded the board meeting.

Officers of the compnay in addition to Schenck are William P. Philips, vice-president and treasurer; Milton C. Weisman, vice-president and secretary; Alfred M. Georger, assistant treasurer, and Herbert S. Keller and Melvin A. Albert, assistant secretaries.

Directors are Samuel S. Allan, Morton G. Bogue, Charlton B. Hibbard, Philips, Schenck, Leslie B. Soper, Leo Spitz, William Rhinelander Stewart and Weisman.

Ohio Passes "Birth"

Columbus, April 15.—The state censor board of Ohio today approved for public showings the controversial film, "Birth of a Baby."

President Delays Monopoly Message

WASHINGTON, April 15.—Submission of his monopoly message to Congress having been delayed this week because of the pressing need for initiation of the recovery program, President Roosevelt today said it would go to the Capitol in the near future, probably next week.

The President did not reveal what recommendations he would make, if any, but it is generally expected the message will merely call the attention of Congress to the need for action with respect to control of monopolies and suggest a study of the subject.

Yates Reelected by Consolidated Film

H. J. Yates, president, and all other officers of Consolidated Film Industries were reelected at a meeting of the directors yesterday. They are: J. W. Aller, R. I. Poucher, M. J. Siegel, Walter W. Vincent, vice-presidents; H. J. Yates, Jr., vice-president and treasurer; J. E. McMahon, secretary; R. S. Rodgers, E. H. Seifert, N. K. Loder, assistant treasurers; W. C. Bentley, assistant secretary.

Also reelected were members of the executive committee, including H. J. Yates, chairman; J. W. Coffman, R. I. Poucher and H. J. Yates, Jr., secretary.

Kent Sails Today to Foreign Sales Meet

S. R. Kent, president of 20th Century-Fox, and Walter J. Hutchinson, general foreign manager, will sail on the *Rex* at noon today to attend the company's foreign sales conventions. The meetings will be held on May 12 to 14 in London and May 5 to 7 in Paris. Kent will be the principal speaker at both.

Kent, who became president of the company exactly six years ago today,

(Continued on page 3)

"Chicago" Setting New 20th-Fox Mark

"In Old Chicago" is setting a record for any film produced by 20th Century-Fox, opening this weekend for day-and-date runs in 327 theatres, the maximum number that can be supplied available prints, the sales department said yesterday.

Because of the domestic demand for

(Continued on page 3)

Reject Nazi Reel

The Warner Circuit, nationally, has rejected that part of the current March of Time release dealing with Hitler's coup in Austria, Joseph Bernhard, general manager of the circuit, said yesterday. In Philadelphia, the film is scheduled to open today at the News and Trans-Lux, newsreel houses.

"Golden" Gets $19,000, Top In Washington

WASHINGTON, April 15.—Loew's Palace with a take of $19,000 on "Girl of the Golden West" topped par by $3,100.

"Bluebeard's Eighth Wife" at the Earle went over average by $1,400 on a take of $19,800.

"Bringing Up Baby" at RKO Keith's took $11,800, up by $1,200.

Total first run business was $78,400. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending April 7:

"GIRL OF THE GOLDEN WEST"
(M-G-M)
LOEW'S PALACE—(2,370), 25c-55c, 7 days. **Gross:** $19,000. (Average, $15,900)

"BLUEBEARD'S EIGHTH WIFE"
(Para.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Lucille Johnston, John Bryant, Five Maxellos, Richards and Carson, the Manhattanites and Tom Barry. **Gross:** $19,800. (Average, $18,400)

"BRINGING UP BABY" (RKO)
RKO KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $11,800. (Average, $10,600)

"THE KID COMES BACK" (W. B.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,300)

"THE FIRST 100 YEARS" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Clyde McCoy's Orchestra and Sheilah Barrett. **Gross:** $19,500. (Average, $20,900)

"MERRILY WE LIVE" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days. **Gross:** $3,800. (Average, $3,600)

Powell Appeals Tax

WASHINGTON, April 15.—Claiming that $562 paid in tips to studio employes, a $100 cleaning and laundry bill and $100 estimated as having been paid as taxes on theatre admissions were business expenses, William Powell today asked the Board of Tax Appeals to make a redetermination of an alleged deficiency of $1,650 in his income taxes for 1935.

Redmond Award Upheld

ALBANY, April 15. — Jack Redmond, golfer, has won his long fight against Columbia Pictures. The Court of Appeals has affirmed the lower courts' award of $1,500 to Redmond.

Redmond's contention was that his name and picture were used by Columbia in a short without his permission.

Warners to Close House

NEW BRITAIN, Conn., April 15.—Warners will close the Capitol, reopened six months ago after a long dark period, April 20, continuing operating of the Strand and Embassy with a possible change in policy to split week and more frequent changes. The Capitol has had a full-week run.

Contner in Studio Post

J. Burgi Contner has been appointed technical adviser of the Film Art Studios in the Bronx, replacing John T. Doran, according to Mrs. Marie Kenney, executive secretary of the company.

Retitle "Thoroughbred"

HOLLYWOOD, April 15.—"Little Miss Thoroughbred" is the new title of the Warner film formerly known as "Little Lady Luck."

◀ *Purely Personal* ▶

SPENCER and MRS. TRACY canceled their sailing on the *Rex* today in order to make the passage on the *Manhattan* Wednesday with BOB RITCHIE and KING VIDOR. The TRACYS will return prior to June 1, when he is scheduled to start in "Northwest Passage."

•

LOU GEHRIG will see himself in "Rawhide" tonight at a screening at the 20th Century-Fox exchange for sports writers. On April 24 he will make a personal appearance at the Globe with the film.

•

COLLEEN MOORE and her husband, HOMER P. HARGRAVE, will sail today for the Mediterranean on the *Rex*.

•

DR. SAUL C. COLIN, president of Continental Productions, Inc., will arrive from the coast on Monday.

•

CHARLES H. CORE, U. A. manager in the Philippines, has arrived here for home office conferences.

•

HERMAN ROBBINS, president of National Screen Service, returned yesterday from the coast.

•

JOHN HAY WHITNEY is aboard the eastbound *Europa*.

•

. . . Indianapolis

MRS. ANNA WEAVER MORRIS, mother of TED I. NICHOLAS, manager of the Lyric, died in St. Vincent's Hospital here. She was 51.

REX CARR of Fort Wayne has succeeded CARL NIESSE as manager for the Central City Amusement Co. here. NIESSE is building his own house, the Vogue, on the far north side.

REED LORENZ, Warner western district manager, was a visitor.

•

. . . Oklahoma City

T. B. NOBLE, JR., president of State Theatres, Inc., has returned from a trip to Lincoln.

A. L. SMITH has arrived here from New York to become assistant treasurer of Standard Theatres Corp., representing Warner interests.

•

. . . Omaha

DICK STAHL, former salesman for Scott-Ballantyne Co., has been named booker at Universal, replacing AL HILL. HILL was made salesman when ROY PALMQUIST was moved to branch manager.

HAROLD NEUMANN, former operator of theatres in out-state Nebraska and Iowa points, has joined the sales staff of Western Theatre Supply Co.

Sees No War

"All Europe is a beehive of preparedness; they're digging trenches in their front yards and teaching people how to put on gas masks," reports Sam E. Morris, Warners' vice-president, who returned Thursday night from London and Paris. "There's a lot of talk about the coming war. I don't think it is imminent."

Projection Standard Report Distributed

The Research Council of the Academy of Motion Picture Arts and Sciences has mailed copies of a report detailing the results of 18 months of tests and experimental work on the standardization of theatre sound projection characteristics. The engineering departments of the various companies participated in the preparation of the report. John Hilliard of M-G-M headed the committee.

The specifications and recommendations in the report were prepared for the guidance of sound technicians and have been distributed to each company's representative. Copies are also available to sound equipment manufacturers. The committee installed complete reproducing units at the Filmarte in Hollywood where experiments were conducted with various equipments under identical operating conditions.

"Test Pilot" Book Out

W. R. Ferguson and his M-G-M exploitation department have turned out a striking press book on "Test Pilot." The book measures 16 by 16 inches and has an interesting collection of tieups, promotional material, lobby displays and other aids for the showman in its 25 pages.

Lincoln Goes to Duals

LINCOLN, April 15.—The Lincoln has adopted duals on a permanent basis after flirting with the idea some time.

Boston Club Plans Neely Bill Debate

BOSTON, April 15.—Major company executives will be invited to present their arguments against the Neely-Pettengill bill at a dinner to be given here on April 26 by the Twentieth Century Club, a local civic organization which is supporting the anti-block booking legislation. No invitations to attend the conference have been sent out to such executives yet, however.

Abram F. Myers, chairman of Allied States, will be guest of honor at the dinner and will speak on the Neely bill.

A special business convention of New England Allied will be held in conjunction with the affair. Nathan Yamins, Allied president, will preside at the latter.

Los Angeles House Drops Stage Shows

LOS ANGELES, April 15.—The Paramount will drop stage shows Tuesday because of Mike Marco's inability to get together with the stagehands' local of the I.A.T.S.E. over overtime pay. The house will go to double bills, throwing out of work approximately 80 musicians, stagehands and chorus workers necessary for the stage show policy.

The theatre asked a readjustment of overtime pay for the Tuesday changeovers on which the stagehands did most of the work. The management wanted overtime on that day included in the 48-hour week, but the local denied the request.

Union Contract En Strike at Des Moin

DES MOINES, April 15.—Film t delivery service out of Des Mo halted March 14 by a strike of drivers, was resumed yesterday a contracts for a year had been sig by three delivery firms which v affected.

Companies signing the contr were the Iowa Film Delivery C land Film Express, and Film portation Co. Officials of Teams and Truck Drivers Union, No. signed for Easter.

The settlement was hastened by ceipt of letters containing resoluti adopted by the Independent The Owners of Iowa April 12, wherei was stated that unless the strike settled and service resumed, the t atre owners would accept the ser of the express company complet and permanently.

The drivers, heretofore on a wee pay basis, are now, according to contract, on a mileage pay scale two cents per mile for one-ton tru and two and one-half cents per n for one and one-half ton trucks a 60 cents per hour for city pick service. The union had demanded cents per hour for city pickup a 75 cents per hour for out-of-to trips.

Loew's London Divide

Loew's London Theatres, Ltd., h declared a dividend of 35 cents on t seven per cent preferred stock, payal May 2 to stockholders of rec April 16.

Street Closed Yesterda

Stock, bond and curb trading w suspended in Wall St. yesterday observance of Good Friday.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Pu lisher; J. M. JERAULD, Managing Edit JAMES A. CRON, Advertising Manager. ED TORIAL STAFF: Charles S. Aaronson, Jack Ba ner, Al Finestone, Thomas Fitzsimmons, Sherw A. Kane, Irene Kuhn, Joseph Priore.

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Para. 1938-39 Deals Already Number 2,000

(Continued from page 1)

eagan, Robert Gillham, C. N. Odell, LeRoy, Myke H. Lewis, M. A. igan, Harry Goldstein, G. B. J. rawley, Ralph Libson, Allen Usher, scar Morgan, Hugh Braly, Milton Kusell, Arthur Dunne, Herman orber, Jack Roper, Alec Moss, erry De Lapp, A. O. Dillenbeck, ob Gibbs.

Agnew called the session to order is morning with discussions of genal policy for the new season and an alysis of the operations in the field, llowing with a trip to the Earle heatre for a screening of "Cocoanut rove." The conference resumed at P. M., running to 6 P. M. On Satday the talks will be interrupted at on for lunch at the Shoreham given Paramount and the Washington ess by Loew's Washington division anager, Carter T. Barron.

Optimism Is Keynote

Fortified with $12,000,000 in cash r operations, Paramount's execuves, assembled for this first convenon in the nation's capital in 10 years, pressed optimism for the new sean, based on the closing already of 0 more contracts than at this time st year. Also, with a numerical dease in the new program, the budgs ordinarily intended for those elimated will be spread over the balance the lineup.

ent Sails Today to Foreign Sales Meet

(Continued from page 1)

ans to spend about a month abroad, ring which he will also make a surey of conditions. He will be accomnied by Mrs. Kent.

Truman H. Talley, head of Moviene News and shorts production, ans to leave next Saturday to attend e meetings and preside at sessions Movietone staffs in London and aris. Talley will organize the forgn forces to handle developments ring the next 12 months.

Chicago" Setting New 20th-Fox Mark

(Continued from page 1)

ints, Canadian theatres will not be pplied until next week. Holdovers clude the Roxy, New York, second eek; Dallas, San Francisco and Oaknd, fourth week, and a third week in uffalo, Detroit, Rochester and Syrause. The film is in a second week 12 theatres.

Slump Hits Broadway

The usual pre-Easter doldrums hit me of the Broadway theatres this eek. "The Return of the Scarlet impernel" did $9,500 at the Rivoli d was held for a second stanza. he Strand grossed $9,500 with "Woen Are Like That." "Hollywood tadium Mysteries" took $8,000 at e Criterion, while the Globe did ,000 with "Female Fugitives."

New York Preview

"Women Are Like That"

(Warners)

In "Women Are Like That" Kay Francis typifies the modern woman in business, only in this case she is not a career woman, but a wife who leaps into business in order to save her husband's career. It is full of banter and cleverness in dialogue, but it cannot be said that it is the strongest thing Miss Francis has ever done.

It might justifiably be said that the support is stronger than the lead, including Pat O'Brien, Ralph Forbes, Thurston Hall and Grant Mitchell. They play, respectively, husband, jilted fiance, father and spineless business prospect, and each of them is tops in his job. In a word, they form serious competition for Miss Francis, who is adequate, wears her clothes beautifully, as always, but somehow fails to impress.

Horace Jackson wrote the screenplay from a *Saturday Evening Post* story by A. H. Z. Carr, and turned out a neat, workmanlike job, which holds the interest and moves smoothly to its conclusion. Stanley Logan directed creditably, and the film is, in general, good entertainment, well mounted.

O'Brien's forceful personality takes Miss Francis out from under the nose of Forbes, actually his boss in an advertising agency, and the two are happy. But as business slips through Forbes' refusal to "spend money to make money," O'Brien is in a difficult spot, refuses to confide in his wife, then quits his job and wanders, while she, starting to work on an account to help him, stays to clean up. O'Brien, returning, joins another firm and ruins her business, until, when a divorce is arranged, they discover they do not want it.

Running time, 76 minutes. "G."

Hollywood Preview

"Bar 20 Justice"

(Sherman-Paramount)

HOLLYWOOD, April 15.—The setting has been changed completely, But none of those elements of melodrama, treachery, conspiracy, comedy, action, excitement, suspense and traces of love interest that have come to be part of the "Hopalong Cassidy" series has been changed at all. In fact, against the background of gold mine hijacking they take on a new significance, one that should cause spectators to be of the opinion that "Bar 20 Justice" is the entertainment equal of any of its predecessors. While a great deal of the action takes place below ground in a mine pit and tunnels, there is plenty on the surface stuff to provide thrills.

New adventures are in store for William Boyd when murdering ore hijackers headed by Pat O'Brien (not the Warner star) and Paul Sutton, who contrive that their killings shall appear as accidents, loot Gwen Gaze's mine. Enlisting the aid of his saddle pals, George Hayes and Russell Hayden and, holding the Bar 20 cowboys in reserve, Boyd sets out to unravel the web of skulduggery woven by O'Brien and Sutton. Finally, assisted by moments of George Hayes' comedy and romance involving Boyd and Miss Gaze, he finally gets the necessary evidence. Preceded by an anti-climax that has Boyd in dire danger from which he is rescued by Hayes and Miss Gaze, the Bar 20 boys round up the heavies' henchman and Boyd personally accounts for O'Brien and Sutton in a wild mountain chase and fight.

Producer Harry Sherman has given the feature a mounting comparable with the best of his earlier releases. The old standbyes, Boyd, Hayes and Hayden, deliver in the manner audiences know they can. O'Brien and Sutton form a team of strong menaces and while Miss Gaze has comparatively little to do, her work is convincing.

With added dialogue by Harrison Jacobs, Arnold Belgard prepared the screenplay along the approved "Hopalong" formula and Lesley Selander's direction is in line with that demonstrated in previous offerings from the same producer.

Running time, 65 minutes "G."

Set "Diggers" Opening

HOLLYWOOD, April 15.—The World premiere of Warners' "Gold Diggers in Paris" will be held June 5 in Minneapolis, the home town of the Schnickelfritz Band which appears in the film. The troupe will make a personal appearance at the opening.

Don Ameche Re-Signed

HOLLYWOOD, April 15. — Don Ameche has been signed to a seven-year renewal of his 20th Century-Fox contract by Darryl Zanuck. He is now working in "Alexander's Ragtime Band" and is scheduled to start soon in "Ellis Island."

Bank Night Is Ruled Lottery By Postoffice

(Continued from page 1)

which testimony was taken and final argument was heard in January, since which time the matter has been under consideration.

Under the terms of a fraud order, all use of the mails is denied the individual or concern against which it is issued. Mail from the company is not accepted by the postal service and mail addressed to the company is returned to the sender.

Doubles, "B" Films, Trailers Criticised

(Continued from page 1)

the letters seemed to indicate an interest in the return of vaudeville to replace the "second feature," according to the *Mirror*.

In the fans' selection of "The Life of Emile Zola" as "the best picture of the last 12 months," the *Mirror* sees an indication that they prefer not only a serious actor, such as Paul Muni, but also films having social significance.

Will Film Mussolini

Shots of Mussolini will appear in films being produced in Italy for Castle Films, producers and distributors of films for home projection. The tieup was made direct with Mussolini by Eugene W. Castle, president of the company, during a recent visit abroad. Harry J. Spiess, secretary-treasurer of Castle Films, will sail on the *Rex* today to supervise the productions, one of which will be on Naples and the other on Rome. Spiess will return in five weeks. The company is reported planning distribution abroad.

End "Chain Gang" Suits

ATLANTA, April 15.—Six out of a total of seven libel suits against Warners in connection with the film adaptation of the Robert E. Burns book, "I Am a Fugitive from a Georgia Chain Gang," have been settled out of court, it was stated here today by Vivian L. Stanley, prison commissioner. Stanley himself still has a case against the company pending. It will be tried next Monday.

File Thomas Judgment

A $67,392 judgment against Abel Cary Thomas, former director and general counsel of Warners, Inc., for alleged unpaid income taxes, interest and penalties on salaries earned from 1933 to 1936, was filed in the N. Y. Supreme Court yesterday by Deputy Tax Commissioner Mortimer Kassel.

Gets Foreign Film

The A. F. E. Corp. has acquired American distribution rights to "L'Alibi," Pierre Chenal's production featuring Eric Von Stroheim, Albert Prejean, Jany Holt and Louis Jouvet. The company is the American representative of the Paris Export Film Co.

Negotiations Completed for Sale of KEHE

(Continued from page 1)

1,430 kilocycles with 5,000 watts power day and 1,000 watts night. KEHE operates on 780 kilocycles.

Holliway announced the deal upon his return here from Chicago where he attended the clear channel committee meeting. Concerning the Chicago meet, he said 14 50,000 watt stations which compose clear channel group, after the meeting in Chicago Monday agreed to coordinate in supplying nationwide engineering data for the hearing on applications for increased power to be held before the F. C. C. May 15. KNX, the other 50,000-watt station here owned and operated by C. B. S., will not push its application for increased power.

Donald W. Thornburgh, C. B. S. vice-president, said the station did not feel it would economical to get increased power at the present time.

"We are building a new transmitter and we think that improvements under way will aid us materially and will obviate the necessity for more power at this time," he said. "It will cost considerable to increase power and it is not to our best advantage to do so at this time."

Ruth Roosevelt Wins Permit to Buy KFJZ

WASHINGTON, April 15. — Mrs. Ruth G. Roosevelt, wife of Elliott Roosevelt, son of the President, today won permission of the Federal Communications Commission to buy KFJZ at Fort Worth for $57,500, of which $12,500 was in cash. The remainder will be paid in 24 equal quarterly installments.

Elliott Roosevelt will be secretary-treasurer of the corporation, and Mrs. Roosevelt vice-president.

Quailey to Albany Again

ALBANY, April 15.—Les Quailey of N. W. Ayer & Co. was in Albany again this week in an attempt to straighten out the baseball announcer situation for Atlantic Refining. Atlantic has bought Albany's home games, while General Mills have the road contests. The indications are that Sherb Herrick will be chosen with Grenfell Rand scheduled to supply the between-innings account. Rand will handle the Wheaties road games.

WHB Adds Two Shows

KANSAS CITY, April 15.—WHB has added two shows, "Headlines" and "Hollywood Serenade" with extension of its broadcasting time to 7 P. M. each day. The first is a dramatic piece Tuesday and Thursday, 6:30 A. M., C.S.T., the second popular music, Friday 5 to 5:30 P. M.

Randall Jessee to KWOC

KANSAS CITY, April 15.—Randall Jessee, 23, formerly with KCKN, here, and KWOS, Jefferson City, has gone with KWOC, Poplar Bluff, Mo., as station manager. He is said to be the youngest to occupy such a post in the U. S.

Contest Record

South Bend, April 15.—WFAM has broken a record for getting votes in a band popularity contest, which was featured on "That Morning Bugle," a program conducted by Lee Douglass.

A total of 35,612 votes was received and Cab Calloway took the lead with 10,305 votes. He edged out Benny Goodman by 80 votes, and Kay Kyser's orchestra finished in third place, with 7,881 votes.

FCC Sets Rules for Education Stations

WASHINGTON, April 15. — Non-commercial educational broadcasting stations operating in the high frequencies recently set aside for that purpose are to be located at the highest point of the area to be served, it was indicated by regulations made public today by the Federal Communications Commission.

This will be necessary, it was explained, because of the fact that the high frequencies to be used have very limited coverage and are interfered with by obstructions. In the case of city installations, it was indicated, they will have to be located, when possible, atop the highest building of the area to be served if maximum coverage is to be attained.

Shift KYW Personnel

PHILADELPHIA, April 15.—John Thorpe, former KYW night supervisor, has been named head of the sound effects and electrical transcription department, while Arthur Hinett, staff organist and pianist, will spend full time in building up the station's new music library. Don Heyworth of the announcing staff has been named night supervisor.

Rogers Joins B. & B.

James G. Rogers, Jr., will join Benton & Bowles May 1 as vice-president. Rogers has been an account executive at Lord & Thomas for the past two years.

Three Stations Get Increases in Power

WASHINGTON, April 15.—Increases in power have been authorized by the Federal Communications Commission for three broadcasting stations.

At its weekly meeting, the commission approved the applications of KIT, Yakima, Wash., for an increase from 250 watts night, 500 watts day, to 500 watts night, 1,000 watts day; WSAU, Wausau, Wis., from 100 to 250 watts for day power, and WAWZ, Zaropath, N. J., from 500 to 1,000 watts for night power.

The commission ordered examiners' hearings on a number of applications, including those of the Cascade Broadcasting Co., Inc., for a new 1,420-kilocycle station at Everett, Wash., with 100 watts night, 250 watts day, and WQDM, St. Albans, Vt., for increase of power to 1,000 watts; WRTD, Richmond, for change of frequency to 590 kilocycles and increase of power to 500 watts; KYW, Philadelphia, for increase of power to 50,000 watts; KNEL, Brady, Tex., for change of frequency to 1,340 kilocycles; WCAZ, Carthage, Ill., for increase of day power to 250 watts; KTKC, Visalia, Cal., for change of frequency to 890 kilocycles and increase power to 1,000 watts; KWTO, Springfield, Mo., for increase of power to 1,000 watts night, 5,000 watts day; WHP, Harrisburg, Pa., for increase of power to 1,000 watts night, 5,000 watts day, and WBIG, Greensboro, N. C., for increase of power to 5,000 watts.

Series Starts on WHN

Produced by Blackett-Sample-Hummert, a new daily adventure serial, "Dangerous Road," will start over WHN Monday morning. The broadcasts will be heard Mondays through Friday from 9:30 to 9:45 A. M. Nan Douglas, Chicago actress, will have the leading part.

Sign Thorgersen Series

Sinclair Oil Co. has signed Ed Thorgersen, sports commentator of Fox Movietone News, to do six nightly baseball broadcasts a week over WABC for the duration of the baseball season.

Philadelphians Aroused By NBC "Raid" on Orchestra

PHILADELPHIA, April 15.—There is considerable excitement in local radio and music circles regarding charges that NBC is "raiding" the ranks of the Philadelphia Orchestra to build a bigger and better organization for Arturo Toscanini. The consensus of the opinion of orchestra officials and patrons here seems to be that the Philadelphia group is going to lose many of its best members and nothing much can be done about it.

A "first player" and another member recently resigned from the local orchestra, presumably to join the NBC organization, according to Alfred Reginald Allen, manager of the local ensemble. It was learned also that two other members were offered positions with the NBC orchestra, but were forced to decline because of their contracts here. Allen declared, "We expect to get all contracts finally adjusted within a week. To date four have not been renewed."

Others commenting were Samuel B. Rosenbaum, vice-president of the orchestra and president of WFIL , and Charles G. Berwind, another official of the Philadelphia orchestra.

Said Rosenbaum, "NBC is trying to get together a fine orchestra and they need fine men for it. This was bound to happen to us sooner or later. We have good men in our orchestra and you can't hold good men unless you pay them."

Berwind said, "NBC is offering players large sums, and there is nothing to stop them from paying anything they want to. We think they are overdoing it."

▸ Radio Personals

JACK WHITEMORE, long as ted with Rockwell-O'Keefe, has r signed to take a rest. . . . Peter V Steeden will celebrate his third an versary as musical director of "Tov Hall Tonight" next Wednesday. Bill Bardo's orchestra and Jose M zanares' orchestra have been sign to management contracts by Roc well-O'Keefe, with the former openi at the Adolphus Hotel in Dallas M 3. . . . Jan Tompkins, secretary Ted Collins, will have her second bo for juveniles published very soon. . . Ernie Watson is the new conduct on the Mutual "Music By" series.

+

Pittsburgh

Al Golden, whose play, "Centr Park West," on which he collaborate with Milt Gross, will be produced o Broadway next season, is doing fre lance radio writing . . . Betty Will who was married recently, has qu as traffic manager of WCAE . . Betty Jerome is singing with A Marsico's orchestra over WWSV from the "Show Boat" . . . Two Pittsburgh announcers, Carl Dozer c WCAE and John Davis of WWSW plan to be married in June . . . Jac Hollister has resumed his sport broadcasts on KDKA . . . Charlie Ro is doing very little announcing a WCAE now, devoting most of hi time to production . . . Chet Boswel a newcomer to radio here, already ha landed a commercial on KQV . . Kay Barr, publicity director a KDKA, is back from a tramp steame cruise to South America.

Sponsor KFRC Program

SAN FRANCISCO, April 15.—P. Lor illard Co. is backing a new KFRC show, "Don't You Believe It," on behalf of Sensation cigarettes. The program is written by Carnston Chamberlain, announced by Bob Bence. It debunks popular theories and beliefs and is heard Tuesday and Thursday nights. New KFRC announcement contracts include Star Outfitting Co., 629 times; W. H. Easly, 30 times; Time Tested Laboratories, 39 times; Williamson Candy, 270 times; Parisian Baking Co., 34 times.

Hughes Joining KTOK

OKLAHOMA CITY, April 15.—Paul J. Hughes, news editor for KVOR, Colorado Springs, has arrived to assume his duties as program director for KTOK, key station of the Oklahoma network. Paul Buenning, at present KTOK program director, hereafter will be in charge of a new merchandising and promoting department at KTOK.

On the Air Six Years

Helen Merchant, WINS "Musical Clock Girl," will celebrate her sixth year on the air over that station on Monday. She is one of the station's most popular features.

Corwin Joins CBS

Norman Corwin yesterday resigned from the 20th Century-Fox publicity department to join CBS as a program director. His trade paper contacts will be taken over by Bill Chambliss.

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L. 43. NO. 89 NEW YORK, MONDAY, APRIL 18, 1938 TEN CENTS

etro Budgets Million on in England

hrough with Quickies, Declares Ritchie

M-G-M will spend approximately 000,000 on four films to be produced England for 1938-'39 release, and will be released on the American rket as well as internationally, it s said yesterday by Robert Ritchie, ector of the company's British dios.

The company is definitely through h low cost quota "quickies," he d, since "A Yank at Oxford" has ved that American companies can ke good pictures in England as well in Hollywood. The four pictures eduled will cost an average of 0,000 each. "A Yank at Oxford" t $900,000, which included the exse of establishing a British proction center, he said. Once the dio hits its stride he anticipates t the costs will decrease relatively. Should M-G-M acquire any outside ductions in England, they will be

(Continued on page 7)

hift Don Lee Feeds For Mutual Network

Because the "Good Will Hour" and "Court of Human Relations" are ng coast-to-coast, changes in the n Lee feeds to the Mutual network necessitated.

Beginning May 1, the schedule of affected programs will be: "Ha- i Calls" from 7 to 7:30 P. M.; rge Fischer's "Hollywood Whiss" from 7:30 to 7:45 P. M., and the wn Sisters, vocal trio, from 7:45 8 P. M.

Additional developments in radio yesterday on page 9.

Business Jumps

Warners had its biggest week in 10 years during the final seven days of the Sears Drive, which ended yesterday, collections for the week exceeding the 10-year record by 45 per cent, according to the sales department. Billings and collections for the period of the 16-week drive topped previous years' drives by 37 per cent, it is claimed.

Stand of Quigley Publications Is Upheld in N.Y. "Birth" Ban

The action of the New York State Board of Regents in refusing to permit "Birth of a Baby" to be shown in the theatres of the state followed the insistent declaration of Quigley Publications that the film is unsuited to exhibition in film houses.

***Motion Picture Daily* first disclosed that the film was produced originally under commercial sponsorship for Mead, Johnson & Co., and pointed out that if no serious objections were encountered on the part of the public, the picture also was to be shown in public theatres.**

Quigley Publications and Martin Quigley consistently and repeatedly have taken the firm stand that entertainment material and nothing else should appear on the film theatre screen, and that its prime and only function is to furnish entertainment, while propaganda and film similar to "Birth of a Baby" have no place in the entertainment theatre.

In a series of recent editorials Terry Ramsaye, editor of *Motion Picture Herald*, emphasized the fact that the film is not theatre material, and again pointed up the contention that the film theatre is for entertainment.

Over 352,000 See "Snow" in Chicago

CHICAGO, April 17.—More than 352,000 persons saw "Snow White and the Seven Dwarfs" during the picture's six-week engagement at the Palace. The gross for the run was $173,000, the greatest for any similar period in the history of the house.

Following the Palace engagement the picture was booked into the B. & K. Garrick for a seventh Loop week. It will reach the neighborhood theatres April 29. The final week at the Palace showed a gross of $24,400 which was more than the picture took in for the fifth week. What makes it more unusual is that it was Holy Week also.

So anxious were other theatres to get the film that they violated contract rules regarding advertising and exploitation to get publicity for the subsequent showings. One large circuit was especially active in this regard and drew the censure of RKO officials.

20th-Fox to Keep G. B. Distribution

Physical distribution of Gaumont British films will continue through 20th Century-Fox exchanges during 1938-'39, said Sidney R. Kent, president of 20th Century-Fox, before sailing on the *Rex* Saturday.

"Gaumont British are our allies," Kent said. "There's no reason why we should discontinue the arrangement."

Kent said the only purpose of his trip was to attend the company's European sales conventions, in London on May 12 to 14 and in Paris on May 5 to 7. While in London Kent will inspect the company's new six-story headquarters building in Soho Square and confer with Robert T. Kane, chief of British production for 20th Century-Fox.

Walter J. Hutchinson, general foreign manager, sailing with Kent to attend the meetings, said that 35 of the company's films will be distributed in Continental Europe. Ben Miggins,

(Continued on page 7)

Dietz Answers Times Critic On Foreign Picture Praise

Critics who extol foreign films as superior to the Hollywood product speak for a limited audience to whom American producers are unable to cater because of production cost restrictions, Howard Dietz, director of advertising and publicity for Loew's, points out in an article published yesterday in the Sunday amusement section of the *N. Y. Times*.

"Where there is a special audience," Dietz observes, "there can be a special art, but the amount of investment required has a tremendous effect on what is to be done. If one could make movies inexpensively, one could afford to make limited editions. As it is, the producer has to be a daring gambler even to be conventional."

Dietz also points out that even with the foreign producers' advantage of

(Continued on page 7)

Para. to Have 58; Announce Sixteen Titles

Eight Are Already Cast, Sales Force Is Told

WASHINGTON, April 17. — Paramount will schedule 58 features, 102 short subjects and 104 issues of the newsreel for 1938-'39, Neil F. Agnew, vice-president in charge of distribution, told the company's district and home office sales officials at the closing session yesterday of the two-day annual sales conference at the Shoreham here.

Details of the feature production schedule will be given to the sales force in about two weeks. The district managers were told of 16 features which are either in work or definitely scheduled at this time. Eight of these have been cast already. They were informed also that among the 42 features which remain to be set on the new season's schedule there will be "fast action" stories, romantic dramas, some with historical and legendary backgrounds, musicals, mystery, topical themes and the Hopalong Cassidy

(Continued on page 7)

Business in Brazil Up, Melniker Finds

While Mexico, Cuba and other countries south of the Rio Grande are paying increasing attention to Spanish-language films, the vogue has made no inroads in Brazil, where the language is Portuguese and American films have the greatest popularity.

This is reported by William Melniker, head of Loew's foreign theatre operations, who returned the other day from a two-month trip to Brazil. Business conditions in that country are

(Continued on page 2)

Drop Betty Boop

Betty Boop, the Max Fleischer cartoon character which attained great popularity in its eight years of existence, will be missing from the Paramount short subject list next season. In Betty's place there will be a new cartoon character, Sally Swing, who is designed to be a modernized, stream-lined version of her predecessor. Paramount will distribute 12 of the cartoons featuring the new character.

◂ Purely Personal ▸

MAE WEST is appearing in a Hartford theatre before opening at the State here on Thursday. After the State's engagement she will barnstorm in Boston.

•

Tom Connors, M-G-M division manager, is scheduled to attend the J. J. Maloney dinner in Pittsburgh tonight.

•

Harry Royster of the Paramount theatre department was called to Philadelphia over the weekend by the death of a young nephew.

•

King Vidor, M-G-M director, is due from the coast today or tomorrow and will sail on Wednesday for England.

•

C. C. Moskowitz of Loew's is due today from Florida, where he is reported to have put in some stiff golf practice.

•

George E. Browne, I. A. T. S. E. president, is expected here today or tomorrow from the west.

•

. . . Denver

Mrs. Joe Dekker is vacationing at Palm Springs.

Harry Huffman is well along in the construction of the new home here which he is naming "Shangri-La" by permission of the producers of "Lost Horizon."

Mrs. Harry McDonald is recovering from an appendectomy in Alliance, Neb. She operates houses with her husband in Wyoming and Nebraska.

Henry Friedel is vacationing in Mexico City.

Frank and Mrs. Culp are on a Central American cruise.

•

. . . New Haven

Harry Royovin will move his family to Boston April 25.

Morris Nunes spent his Florida vacation nursing a cold.

Al Robbins took the airway to Miami and Mrs. Robbins.

Erle Wright is making Key West his destination via automobile.

•

. . . Pittsburgh

Allan Jones was met at the station here by the entire membership of his local fan club.

Gabe Rubin expects to keep the Art Cinema running all summer this year for the first time.

Adelaide Fehl of the Metro office and Robert Sabin are to be married April 23.

Jay Griffith has resigned as publicity director at the William Penn Hotel.

Loew, Brecker Take Rink

The Dalu Corp. of which Louis J. Brecker is president and David L. Loew, treasurer, has taken title to the Red Ball Skating Rink on West 52nd St. They will convert the property into a ballroom and recreation center.

"Test Pilot" Is Received Warmly by N. Y. Reviewers

Critics of New York's daily newspapers were enthused over M-G-M's "Test Pilot," now at the Capitol. Adjectives bordered on the superlative. The highlights of their criticisms follow, arranged alphabetically by name of paper:

Daily Mirror—A rousing aviation thriller, "Test Pilot" is a certain hit. It has three great stars, an exciting story, romance, pathos, magnificent air stunts . . . Gable, Tracy and Miss Loy give beautiful performances.

Daily News — Metro-Goldwyn-Mayer is presenting at the Capitol the most beautiful and thrilling aviation picture it, or any other studio, has ever produced. . . . "Test Pilot" requires only a little editing to make it a superb picture. . . . It has been allowed to run for two solid hours . . . which is much too long . . . but . . . Victor Fleming (director) has brought forth another magnificent production.

Herald-Tribune — Whatever else "Test Pilot" may be, it is a stunning show. (It) retraces familiar ground for the screen in its celebration of flying and flyers, but it does so with enormous excitement and persuasion. In brilliantly modulated direction, the splendid performing, in the remarkably fine writing and in spectacular production . . . it adds up to magnificent entertainment. . . . There is also a gripping story. . . . I advise you not to miss it.

Post—As far as flying is concerned, it is a beautiful picture. In photography and in startling fidelity of sound, it is beyond description. . . . (It) adds up to mighty heavy wing-loading on the heroics, sentimentality, tears, hysteria and semi-philosophic speeches. . . . But "Test Pilot" has certain virtues . . . which make attendance compulsory.

Sun—(It) is a spectacular melodrama . . . also a strangely talkative film for an aviation thriller . . . The flying sequences, crashes and all, are whopping good aviation stuff (but) . . . half an hour less of the pseudo-psychological study would make the picture, now a two-hour job, tauter and more believable. "Test Pilot," although it falls short in its dramatic moments, reaches excellence with its melodrama.

Telegram—The simplest way to begin a review of "Test Pilot" is to come right out and say that it is easily the finest aviation picture ever made . . . You haven't seen anything until you've seen "Test Pilot." . . . (It) is one of the screen's great achievements. . . . In every role (the film) enjoys the luxury of superior acting. . . . One of the season's rare entertainments.

Telegraph—With three of the most illustrious stars heading the cast . . . with a background of danger and peril and excitement on which to base their theme, the M-G-M studios have now turned out a magnificent motion picture . . . a completely satisfying piece of work, combining the best features of box-office attraction, speed and action into such a splendid whole . . . Rich and dynamic cinema, "Test Pilot" is, in short, a knockout.

Times—Leo, the trade-mark lion, can stop yawning now and roar with his old enthusiasm, for Metro-Goldwyn-Mayer has turned out a bang-up aviation drama. It is a generous show by any reckoning, long in running time, star-studded and spectacular, and Victor Fleming, its director, has paced it wisely. . . . There are parts of the tale not too effectively presented . . . but when the film moves aloft it is thrilling and suspenseful and more than generous compensation for intermediate faults.

Brooklyn Stagehands Plan Birthday Party

Local 4, Brooklyn stagehands' union affiliated with the I.A.T.S.E., tomorrow night will celebrate its 50th anniversary with an entertainment and dance at the St. George Hotel, Brooklyn. An attendance of 4,000 is expected by union officials.

The party will be made the occasion for honoring Charles Godwin and Barney Ryan, two remaining charter members and organizers, who are honorary chairmen of the dance committee. George E. Browne, president of the I.A.T.S.E., civic and borough officials and Brooklyn notables are expected to attend.

Callahan Shifts Staff

Boston, April 17.—Edward X. Callahan, branch manager here for 20th Century-Fox, has made changes in his staff, as follows: James W. Connelly of the booking department has been promoted to salesman, succeeding the late James Cobb; Siegfried Horowitz, ad sales manager, has been advanced to the booking department, and Sid Krivitzky, who has been assistant to Horowitz, succeeds the latter.

Business in Brazil Up, Melniker Finds

(*Continued from page 1*)

"very good," he said. He supervised the opening of the new Metro Theatre in Sao Paulo and then went to Rio de Janeiro for conferences with the management of the Loew house there.

Rifkin Staff Going West

Boston, April 17.—Herman Rifkin, New England franchise owner, and his sales staff will leave April 28 for Republic's coast sales convention which will start May 2 and continue through May 5. In the party will be M. E. Morey, sales manager, and Jack Davis, Sam Seletsky, Bob Cole, Jack Jennings and Al Fecke.

Quits Denver Theatre

Denver, April 17.—Herman Rifkin, has resigned after managing the State for 10 years. The house, owned by Pathe and operated by Grand National, is now managed by M. J. Bananco of New York, formerly a district manager for George Skouras in New Jersey.

All New Films Are Approved by Legion

All of the 13 new pictures reviewed and classified by the National Legion of Decency for the current week have been approved, seven for general patronage and six for adults. The new films and their classification follow:

Class A-1, Unobjectionable for General Patronage—"Bar 20 Justice," "Flash Casey, Candid Cameraman," "Green Fields" (Jewish), "Land [illegible] Fighting Men," "The Return of the Scarlet Pimpernel," "Rolling Caravan." Class A-2, Unobjectionable for Adults — "Female Fugitive," "Nurse from Brooklyn," "Rascals," "Reckless Living," "La Tendre Ennemie" (French), "Women Are Like That."

Warners Select 10 For Trade Showings

Titles of the 10 films Warners plan to show at trade screenings in distribution centers during the latter part of July were announced over the weekend.

They are: "Boy Meets Girl," "The Amazing Dr. Clitterhouse," "Secrets of an Actress," "Four's a Crowd," "White Banners," "Gold Diggers in Paris," "When Were You Born?" "Cowboy from Brooklyn," "Garden of the Moon," "Valley of the Giants."

Open Columbus House

Columbus, April 17.—A new community theatre, the fifth in the circuit operating under the name of the MacDonald Theatres, Inc., was opened Saturday night.

The new house, called the Cleve, has seats for 700 and is located in the northern section of the city.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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THE SHORT WAY IS THE RIGHT WAY TO HAPPY PROGRAMS IN MAY

Hints FOR SPRING SHOWS

ems From The EASURE CHEST

"KINGDOM FOR A HORSE"
"RETURN OF THE BUFFALO"
"RETURN FROM THE STARS"
"MUSIC FROM THE STARS"
"SKY FISHING"

ONG & COMEDY HITS

"ALL'S FAIR"
with
The Cabin Kids

TERRY-TOONS

"MAID IN CHINA"
"ROBINSON CRUSOE'S BROADCAST"
"A MOUNTAIN ROMANCE"

MORE GAY SHORTS ON EVERY SHOW

IT'S *Educational* MONTH

Educational Pictures
"THE SPICE OF THE PROGRAM"
REG. U.S. PAT. OFF.

DISTRIBUTED IN U. S. A. BY
20TH CENTURY-FOX FILM CORPORATION

JEFFERSON MACHAMER
and his "Gags and Gals"
in
"CUTE CRIME"

"SING FOR SWEETIE"
with
LEE SULLIVAN

BUSTER WEST and TOM PATRICOLA
in
"BEAUTIFUL BUT DUMMIES"

HERMAN TIMBERG, Jr. and PAT ROONEY, Jr
in
"LOVE AND ONIONS"

Presented by
E. W. HAMMONS

Short Subjects

"Popular Science J 7-4"

(Paramount)

New scientific aids to sport, agriculture, domestic comforts, motoring and the Coast Guard. Narration is humorous and serious in proper vein. In Cinecolor. Worth playing. Running time, 10 mins. "G."

"La Savate"

(M-G-M)

The famous brand of French feet-fighting is given humorous exposition by Pete Smith here. The photography is good and the reliable Smith comedy touches have their moments. Running time, 8 mins. "G."

"Community Sing No. 6"

(Columbia)

Carson Robison and his Buckaroos supply the coaxing in this number. The songs are all of a cowboy and western nature. The subtitling is adequate and the audience should be easily urged to join in to their own satisfaction. Running time, 10 mins. "G."

"Vitaphone Pictorial Revue No. 9"

(Vitaphone)

This issue offers scenes of the manufacture of silverware, iceboating and a model railroad, the last in color. The comment is good and the photography and presentation leave nothing to be desired. Running time, 10 mins. "G."

"Resorts and Quaint Towns of the Blue Coast"

(P. P. Devlin)

Another sterling example of how a travelogue should be done. It is one of "The Screen Traveler" series. It maintains the high standard of preceding subjects. The audience will applaud. Running time, 10½ mins. "G."

Wall Street

Gains Mark Weekend Board

	Open	High	Low	Close	Net Change
Col.	11¼	12	11¼	12	+ ¾
Cons.	1¼	1¼	1¼	1¼	.....
Cons., pfd..	6½	6½	6½	6½	+ ½
E. K........	149	153	149	153	+6
G. T. E.....	11½	12	11½	12	+ ⅝
Loew	44	44	43	43⅛	+2⅛
Para.	8	8¾	8	8¾	+ ⅞
Para. 1.....	81½	81½	81½	81½	+ ½
Para. 2.....	8⅞	10⅛	8⅞	10⅛	+1⅜
Pathe	4⅝	4¾	4⅝	4¾	+ ¼
R. K. O....	3	3⅛	3	3⅛	+ ⅛
20th Fox....	21½	22⅛	22½	22⅛	+1⅜
20th pfd.....	29½	32	29½	32	+3½
Univ., pfd..	35	35	35	35	.....
W. B.......	5¼	5½	5¼	5½	+ ½

Curb Increases Lightly

	Open	High	Low	Close	Net Change
Sonotone....	1¾	1¾	1¾	1¾	+ ⅛
Technicolor.	18¼	18½	18	18⅛	+ ⅜

Bonds in Upward Trend

	High	Low	Close	Net Change
Loew 3½s '46.....	96½	96½	96½	+ ½
Paramount Pictures 6s '55......	85	85	85	+1
W. B. 6s '39......	68⅞	68¾	68⅞	+ ½

(Quotations at close of April 16.)

Hollywood Preview

"Men Are Such Fools"

(Warners)

HOLLYWOOD, April 17.—The theory that love, marriage and business don't mix is the premise of this picture. Via the media of good characterizations, right-to-the-point dialogue, cleverly devised situations, a full quota of action which became hectically exciting, the plot emerges upon the screen as an engaging and interesting domestic comedy-drama.

The theme is simple, yet rich in those quantities which amuse both general and specialized audiences. Though somewhat long, the performances contributed by Wayne Morris, Priscilla Lane, Humphrey Bogart, Hugh Herbert and Mona Barrie keep the production moving at agreeable speed. A continual aura of surprise more than atones for some of the slow spots.

In the yarn Morris is satisfied with the niche he has carved for himself in the advertising world and much in love with Miss Lane, an ambitious minor account executive. Returning Morris' affection, Miss Lane endeavors to prod him out of his smug complacency by simulating that she is in love with a go-getter, Humphrey Bogart. Following several amusing complications, she does marry Morris. His determination that she shall become a demure, retiring housewife, even though Bogart has not given up the fight, arouses in Miss Lane the feminine instinct to push her husband into action whether he is willing or not. His refusal to become Gene Lockhart's partner in a new radio advertising proposition because he would rather be secure than rich causes Miss Lane to leave Morris. Going on the air herself, she creates the impression she is going away with Bogart, which galvanizes Morris into action. She discovers Morris still loves her when he thrashes Bogart.

Based on a Faith Baldwin story, the Norman Reilly Raine-Horace Jackson screen play is a lively affair which Busby Berkeley directed in a manner accentuating that quality.

Running time, 70 minutes. "G."

New York Preview

"College Swing"

(Paramount)

Another in the college musical series from Paramount, "College Swing" hits the current national mania, swing music, and the accompanying barbaric forms of the dance—and hits them hard. In addition, there is a whole handful of laughs, sponsored and broadcast by such as Gracie Allen and George Burns, Bob Hope, Edward Everett Horton and Ben Blue, while the chief exponent of the modern note in song is Martha Raye, she of the extremely wide mouth and similar antics.

The result, with all the ingredients mixed considerably and stirred vigorously by Raoul Walsh, who directed, may be summed as lively in the extreme, with a number of laughs and a couple of "singable" songs, a little chorus work to preserve the "musical" idea, and a yarn which has an amusing germ and which has been worked out reasonably well, albeit a trifle too much like a patchwork quilt on occasion. Ted Leaser was responsible for the idea, Frederick Hazlitt Brennan adapted it, and the screenplay came from Walter de Leon and Francis Martin.

Generally speaking, the film should be found roundly pleasing in the vast majority of the situations where it plays, and the box-office may be expected to respond to such as Burns and Allen, Miss Raye, Horton, Betty Grable, Jackie Coogan and the St. Brendan's Choristers.

Gracie is the last in a long time to attend a certain college which will belong to her by inheritance if she should chance to graduate. She does, through connivance, and "rejuvenates" the institution to the tune of modern swing. That is the excuse for a lot of entertainment, laughs and general excitement, with a dash of romance which never gets in the way of anything else in the film.

Running time, 86 minutes. "G."

Portland Vaudeville Out

PORTLAND, April 17. — The New Rivoli, managed by Robert J. Farrell, Jr., has discontinued vaudeville which has been supplied by the Bert Levy circuit. The change eliminates the theatre's orchestra and stagehand crew.

Under the new setup, the New Rivoli will double bill first run G. B., Republic and Monogram pictures.

Changes Stock Setup

ALBANY, April 17.—The Cataract Theatre Corp. of Niagara Falls has changed its stock setup. Previously capital stock had consisted of $1,200,000, with 6,000 shares of preferred at $100 and 60,000 shares of common at $10 each. Now the capitalization consists of 18,000 shares, with 6,000 set at $100 each and 12,000 shares of common with no par value.

Short Subjects

"The Horse on the Merry Go-Round"

(Mintz-Columbia)

A good cartoon idea. There is also tastefully applied color to lend the proper air to the ingenious animation. The scenario offers a horse who breaks from his imprisonment on a merry-go-round and gets into all sorts of thrilling adventures as he wan[illegible] around a deserted amusement park rides the roller coaster and is quite scared out of his wits in the Crazy House. It should have a good reception. Running time, 6½ mins. "G."

"High-Jack'n the Show"

(Mentone-Universal)

James Barton of "Tobacco Road" fame is featured in this musical. He entertains with a serio-comic role of a gangster in a night club who manages to elude the police by pretending to be a performer. There are also a number of fair singing and dancing acts involved in the action. Running time, 17 mins. "G."

"Cops and Robbers"

(Rice-Paramount)

Here is another good "Sportlight." It concerns itself with the capture of bears and mountain lions. The first is taught a lesson and the second, a killer, is hauled off to a zoo. Ted Husing's narration is first-rate. Running time, 10 mins. "G."

"Glimpses of New Brunswick"

(FitzPatrick-M-G-M)

Not quite as good as other films in this Technicolor travel series. But the comment is enlightening and much material went into the making of the reel. Running time, 8 mins. "G."

"Honest Love and True"

(Fleischer-Paramount)

Much better than the usual Betty Boop. A cartoon burlesque of old time "mellerdramer." Many clever and laughable twists to the action. Entertaining. Running time, 7 mins. "G."

"Bear Facts"

(Roach-M-G-M)

Here we have the "Gang" in another of those childish comedies that will effectively entertain younger elements in the audience. It concerns the efforts of Spanky and Alfalfa to get jobs with a circus. Running time, 11 mins. "G."

"Thanks for the Memory"

(Fleischer-Paramount)

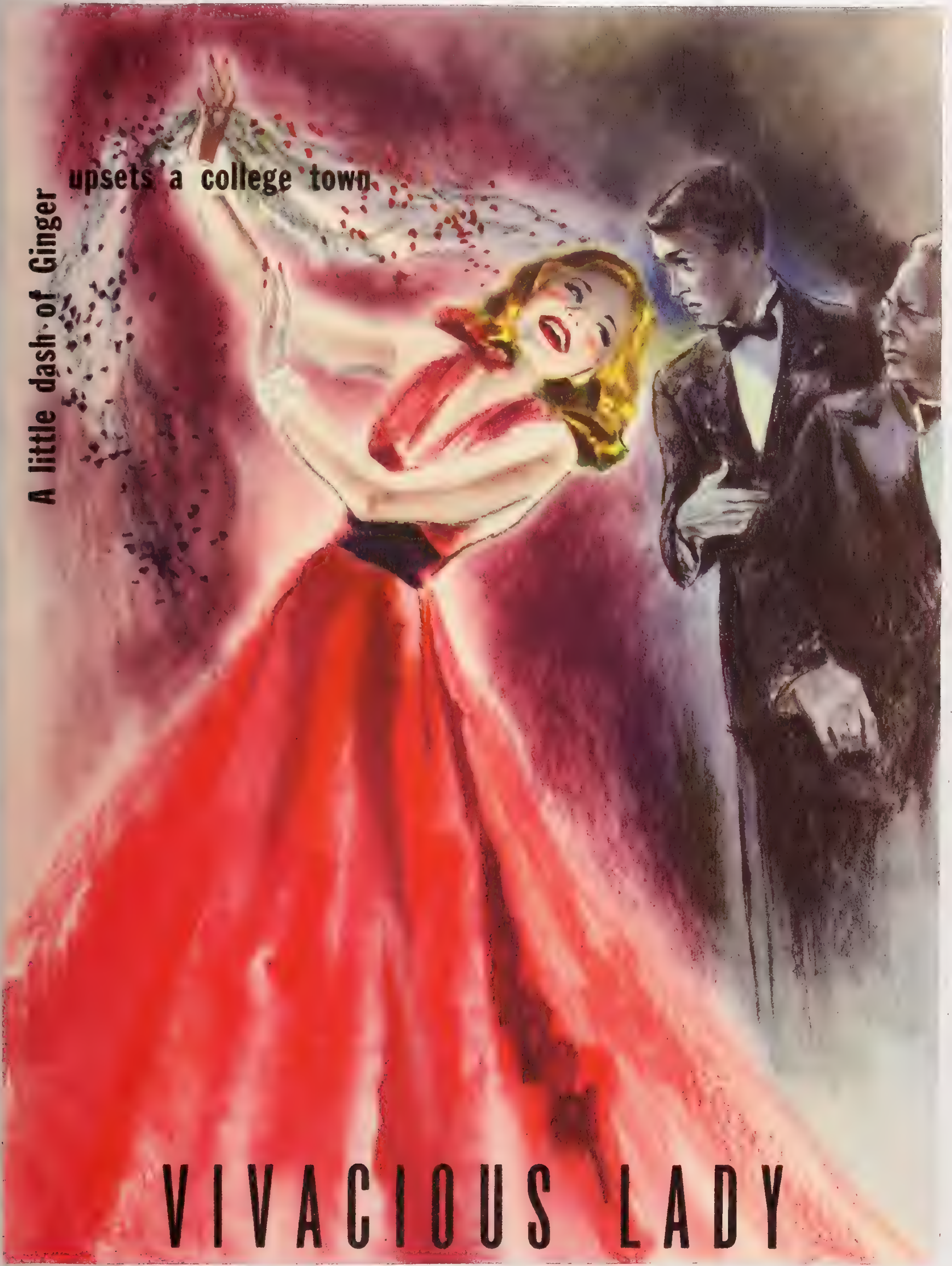
The title song is a current hit and the audience should have a good time with it in this "Screen Song." There are a few gags, too, but not so funny. Running time, 7 mins. "G."

"Hollywood Bowl"

(Universal)

A cartoon satire on Hollywood. It was plotted with a keen eye for imaginative novelty and execution. The result is highly entertaining. Running time, 7 mins. "G."

GINGER ROGERS • JAMES STEWART


A little dash of Ginger upsets a college town

VIVACIOUS LADY

with

JAMES ELLISON BEULAH BONDI CHARLES COBURN

PANDRO S. BERMAN IN CHARGE OF PRODUCTION
A GEORGE STEVENS PRODUCTION
Screen Play by P. J. Wolfson and Ernest Pagano
RKO • RADIO • PICTURE

HERE'S ONE OF THE BEST PICTURES YOU'LL PLAY THIS SEASON!

A new-slant love-story made to order for red-headed Ginger's blue fire and wishful Jimmie's winning charm . . A revelation in rich romance and heart-lined laughs . . . Pricelessly produced with a sparkle, a verve, a magnetism seldom caught on the screen . . . therefore endowed with a box-office pull bound to carry it to financial success far beyond your rosiest pre-release expectations . . . A picture for preferred time and EXTRA TIME!

YES, Ginger Sings — th
new blue ballad succes
"I'll Be Reminded of Yo

GINGER ROGERS
JAMES STEWART
in
VIVACIOUS LADY

Para. to Have 58; Announce Sixteen Titles

(*Continued from page 1*)

and Bulldog Drummond series. At least two features will be in color.

[illegible]gnew told the meeting that the company was confident that theatre attendance would increase next season and for that reason it had been decided not to decrease either the total of pictures to be produced or their quality.

Among the pictures definitely set at this time are "Men With Wings," with Fred MacMurray, Raymond Milland, Andy Devine and a large cast, directed by William Wellman, which will be in color; Cecil B. DeMille's "Union Pacific," with an all star cast; "If I Were King," from Justin Huntley McCarthy's story, with Ronald Colman, to be produced and directed by Frank Lloyd; "Knights of the Round Table," an all-star production; "The Texans," with Joan Bennett, Randolph Scott, May Robson and Walter Brennan, directed by James Hogan; "The Arkansas Traveler," with Bob Burns; "The Gracie Allen Murder Case," with Gracie and George Burns, in a story by S. S. Van Dine, and "Tahiti," with Dorothy Lamour and Raymond Milland, in color.

Fleischer Film Scheduled

Others scheduled are suggested by topical events and include "Air Raid," "Cafe Society," "Navy Nurse," "Illegal Traffic," "King of Alcatraz," "Touchdown Army," "Campus Confessions" and "Sons of the Legion." Several musicals will star Bing Crosby, Jack Benny and Martha Raye.

On the short subject schedule is a Max Fleischer two-reel Technicolor cartoon, the title and character of which has not been decided as yet, but no feature length cartoon such as was reported earlier. The Betty Boop cartoons will be discontinued, but in their place will be 12 Sally Swing cartoons, a new character from Fleischer, as well as 12 new Popeye cartoons from the same studio. There will also be 15 Paramount Headliners, 13 Paramount Paragraphics, 12 Paramount Pictorials, 13 Grantland Rice Sportlights, six Color Classic cartoons, six Popular Sciences, six Unusual Occupations and seven Paramount Color Cruises, a new series.

There will be 104 issues of the newsreel.

"Peace" to Be Out Soon

"The Fight for Peace," a film with narrative by Hendrik Willem Van Loon will soon be shown locally, according to Warwick Pictures, Inc., distributors. The production covers the present tense international situation with emphasis on the contradictory results of the last war.

To Alter Irving Place

Alterations on the Irving Place Theatre, former burlesque spot, will get under way shortly, according to Berk and Krumgold, theatre realtors. The house has been leased and may become a downtown film location.

Doctors Aloof

Milwaukee, April 17.—The Milwaukee Oto-Ophthalmic Society, in a report to Dr. John P. Koehler, has held that it is not within the scope of the medical profession to determine whether double features should be eliminated.

Following a request from the Milwaukee City Council of Parent-Teachers Associations for a request banning twin bills on the ground that they effect an emotional and nervous strain, Mayor Hoan referred the matter to Dr. Koehler for study by medical men.

Rogers Drive Film Ready for Showing

"Auld Lang Syne," film made by Warners to publicize Will Rogers National Theatre Week, will be shown during the week of the drive, starting Friday, April 29, in affiliated circuit theatres as well as independent houses. The affiliated circuits include Paramount, National Theatres (Fox), Warners, RKO and Loew's.

The prints are available without charge to theatres sponsoring audience collections during the week, from zone chairmen in 35 centers. National Screen Service is handling the shipping. The film was made under the personal sponsorship of Harry M. and Jack L. Warner, with Paul Muni, Jimmy Cagney, Rudy Vallee, Dick Powell, Benny Goodman and his band and Dudley Chambers' Cowboy Octette contributing their services. Eastman Kodak and Dupont-Pathe contributed the film stock.

Parakos Leases House

Tompkinsville, Conn., April 17.—Peter Parakos, operator of the Palace, New Britain, and the new Strand, here, has taken a 10-year lease on the closed Franklin here, operated until early this year by C. D. Burbank and N. Sitisky. The lease will be effective as soon as dissolution litigation between Burbank and Sitisky has been settled.

John Sirica will manage both the 900-seat Strand and the larger Franklin which will operate weekends only.

20th-Fox to Keep G. B. Distribution

(*Continued from page 1*)

Continental manager at Paris, will make the selections. A larger number is scheduled for England, that territory usually taking the company's entire output, Hutchinson said. The smaller schedule for the Continent is due to a shorter season, in the Scandinavian countries the season being limited to 30 weeks, he said.

Kent is due to return May 16 and Hutchinson on May 25. Kent is accompanied by his wife.

Another passenger was Harry J. Spiess, secretary-treasurer of Castle Films, who will supervise the production of travelogues in Naples and Rome for Castle's home films.

20th-Fox Will Scout Summer Stock Shows

The 20th Century-Fox talent department here is completing plans for coverage of the summer stock shows in search of players and story material.

The company's talent scouts estimate that there will be some 200 units presenting plays during the season. many opening early in June and others getting under way in July.

As in former years, most of the companies will be in New England, with many in New York State, Pennsylvania and along the Great Lakes.

M-G-M Purchases 3 Tarzans from Lesser

Hollywood, April 17.—M-G-M has purchased three Edgar Rice Burroughs "Tarzan" stories from Sol Lesser, who has dropped his plans to produce the series because of his inability to have Johnny Weismuller in the title role.

Lesser produced one of the series with Glen Morris in the name part. It was distributed through 20th Century-Fox.

Golden Quits 20th-Fox

Hollywood, April 17. — Max Golden, long with 20th Century-Fox in various posts, including that of associate producer on the Jones Family series, resigned today. John Stone is scheduled to replace him on the series.

Dietz Answers Times Critic On Foreign Picture Praise

(*Continued from page 1*)

smaller cost there are plenty of authorities who challenge the contention of Frank S. Nugent, *Times* film critic, that foreign pictures really are superior to Hollywood's. He cites the fact that while 1,800 foreign pictures are produced annually, Hollywood's 500 supply 70 per cent of the motion picture fare of foreign film audiences, clearly outranking in international appeal the pictures of any other producers. Only 240 of Europe's 1,800 features annually find any playing time in American theatres, whatever, Dietz asserts.

He attributes the New York critic's penchant for foreign films to the romantic aura which things foreign hold for one over-weary with familiar things. He asserts that Hollywood asks no favors of the critics but does ask "sympathy for the problems of motion picture production and toward the productions themselves."

"What Hollywood would like you to do," he concludes, "is to judge each picture for itself in terms of its possibilities within the confines of its purpose. Then base your comparisons on kindred things. Don't contrast stories of human conduct with adventure fantasies about gangsters and opium smugglers. Don't judge musical revues and light comedies as if they were intended to be more than that."

Metro Budgets 3 Million on 4 in England

(*Continued from page 1*)

of a quality commensurate with its own films, Ritchie said. Before Louis B. Mayer went over last year to inaugurate the British studio, the company bought cheap films on a footage basis to meet quota requirements.

He claimed that "A Yank at Oxford," M-G-M's first British production, had considerable influence on the Parliamentary committee deliberating the quota bill. The committee had killed the triple quota clause providing that a film with a labor cost of $187,500 count for three films, he declared, but when "A Yank at Oxford" appeared the British were "pleasantly surprised," and reinstated the "three-for-one" provision in order to stimulate the production of similar high budget, quality pictures by American companies.

Ritchie expressed himself as entirely pleased with the box-office performance of the company's initial British film. He said it was grossing more than "Camille" in the United Kingdom and the fact that it is English-made will increase its drawing power there 25 per cent.

Four Features Planned

M-G-M's new production program has been pared from an originally planned five features, later increased to six, to a definite four. In addition to "Citadel," which is in preparation, the Denham studio will make "Good Bye, Mr. Chips," "National Velvet," a story of the Grand National steeplechase, and "Rage in Heaven."

"Shadow of the Wing," which was scheduled, has been cancelled. It is a story of the Royal Air Force and M-G-M considered this would be too similar to its "Test Pilot," a current release. "Finishing School," also planned for the new season, has been deferred and probably will be made next year, Ritchie said.

He arrived here several weeks ago for conferences at the home office and at the studio. He returned the other day from Hollywood where he conferred on British production plans with Mayer and other executives. He will sail Wednesday on the *Manhattan* with King Vidor, who will direct "Citadel," the first on the new schedule.

M-G-M Men in Field Shifted at 8 Spots

Eight members of M-G-M's field personnel were advanced to more important positions last week.

Changes in Cleveland were as follows: Bryan D. Stoner from office manager to salesman; John P. Harrington, from head booker to office manager; Drosey Brown, from second booker to head booker; Albert Herzenberg, from third booker to second booker; John W. Coyne, from student booker to third booker.

In Kansas City, Dan Foley moved up from checking supervisor to salesman, and Major William Wood from checker to supervisor. Donald H. Nickerson, checker in Portland, was made checking supervisor.

A practical working tool for every projectionist

Revised Sixth Edition

F. H. RICHARDSON'S BLUEBOOK OF PROJECTION

The sixth edition of F. H. Richardson's Bluebook is now in its second printing, for which it has been extensively revised. In addition to revisions in text, it contains a supplementary chapter devoted to developments which have become important in projection room technique and servicing methods since the first printing.

The revised edition includes 722 pages of up-to-the-minute text, charts and data with detailed description of assembly, wiring and functioning of all modern sound and projection apparatus. It is a practical "trouble shooter," cross indexed for immediate reference in any projection room emergency.

$6.25 Postpaid

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ROCKEFELLER CENTER, NEW YORK

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GENTLEMEN:
Please send me F. H. RICHARDSON'S BLUEBOOK OF PROJECTION. (Revised Sixth Edition.) Enclosed find remittance of $6.25.

NAME ....
ADDRESS ....
CITY ....
STATE ....

"Snow White" Only Draw at San Francisco

San Francisco, April 17.—In a week when seven of the nine first runs were below normal "Snow White and the Seven Dwarfs" closed a six-week run at the St. Francis, where it had been moved from the Golden Gate with $9,000. This was $2,000 over par.

"Victoria the Great" took a par $1,300 at the Clay, but all other houses were off despite a pickup in juvenile attendance at matinees.

Total first run business was $73,500. Average is $87,800.

Estimated takings:

Week Ending April 12:

"LAW OF THE UNDERWORLD" (RKO)
GOLDEN GATE—(2,850), 35c-40c-55c, 7 days. Stage: vaudeville. **Gross:** $14,000. (Average, $16,000)

"SNOW WHITE" (RKO)
"THE RIVER" (Para.)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 8 days, 6th week (moved over from Golden Gate). **Gross:** $9,000. (Average, $7,000)

Week Ending April 13:

"NIGHT SPOT" (RKO)
"LIVING ON LOVE" (RKO)
EMBASSY — (1,400), 15c-35c-40c-55c, 9 days. **Gross:** $3,500. (Average, $5,000)

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
"HE COULDN'T SAY NO" (W.B.)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $13,500. (Average, $17,000)

"LITTLE MISS ROUGHNECK" (Col.)
"CRIME OF DOCTOR HALLETT" (Univ.)
ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days. **Gross:** $6,200. (Average, $8,500)

"IN OLD CHICAGO" (20th-Fox)
PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 7 days, 4th week. **Gross:** $8,500. (Average, $13,000)

Week Ending April 14:

"JEZEBEL" (W.B.)
"ISLAND IN THE SKY" (20th-Fox)
WARFIELD — (2,680), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $12,500. (Average, $13,000)

Week Ending April 15:

"HAWAII CALLS" (RKO)
"CASA MANANA REVUE" (M-G-M)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days, 2nd week. **Gross:** $5,000. (Average, $7,000)

"VICTORIA THE GREAT" (RKO)
CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $1,300. (Average, $1,300)

Educ'l to Wind Up Soon

Production on the remaining Educational shorts to be delivered to 20th Century-Fox on the contract which expires July 31, will be completed by early June, says Jack Skirball, sales manager for Educational. During May the 20th Century-Fox bookers will concentrate on liquidating maximum playing time for the shorts. E. W. Hammons, president of Educational, anticipates that it will take two years to complete world-wide liquidation through the present distributor.

Cinepix Has "Paradise"

The Cinepix Co. has obtained exclusive distribution rights for "Man's Paradise," a film about Bali, for the territory east of Chicago. The picture will open in a few weeks at the Criterion.

Laidlaw Plans Theatre

Seattle, April 17.—Charles Laidlaw will construct a 750-seat theatre in Dayton, Wash. Work will begin in 60 days.

Standard Theatres To Fight New Taxes

Oklahoma City, April 17.—Standard Theatres, Inc., operator of four of the city's largest downtown theatres and most of its suburban houses will protest a city ordinance that would approximately double city theatre license fees, W. B. Shutte, general manager, said yesterday.

Passage of the ordinance which comes up for consideration Tuesday before the City Council, Shutte said, would force closing of Warners' largest theatre here seating 1,870. Shutte also predicted the increased tax would force discontinuing state shows in city theatres which now pay a $200 annual license fee. Under the terms of the proposed ordinance the fee would be based on the total number of seats in each theatre multiplied by the average maximum admission charged during the prior year's operation.

Sponsor Sought for Oklahoma Newsreel

Oklahoma City, April 17.—MBM Productions, producers and distributors of 16 mm. newsreels for Oklahoma theatres, plan to issue a regular statewide newsreel furnishing 300 feet of film with two issues a week, each issue to contain three items, according to Ray Miller, MBM official.

The company has been making efforts to secure some big company in the state to sponsor the reel, with the local exhibitor getting the film gratis. The only advertising would be a mention at the beginning of the reel saying the newsreel was sponsored by the advertiser.

File Infringement Suit

Richard C. Bordon and Alvin C. Busse, authors of "How to Win an Argument," filed suit in the U. S. District Court here on Saturday over an alleged infringement of their copyright against General Motors Corp. and Jam Handy Picture Service, Inc., in the film "Smooth Sailing" produced by the defendants. An accounting of the profits and a permanent injunction and damages are sought.

M-G-M Buys 3 Stories

Hollywood, April 17.—M-G-M has purchased production rights to "Ol' Man River," an original by Oscar Hammerstein, 2nd, and H. S. Kraft; Albert Treynor's novel, "Dancing Co-ed," and "A Hundred to One," original by Pauline London and Alfred Taylor.

Harry S. Dahn Resigns

Toronto, April 17.—Following the resignation of Harry S. Dahn as general manager of Hanson Theatres, Ltd., the shakeup in personnel continues. William McKnight has retired as manager of the Madison. McKnight has been succeeded by Lew Hayman, formerly of Syracuse.

Find Warner's Gems

Fort Lauderdale, April 17.—Approximately $75,000 worth of jewelry found in a Negro cemetery here was identified by Federal agents as the property of Albert Warner whose Miami home was robbed last February.

Radio Personals

ALMA GRAEF, Bert Lebhar's secretary at WMCA, is engaged to Dr. William D. Harris, with the wedding set for September . . . David Sarnoff will head a list of speakers who will discuss the general subject of "Democracy and American Ide[illegible] over the NBC-Blue April 28 a[illegible] P. M., the occasion being a luncheon given by Town Hall, Inc. Other speakers will be Dorothy Thompson and Anne O'Hare McCormick . . . Nadine Connor staged a hurried trip to Hollywood for a screen test for a picture role immediately after the last Coca Cola show, and will return in time for the broadcast coming up . . . Carole Lombard and Fernand Gravet will preview "Fools for Scandal" on Friday's "Hollywood Hotel." . . . Jeanette Hoffman, receptionist at Phil Lord's office, has married Robert Gregg, architect.

+

San Francisco

The newest addition to the KFRC announcing staff is Charlie Foll, formerly of KJBS . . . Announcer Joe Walters of KSFO and actress Mary Ellen Herrick of KGO were married in Reno . . . Watson Humphries, producer of Benny Walker's amateur show for Homestead Bakery, motored to Portland to get married . . . Jack Edwards of the KGO drama staff has been signed to give flower talks on the new "Gardner Nursery Party," three mornings weekly on KGO . . . KFRC has started a daily afternoon show, "Your Mutual Friend," giving 10-minute buildup to the day's Mutual net shows . . . Scott Weakley's Monday night "Skullcrackers," on KROW, varies the usual audience participation procedure by pitting teams from industries, clubs and educational groups against each other . . . Commentator Ira Blue has been added to the "Surprise Party" on KPO-KFI on Sundays, sponsored by Peters Shoes.

+

Hollywood

Chester G. Matson, member of the KNX-CBS sales staff, has resigned, effective April 23, to join Edward Petry & Co., station representatives, as Los Angeles manager. A. R. Ketcham, Jr., of the CBS San Francisco sales staff, will replace Matson . . . Thomas F. Simpson has been named chief building engineer of the new CBS studios at Columbia Square.

Leo B. Tyson, general manager of KMPC and president of the Southern California Broadcasters Association, has invited all civic organizations of Beverly Hills and other communities to visit his station . . . Milton Berle and Eddie Cantor have been added to the list of stars slated for "Salute to Columbia Square" on the April 30 dedication day. Berle will appear here, and Cantor will be cut in from New York.

WHO Using Amateurs

Des Moines, April 17.—An amateur contest open to amateur entertainers who have not appeared on WHO programs, is being held each week during the Sunset Corners Frolic Saturdays from 8 to 10:15 P. M. Dick Anderson, WHO announcer, is conducting the contest.

Banner LINES

THOSE happy faces at NBC these days are occasioned by generous and almost general pay increases that will be forthcoming next pay day.

▼

Edward Klauber, CBS executive vice-president, is affable, charming and always accessible to the press. But don't try to get him to talk about himself. "I'm not important; I only work here," is his answer. We know one editor who has been trying for seven years to do a personality story about Klauber. He's still trying. ..

▼

Vincent Lopez's stunt in promoting a rewrite of the national anthem was a smart piece of publicity (credit Joe Glaston, Vincent's p.a.), but it's turning out to be a two-edged sword. The adverse comment is beginning to overbalance the favorable breaks.

▼

Jacqueline Salter, daughter of the Columbia Concerts executive, is a spunky lass. In trying to get a foothold in radio she will not use her dad's influence, and is making the rounds of the agencies and networks on her own. She's a capable little actress, too, and pretty enough for the screen.

▼

Frank Mason, NBC's director of short wave operations, and Linton Wells, who will embark shortly on a commentating .tour of the other Americas for the "Magic Key" program, were in Washington the other day conferring with Sumner Welles, Under-Secretary of State, following which they made a tour of the embassies of the Latin and South American countries. All of which makes it appear that Linton will really be radio's first "good will" ambassador.

▼

Sponsors of radio programs who subtly inject political viewpoints and propaganda in their offerings were lambasted in Town Hall the other evening by the writer John T. Flynn during a radio debate over NBC on the subject, "Is Our Public Opinion Controlled by Propaganda?" What makes the item noteworthy for this column is the fact that Flynn specifically upbraided the bank-sponsored series which is heard Mondays—also over NBC.

—JACK BANNER

Wins Labor Test Case

SAN FRANCISCO, April 17.—The first west coast radio case before the National Labor Relations Board has been filed by the American Federation of Radio Artists against KFPY, CBS Spokane affiliate, according to Vic Connors, local executive secretary of the A. F. R. A., who organized the northwest chapters. Connors reports that station staff is 100 per cent signed. The complaint concerns Ralph Rogers, production manager and sportcaster, who allegedly was fired for union activities.

Top Sales Spot

Pittsburgh, April 17.—For the first time in several years, KDKA last week moved into the top spot in local commercial accounts among Pittsburgh's five stations. The leadership was previously held by WCAE.

In radio circles here, it is generally agreed that it is the result of the sales methods instituted by KDKA's new manager, A. E. Nelson, who came here several months ago from KAO in Denver.

Morris Show Also to Be Heard on WNEW

"What's My Name?" the audience participation show which Philip Morris Co. recently started over Mutual, will be heard also over WNEW, once weekly, starting April 15. The Biow Co. is the agency.

Other new WNEW contracts are the Howard Co., baseball interviews with Earl Harper for the duration of the baseball season; 52-week renewal by Community Opticians of "Make Believe Ballroom;" and a new children's question bee starting May 7 for the American Institute of Food Products.

WOR Wins Action

The Bamberger Broadcasting Service, Inc., and L. Bamberger & Co., operators of WOR, won a perpetual injunction restraining the WOR Fur Corp. from further alleged infringement on the station's name, in the U. S. District Court here on Saturday. The decree was consented to by both sides before Federal Judge Alfred C. Coxe and did not provide for damages or costs.

Commentator Wins Suit

SAN FRANCISCO, April 17.—Judgment of $220 and costs has been won by Alma La Marr, veteran Pacific Coast commentator, in a suit brought against J. Douglas Thompson for nonpayment of salary. Miss La Marr had sued for $1,200, as payment due for 11 programs on KPO, advertising Lady Alycia cosmetics.

Plans New WOR Series

United Drug Co. will start a new transcribed musical series April 26 over WOR.

Vincent Connolly's "Women Make the News" will be sponsored over WOR by the Fischer Baking Co., starting May 30. Neff-Rogow is the agency for this.

Miss Halsted to WCPO

CINCINNATI, April 17.—Mollie Halsted, previously connected with WSAI, has joined the staff of WCPO, *Cincinnati Post* station. She will conduct the "Women in the News" program, sponsored by Kingman Packing Co., in addition to doing work in the studio sales department.

Program Adds Sponsor

"The Lamplighter," cooperatively sponsored on Mutual, will add a sponsor over WLW on April 24. Julius Grossman Shoe Co. has the program locally.

Many Hearings Scheduled by FCC for Week

WASHINGTON, April 17.—The Federal Communications Commission's calendar of broadcast hearings for the current week follows:

April 19, before an examiner: Application of KIDO, Boise, Ida., for increase of day power from 1,000 to 5,000 watts.

April 20, before an examiner: Application of KOY, Phoenix, Ariz., for change of frequency from 1,390 to 550 kilocycles.

April 21, before the commission: Applications of the Birmingham News Co. for a 590-kilocycle, 1,000-watt station at Birmingham; Kanawha Valley Broadcasting Co. for a 1,500-kilocycle, 100-watt station at Charleston, W. Va.; Pacific Radio Corp. for a 1,320-kilocycle, 500-watt daytime station at Grants Pass, Ore.; Voice of Detroit, Inc., for a 1,120-kilocycle station at Detroit, with 500 watts power night, 1,000 watts day; Cadillac Broadcasting Corp., for a 1,140-kilocycle, 500-watt daytime station at Detroit; WWPO, Inc., for a 1,120-kilocycle, 250-watt station at Pittsburgh; Times Printing Co., for a 1,120-kilocycle station at Chattanooga, with 500 watts night, 1,000 watts day, and Martin R. O'Brien for a 1,250-kilocycle, 250-watt daytime station at Aurora, Ill.

The commission also made tentative assignments for later hearings, as follows:

April 28, before the commission: Applications of Young People's Association for the Propagation of the Gospel for a 1,220-kilocycle, 1,000-watt station at Philadelphia; Cumberland Broadcasting Co. for a 1,340-kilocycle, 250-watt daytime station at Fayetteville, N. C.; contesting applications for a 1,240-kilocycle station of Citizens Broadcasting Corp., Schenectady, asking 1,000 watts night, 5,000 watts day; Thomas J. Watson, Endicott, N. Y., 1,000 watts, and the Hampden-Hampshire Corp., Holyoke, 500 watts night, 1,000 watts day, and KMLB, Monroe, La., for change of frequency from 1,200 to 620 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts.

Ask San Jose Station

May 5, before the commission: Applications of Floyd A. Parton for a 1,170-kilocycle, 250-watt daytime station at San Jose, Cal.; Madison Broadcasting Co. for a 1,450-kilocycle, 250-watt station at Madison, Wis.: WMFR, High Point, N. C., for increase of time from day to unlimited, and KWOS, Jefferson City, Mo., for increase of time from day to unlimited and increase of day power from 100 to 250 watts.

NO CHEERING, PLEASE

For the last couple of weeks we've been trying to figure out what's been making us so spleeny. Now we've got it. It's having to come to work every day, open the mail list, and see that more and more listeners are writing to WOR. Twenty-five thousand one week. We don't know when we're well off.

WOR

General Theatres Equipment Corporation

ANNOUNCES

THE PERFECT BLENDING OF SIGHT AND SOUND

Simplex SOUND *System*

TRADE MARK REG'D

After a quarter century of close association with leading Exhibitors, we are proud to announce the rounding out of our line with this completely new and different Sound System. Four reasons, we believe, make this equipment of outstanding interest to every theatre owner!

1 Aided by leading Projectionists and Sound Technicians, Simplex SOUND System is the development of an engineering personnel long skilled in the exacting professional requirements of the industry.

2 It is manufactured by a company whose products have the enthusiastic endorsement of successful Exhibitors everywhere.

3 It is produced under licensing arrangements with both Radio Corporation of America and Electrical Research Products Inc.,—an assurance of continued scientific developments from these famous Sound Laboratories.

4 It is completely new in design from Sound Head to Loudspeakers—embodying many original Simplex developments which add greatly to flexibility of operation and a higher standard of sound performance.

You are cordially invited to see this "Sound System of Tomorrow"
On display about May 1 at nearest branch, National Theatre Supply Company

BUILT BY
International Projector Corporation

SOLD BY
National Theatre Supply Company

ASSOCIATED WITH

GENERAL THEATRES EQUIPMENT CORPORATION
92 GOLD ST. NEW YORK

GTE

DO NOT REMOVE

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MOTION PICTURE
DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 90 NEW YORK, TUESDAY, APRIL 19, 1938 TEN CENTS

ourt Contest
n Bank Night
uling Looms

filiated Enterprises
Lawyer Studies Move

ffiliated Enterprises in all proba-
y will contest the Postoffice De-
tment ruling barring it from the
of the mails, it was indicated yes-
lay by John M. Keating, attorney
Edward Goldstein, the New York
ributor of Bank Night.

he department's 66-page report
received only yesterday by affili-
Enterprises' New York repre-
atives, and their study of the re-
on the results of which their
re action depends, will not be com-
ed until today. If the company
ides to contest the ruling, it could
so through an injunction suit in
district court at Washington.

eating said that the order directs
all mail addressed to Affiliated
erprises must be returned to the
lers. He asserted, however, that

(Continued on page 6)

N Says FTC Order Must Be Re-Issued

he Federal Trade Commission
no ground for action against
nd National under its formal com-
nt charging the film company with
representation in advertising "Sins
Children," formerly called "In His
ps," it is stated in an answer filed
h the F.T.C.

he answer was filed by Loyd
ight and Edward Alperson, G. N.
tees. They contend that the ac-
was brought too late to be valid
ause since Feb. 21 the company
been in 77B and functioning
er court order.

he trustees also said that they

(Continued on page 6)

scap Files Request For Tennessee Stay

ASHVILLE, April 18.—Ascap's ap-
ation for a temporary injunction to
train Tennessee officials from en-
ing its law barring the music li-
sing society from operating within
state was filed in Federal district
rt here today. The society also
lied for the designation of a three-
ge statutory court to hear the in-
ction proceedings and an action to
instituted later to test the constitu-
ality of the state law.

Radio News—P. 8

Warners Plan Two Regional Sales Meets

Sessions Dated for May At New York, Dallas

Departing from the custom of holding one national convention, Warners yesterday set two sales meetings, to be held in New York, May 9 to 11, and in Dallas, May 16 to 18. The selection of Dallas is in tribute to Bob O'Donnell, one of the heads of the Interstate Theatre Circuit, which has its headquarters there, according to Gradwell L. Sears, general sales manager.

Leading exhibitors will be invited to attend the sessions as guests of Warners in order to obtain first hand information on the new season's product. James Cagney will also attend the

(Continued on page 6)

RKO List Remains At 48, Says Spitz

RKO plans 48 features for 1938-'39, the same number which the company announced for release during the current season, it was stated yesterday following the return of Leo Spitz, president, from six weeks of production conferences at the studio. The new season production plans are still in work, however, and details on story properties and titles probably will not

(Continued on page 8)

GOLDWYN - KORDA DEAL SEEN CLOSED

Agreement Is Reported Reached in England For Stock Sale

Consummation of the long series of negotiations by which Samuel Goldwyn and Alexander Korda sought to purchase the United Artists holdings of Mary Pickford, Douglas Fairbanks and Charles Chaplin was reported by well authenticated sources yesterday to have been reached in London by all the principals with the exception of Chaplin, who is said to have been represented by a proxy. It is believed that the confirmation and details of the deal will be issued next week following the meeting here of the U. A. directors and stockholders.

Miss Pickford, Fairbanks and Goldwyn sailed for England late last month, at which time Miss Pickford denied that their visit concerned the sale of the three-fifths stock interest in the organization but added that the possibility of the sale was not entirely closed. At that time it was reported that financial backing in England for Goldwyn and Korda was available. These financial interests are believed to be represented in the reported consummation of the negotiations.

Ad Film Pacts Submitted to Para. Houses

By AL FINESTONE

In the largest deal of its kind ever attempted, a uniform type of agreement is being submitted to the 29 affiliated theatre groups in the Paramount circuit whereby they will exhibit short-length advertising films distributed by General Screen Advertising, Inc.

Approximately 400 of the circuit's 1,200 theatres in this country are now showing "minute movies," as the short

(Continued on page 7)

Districts to Hear Para. Sales Plans

Paramount's new season sales policies and production plans will be outlined to the branch managers in each of the 11 sales districts by the district managers within the next few weeks, Neil F. Agnew, vice-president in charge of distribution, said yesterday on his return to New York from the company's annual conference of

(Continued on page 7)

Easter Weekend Rush Jumps Grosses in Broadway Spots

Prosperity returned to Broadway over the weekend. The major show shops reported turnaway business since Saturday, the normal patronage being swelled by thousands of out of town visitors and hosts of youngsters on Easter vacation.

Radio City Music Hall said it had its largest Easter weekend, with indications that the current week of "The Adventures of Marco Polo" will gross $103,000. In its initial week the film did $92,000. It will be held a third week.

Large crowds of school children were in evidence at Broadway theatres yesterday. The Paramount reported that by 1 o'clock yesterday it set a new attendance mark with 9,800 admissions for "Her Jungle Love" and Tommy Dorsey and his band on the stage. The rest of this week the Paramount will continue to play five shows daily. Tonight the theatre will have a preview showing of "College Swing" in addition to the regular program, which will go a second week.

The Roxy will hold "In Old Chicago" a third week on the basis of weekend business, which was big beginning Saturday night. The second week's take is expected to be not much under the first stanza's $61,500.

"Test Pilot" was reported to be doing the biggest business at the Capitol since the run of "Camille," 16 months ago. It was S.R.O. on Saturday, Sunday and Monday. The film will remain another week at least.

"Yellow Jack" Ban Is Sought in Cuba

By JOSE BARBA

HAVANA, April 18.—On the basis of reports received from Hollywood by the newspaper *El Mundo,* to the effect that M-G-M has distorted historical and scientific facts in preparing the script of "Yellow Jack," its forthcoming picture dealing with the isolation of the carrier of yellow fever, the Lions' International Club of Havana addressed a petition today to the National Censorship Board, urging that if the reports in question are verified, the film be banned in Cuba.

This decision was reached during a

(Continued on page 6)

White House Drops "Birth" Show Plans

WASHINGTON, April 18.—Only four hours after Mrs. Franklin D. Roosevelt stated at her press conference today that the controversial film, "The Birth of a Baby," would be shown at the White House, the plans for the exhibition were cancelled without explanation.

A print of the film is in the possession of Katherine Lenroot, chief

(Continued on page 7)

ANPA to Leave Film Space Up to Editors

Attempts to curtail free space given in newspapers to publicizing film stars who are also appearing on commercially sponsored radio programs is a matter of individual editorial judgment and is not in response to any pressure from the American Newspaper Publishers' Association, the latter declared yesterday.

An RKO exploitation man reported that in Dubuque and Duluth he received little cooperation from newspapers which reminded him that Walt Disney, who produced "Snow White and the Seven Dwarfs," has a Mickey Mouse program on the air.

S. Barret McCormick said this report was the only one of its kind received from 25 exploitation men in the field.

If the matter of free space to film stars who are also radio stars is brought up at the A.N.P.A. convention in New York next week it will be in response to requests from delegates for a discussion. It is not now on the general program of discussion, an A.N.P.A. official said.

Johnston Predicting Big Monogram Meet

Hollywood, April 18.—Monogram's sales convention, which will be held in Cincinnati, May 8 to 10, will be the largest in the company's history, W. Ray Johnston, president, said today. There will be between 100 and 150 company officials, franchise holders and salesmen in attendance, on the basis of reservations made to date, he said.

Johnston will remain at the Monogram studio until convention time, returning to the home office following the meeting.

G. N. May Hold Meeting

Grand National may hold a sales meeting for its field staffs to outline new season's plans, but this is indefinite. Edward Peskay, vice-president in charge of distribution, is now on a tour of exchanges and will make final decision when he reaches the coast. He is visiting Cleveland, Indianapolis, Detroit and Chicago en route west.

"Sonata" for Charity

The Cooperative Committee of the Big Sisters have chosen "Moonlight Sonata," starring Ignace Jan Padrewski, as the film which will be shown at the benefit supper dance to be held by the organization at the Waldorf-Astoria on Thursday evening, April 21. It will be the first United States preview of the film, which was produced by Lothar Mendes.

MITCHELL MAY, Jr.
CO., INC.

●

INSURANCE

Specializing
in requirements of the
Motion Picture Industry

75 Maiden Lane, New York
510 W. 6th St. Los Angeles

Purely Personal

Joseph Seidelman, Universal foreign manager, who will arrive on the *Aquitania* today after a three-month European trip, may leave on a visit to the Universal studio at the end of the week, accompanying **W. A. Scully**, Universal general sales manager. **Maurice Woolf**, a director of General Film Distributors of London, will arrive with **Seidelman** today.

•

Lillie Messinger, RKO story head for the past two years, left last night to take up her new post as studio story editor. She was given a farewell party by **Josef** and **Mrs. Honti**.

•

Frank J. A. McCarthy, eastern sales manager of Universal, has returned from a tour of company branches in the east which occupied 10 days.

•

Terry DeLapp, Paramount studio publicity chief, who has been in the east for the past two weeks, will leave New York for the coast studios tomorrow.

•

John Murphy of Loew's returned yesterday from Miami.

•

Rosemary Lane has arrived on the coast via TWA.

E. W. Aaron, assistant to **William F. Rodgers** at M-G-M, returned yesterday from a two-week vacation in Miami. En route, he stopped over in Charlotte to attend a dinner given by local exhibitors and film men to Burtus Biship, M-G-M branch manager, who has been transferred to Pittsburgh.

•

H. J. Yates has again deferred his trip to the coast, and is now definitely set to leave tomorrow. He will remain until after Republic's sales convention next month.

•

A. Montague, Columbia general sales manager, returned from a month's vacation in Bermuda over the weekend.

•

Lionel Toll of the I.T.O.A. and **Jay C. Flippen** returned from a southern cruise on the *Lafayette* yesterday.

•

Wallace Beery has arrived on the coast by TWA plane. Mrs. Beery will arrive in Hollywood today by train.

•

Bessie Breuer's "Memory of Love" has been acquired by RKO.

Bargaining Claims Filed by Two More

Hollywood, April 18.—Petitions asking appointment as exclusive bargaining agency today were filed with the regional Labor Relations Board by the Screen Publicists' Guild and the Set Designers' Guild. They claim majority membership in nine studios here.

Dr. Towne Nylander, secretary of the board, said that 65 cases are now awaiting action which will follow the decision on whether or not the industry is in interstate commerce. This decision is expected daily.

Jules Levy at Toronto

Toronto, April 18.—General Sales Manager Jules Levy of RKO and Drive Captain Walter Branson presided at a meeting of the Toronto staff headed by J. F. Meyers this morning.

Another meeting was held at Buffalo in the afternoon where Eastern Central District Manager Nat Levy was in charge. The party then left for Detroit. A meeting will be held there tomorrow and another is scheduled for Cincinnati Wednesday, with Indianapolis, St. Louis, Kansas City, Omaha and Des Moines to follow.

Sheldon to Columbia

Hollywood, April 18.—E. Lloyd Sheldon, formerly associate producer at Paramount, has been signed by Columbia to produce two pictures during the coming year. The stories have not yet been chosen.

Pick Next for Taylor

Hollywood, April 18. — Robert Taylor will be starred in "Give and Take," an original by George Bruze, Harry Ruskin, Tom Lennon and George Oppenheimer. Richard Thorpe will direct and Sam Zimbalist will be the producer.

Judell Schedules 42 Films in New Season

Hollywood, April 18.—Ben N. Judell plans 42 features next season for his Progressive Pictures, as compared to 12 during the current season. "Delinquent Parents" and "Wayward Daughters" already have been completed, and "Scandal House," the third on the new schedule, is now in work.

Among the players Judell has signed for the lineup are Adrienne Ames, Doris Weston, Oscar O'Shea, Monte Blue, Helen MacKellar, Vivian Oakland, Nick Lukats, Pert Kelton, Esther Ralston and Terry Walker.

Pick Ohio Delegation

Cleveland, April 18.—The Ohio Republic delegation to the national Republic convention in Los Angeles will be: R. A. Norton, R. O. Flemm, Leonard Mishkand, Frank E. Belles, J. S. Jossey, Nat L. Lefton, S. P. Gorrel, all from Cleveland; Bob Drew, George Kirby, Ross Williams, Rudolph Knopfle, Max Margolis, from Cincinnati. The group will leave Cleveland April 29 and will be joined by the Cincinnati group in Indianapolis.

20th-Fox to Reelect

All officers and directors of 20th Century-Fox are slated for reelection today at the annual meeting of stockholders and a directors' meeting following. W. C. Michel, executive vice-president, will preside in the absence of S. R. Kent, president, who is en route to Europe.

Clarke Opens Office

George W. Clarke, formerly city editor of the *New York Mirror*, has opened offices in the RKO Building, his activities to include personal management and exploitation of artists and as agent for the marketing of radio, stage and screen scripts.

Urges Cuba as Lati Distribution Cent

Havana, April 18.—Cuba is t logical geographical center for the di tribution of Spanish-language fil made in Latin America, according Vicente Blanco, former president the Exhibitors' Union of Cuba, w has just returned from an extensi trip throughout Latin America.

Side and Argentine Sono F leading Argentine producers, fo stance, are already distributing th product from their Havana exchang and Blanco is at present organizi his own inter-American exchange, u der the trade name of Vicente Blan & Cía., to distribute outstanding Lat American films from Cuba, wi branches in Buenos Aires, Carac Maracaibo, Puerto Rico and Truji City.

Mechanic Egg Hunt Hel

Baltimore, April 18.—With the c operation of the Baltimore *News P* and Sunday *American*, the third a nual Easter Egg Treasure Hunt spo sored by Morris A. Mechanic, pre dent of the New Theatre, was he this morning at Druid Hill Park. is estimated that 30,000 children to part in the hunt which this year w conducted in honor of Tyrone Pow and Alice Faye, stars of "In Old C cago," now playing at the Mecha house.

"Chain Gang" Suit Ope

Atlanta, April 18.—The heari on Judge Vivian L. Stanley's $100,0 suit against Warners based on t story material of the film, "I Am Fugitive from a Chain Gang," open today before a jury in Fulton S perior Court. The day was spent picking jurors and hearing argumen on minor demurrers.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Pu lisher; J. M. JERAULD, Managing Edit JAMES A. CRON, Advertising Manager. E TORIAL STAFF: Charles S. Aaronson, Jack B ner, Al Finestone, Thomas Fitzsimmons, Sher A. Kane, Irene Kuhn, Joseph Priore.

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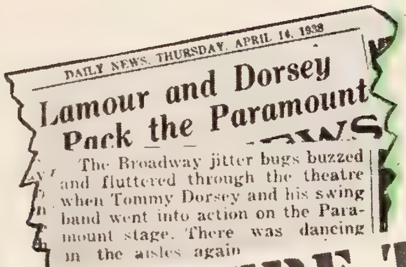
Entered as second class matter January 4, 19 at the Post Office at New York, N. Y., und Act of March 3, 1879.

First Robin!

First Ball Game!

SPRING IS HERE TO STAY!

First Park-benchers!



DAILY NEWS, THURSDAY, APRIL 14, 1938

Lamour and Dorsey Pack the Paramount

The Broadway jitter bugs buzzed and fluttered through the theatre when Tommy Dorsey and his swing band went into action on the Paramount stage. There was dancing in the aisles again

Jitterbugs mob New York Paramount!

SWING IS HERE TO SWAY!

College prexy gives swing course!

Old lady in Kenosha holds jam-session!

Paramount's "COLLEGE SWING" IS HERE TO PAY...$ AND PAY...$ AND PAY!

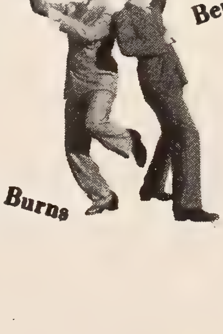
$ $ $

Gracie Allen

Edward Everett Horton

Bob Hope

Martha Raye



Ben Blue

George Burns

Jackie Coogan

Betty Grable

MOTION PICTURE DAILY'S HANDY BOOKING CHART

[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARAMOUNT	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
March 25	Lone Wolf in Paris (G) (D) *Lederer* *Drake*	Judge Hardy's Children (G) (C) *Lewis Stone* *Rooney*		Bluebeard's 8th Wife (A) (C) *Colbert* *Gary Cooper*	Arson Gang Busters (G) (D) *Livingston* *Keith*		Mr. Moto's Gamble (G) (D) *Lorre* *Luke*		Let's Make A Night of It (G) (M) *Buddy Rogers* *June Clyde*	Jezebel (G) (D) *Bette Davis* *Fonda*
April 1	When G-Men Step In (G) (D) *Terry* *Wells*			Tip-Off Girls (G) (D) *Lloyd Nolan* *Carlisle*	Invisible Enemy (G) *Allan Marshal* Feud Maker (O) *Bob Steele*		Island in The Sky (G) (D) *Stuart* *Whalen*		Goodbye Broadway (G) (C) *Brady* Last Stand (O)	Over the Wall (G) (D) *Foran* *Travis*
April 8	The Overland Express (G) (O) *Buck Jones* *Reynolds*		Land of Fighting Men (O) *Jack Randall*		Call of the Yukon (O) *Roberts* *Arlen*	This Marriage Business (G) (C) *Victor Moore* *Lester*	Rawhide (G) (O) *Gehrig* *Ballew*		Reckless Living (G) (D) *Wilcox* *Grey*	Accidents Will Happen (G) (D) *Reagan* *Gloria Blondell*
April 15	Flight Into Nowhere (G) (O) *Jack Holt* *Wells*		Female Fugitive (D) *Venable* *Reynolds*	Her Jungle Love (G) (D) *Lamour* *Milland*	Outlaws of Sonora (O) *Livingston*	Joy of Living (G) (C) *Dunne* *Fairbanks, Jr.*	In Old Chicago (G) (D) *Power* *Faye*	Divorce of Lady X (A) (C) *Merle Oberon* *Laurence Olivier*	Nurse From Brooklyn (G) (D) *Eilers* *Kelly*	Fools for Scandal (G) (C) *Lombard* *Gravet*
April 22	There's Always A Woman (A) (C) *Joan Blondell* Extortion (D)	Test Pilot (G) (D) *Clark Gable* *Myrna Loy* *Spencer Tracy*	Two Gun Justice (O) *McCoy*	Heart of Arizona (G) (O) *Boyd* *Natalie Moorhead*	Under Western Stars (O) *Roy Rogers* *Burnett*	Go Chase Yourself (G) (C) *Ball* *Penner*	Battle of Broadway (G) (C) *McLaglen* *Hovick*		Lady in the Morgue (D) *Preston Foster* *Patricia Ellis*	Women Are Like That (G) (D) *Kay Francis* *Pat O'Brien*
April 29	Call of the Rockies (O) *Starrett*	Swiss Miss (C) *Laurel and Hardy*	Gunsmoke Trail (O) *Jack Randall*	College Swing (C) *Burns & Allen* *Raye*			Four Men and A Prayer (D) *Loretta Young*	Return of Scarlet Pimpernel (G) (D) *Barnes*		Beloved Brat (G) (D) *Granville* *Dolores Costello*
May 6	The Main Event (D) *Paige* *Wells*	Three Comrades (D) *Robt. Taylor* *Sullavan*	Marines Are Here (D) *June Travis* *Gordon Oliver*	Doctor Rhythm (M) *Crosby* *Carlisle*		Law of the Underworld (A) (D) *Chester Morris* *Shirley*	A Trip To Paris (G) (D) *Prouty-Deane* *(Jones Family)*		Sinners in Paradise (D) *Boles* *Evans*	Torchy Blane in Panama (G) (D) *Paul Kelly*
May 13	Law of the Plains (O) *Starrett* *Iris Meredith*	Hold That Kiss (C) *O'Keefe* *O'Sullivan*	Phantom Ranger (O) *McCoy*	Stolen Heaven (G) (D) *Raymond* *Bradna*		Vivacious Lady (C) *Ginger Rogers* *Stewart*	Kentucky Moonshine (C) *Ritz Bros.* *Martin*		Air Devils (C) *Dick Purcell* *Beryl Wallace*	Adventures of Robin Hood (G) (D) *Flynn* *de Havilland*
May 20		Yellow Jack (D) *Montgomery* *Virginia Bruce*	Private Nurse (D) *Sally Blane* *John Arledge*	Cocoanut Grove (M) *MacMurray* *Hilliard*		Blind Alibi (D) *Richard Dix* *Bourne*	Rascals (G) (D) *Jane Withers* *Robt. Wilcox*		The Devil's Party (D) *McLaglen*	Men Are Such Fools (G) (D) *Wayne Morris*
May 27	Holiday (D) *Hepburn* *Cary Grant*			Hunted Men (D) *Lloyd Nolan* *Carlisle*		Having Wonderful Time (C) *Ginger Rogers* *Fairbanks, Jr.*	Kidnapped (D) *Warner Baxter* *Bartholomew*			Crime School (D) *Gale Page* *Bogart*

TRIPLE-PROVED

PHOTOGRAPHIC quality . . . fine grain . . . speed . . . Eastman Super X has been proved more than adequate on all three counts. It is the unusually happy combination of these qualities in one film that has made Super X the most outstanding negative material in the entire motion picture field. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Court Contest On Bank Night Ruling Looms

(Continued from page 1)

contrary to reports published earlier, the order does not specifically brand Bank Night as a lottery. He offered the conditional opinion that the order does not affect theatres using Bank Night in the event the mails are not used to advertise the game. He recalled that a notice banning the sending of Bank Night advertising through the mails was issued by the Postoffice Department some time ago and that affiliated Enterprises had warned exhibitors accordingly at the time.

Keating said that Solicitor Karl A. Crowley's order described Bank Night as a "scheme for distribution of prizes by lot or chance." He admitted, however, that the order is "much broader" in its application to Bank Night than are the various state statutes defining a lottery.

Department Expects Appeal

WASHINGTON, April 18.—Postoffice Department officials today declared, with reference to the fraud order issued April 15, holding Bank Night to be a lottery, that while appeals from department orders denying the use of the mails are infrequent, court review had been anticipated when the order was drafted in the Bank Night case because of the money involved.

While department officials refused to discuss the matter, it was indicated that Affiliated Enterprises are staking everything on the litigation, since an order of the courts holding Bank Night to be a lottery would call for application of the Federal statute prihibiting the movement of lottery material in interstate commerce, should the company still attempt to operate.

Dismisses Jewel Prod. Suit

Federal Judge Alfred C. Coxe yesterday dismissed a suit brought by Jewel Productions, Inc., against Henry Morgenthau, Jr., and Henry M. Dunning as Collector of the Port of New York, on the ground that the complaint failed to state a cause of action. The plaintiff stated that the Government was attempting to seize a print entitled "Science of Mankind or Mysteries of Sex" which they had imported and that the Government was preventing distribution on the grounds that the picture was indecent. They have asked the court for an injunction against the Government for interfering with the exhibition of the picture.

Files Theatre Tax Lien

Joseph T. Higgins, Collector of Internal Revenue, yesterday filed a tax lien against the Martin Beck Theatre Corp. of 302 West 45th St. for $69,448 for taxes, penalties and interest for the year of 1931, from September, 1935, to June, 1936, the month of December, 1936, the first six months of 1937, and December, 1937.

Ross Federal Drive On

Ross Federal Service is holding a six-week sales drive in the theatre and research divisions.

Phila. Games Case Will Be Reopened

PHILADELPHIA, April 18.—Permission to intervene and reopen the recent Bank Night case for the introduction of additional testimony today was granted John T. Connelly, prominent local attorney engaged by the Mayfair Theatre Corp. and representatives of chance games here. Meanwhile, all proceedings are stayed. Bank Night and all other theatre chance games had been declared illegal in a sweeping decision of Judge McDevitt.

Today's decision means that regardless of the ruling on the exceptions taken by the attorney for the Palm Theatre, which will be heard on April 25, the games will continue until the new case is decided.

Games-playing exhibitors will hold a meeting here Thursday to raise funds for a legal fight on the lottery ruling.

Bank Night Lottery Opinion Reaffirmed

OKLAHOMA CITY, April 18.—Attorney General Mac Q. Williamson reaffirmed his opinion that Bank Night is a lottery in a ruling to the Carter County Attorney.

At Ardmore the police called it "Hospitality Night" but Williamson said it is a lottery and referred the attorney to his recent opinion that the scheme is illegal. The opinion was written by Fred Hansen, Assistant Attorney General, on request of E. W. Schenk of Carter County. Hansen said several Ardmore merchants subscribed to a plan under which they issued Hospitality Night tickets to their customers.

GN Says FTC Order Must Be Re-Issued

(Continued from page 1)

have issued instructions to the sales force and advertising department not to use the title "In His Steps," but to sell the film as "Sins of Children." The F.T.C. contends that G. N. had no right to advertise that the film was suggested by "In His Steps," since the novel is a religious story, whereas the picture is a love story.

Attorneys here say that if the trustees' contention is sustained, the F.T.C. will have to withdraw its complaint against the company and issue a new one against the two trustees, who are acting on behalf of the company.

Of "Mice" and Critics

"Of Mice and Men," the dramatization of John Steinbeck's novel of the same name, was selected as the best American play of the current season by the N. Y. Drama Critics Circle at the annual meeting at the Algonquin yesterday. The award for the best play of foreign authorship went to "Shadow and Substance," by Paul Vincent Carroll.

Nino Martini Injured

Nino Martini, tenor, star of opera and films, on Sunday suffered a sprain and nervous shock when a New York Central train on which he was riding collided with another at Hudson, N. Y. He is under treatment here but is considered to be in no danger.

Warners Plan Two Regional Sales Meets

(Continued from page 1)

New York meeting and Pat O'Brien will attend in Dallas.

The eastern meeting, which will be held at the Roosevelt Hotel, will be presided over by Roy Haines, eastern and Canadian sales manager. Ben Kalmenson, southern and western sales manager, will be in charge in Dallas. The meetings will be attended by district and branch managers and salesmen, in addition to these home office officials: Sears and Carl Leserman, his assistant; Mort Blumentock, eastern director of advertising and publicity; Norman H. Moray, short subjects sales manager; I. F. Dolid, assistant to Moray; A. W. Schwalberg, supervisor of exchanges; Arthur Sachson, head of the contract department. S. Charles Einfeld, director of advertising and publicity, will attend.

The New York sessions will be attended by the following: Ed M. Schnitzer, eastern district manager, and Branch Managers Norman Ayers, Buffalo; Nat Furst, Boston; Charles Rich, Buffalo; John Pavone, New Haven; Harry Decker, New York and Brooklyn; Harry Hummell, New Jersey.

Canadians for N. Y. Meet

Robert Smeltzer, central district manager with headquarters in Washington, and Branch Managers A. Shmitken, Cincinnati; Herbert J. Ochs, Cleveland; Fred E. North, Detroit; William G. Mansell, Philadelphia; Harry Seed, Pittsburgh, and Fred Beiersdorf, Washington.

Wolfe Cohen, Canadian district manager with headquarters in Toronto, and Branch Managers Luke Geller, Calgary; Mickey J. Isman, Montreal; L. McKenzie, Saint John; Harry O. Paynter, Toronto; Joseph Plottel, Vancouver; G. A. Simmons, Winnipeg.

The following will attend the convention in Dallas: Fred M. Jack, southern district manager with headquarters in Dallas, and Branch Managers Joseph C. Vergesslich, Atlanta; Robert L. McCoy, Charlotte; Doak Roberts, Dallas; William Warner, Kansas City; W. O. Williamson, Jr.; Memphis; Luke Conner, New Orleans; J. O. Rohde, Oklahoma City.

Westerners to Dallas

W. E. Calloway, west coast district manager with headquarters in Los Angeles, and Branch Managers E. A. Bell, Denver; N. H. Brower, Los Angeles; Vete Stewart, Portland; William F. Gordon, Salt Lake City; Charles Muehlman, San Francisco; Al Oxtoby, Seattle.

Rud Lohrenz, acting district manager for the Midwest with headquarters in Chicago, and Branch Managers Tom R. Gilliam, Chicago; N. W. Anderson, Des Moines; Fred Greenberg, Indianapolis; R. T. Smith, Milwaukee; C. K. Olson, Minneapolis; E. D. Perkins, Omaha; Hall Walsh, St. Louis.

Warners Claim Record

Warners claim a new high record in the final figures of the advertising accessory sales drive, which ran from April 3 to April 9. During the period, the home office states, 50 per cent more accessories were sold than during any similar period in the company's history.

Warner Disposal of Shares Is Reporte

WASHINGTON, April 18.—Dispos tion in February of 75,000 Warn Brothers six per cent convertib debentures by the three Warners w reported tonight by the Securities a Exchange Commission.

Each of the three brothers, Albe H. M. and Jack L., disposed of 2 000 debentures, it was shown. ports for January also were filed the commission showing that each disposed of 233 shares of $3.85 pr ferred stock in that month throug their holding companies.

At the close of February, the Con mission reported, Albert Warner hel 59,648 shares of common, 10,61 shares of preferred direct and 4,2 through a holding company, and 1 759,000 debentures direct and 5,4 through a holding company; H. M Warner held 62,860 shares of com mon, 10,618 shares of preferred dire and 4,267 shares through a holdin company and 1,379,000 debentures, an Jack L. Warner held 88,060 share of common, 10,618 shares of preferre direct and 4,267 through a holdin company and 1,183,000 debentures.

Universal Sales Reported

The only other film company trans action shown in the report was the di position of 100 Universal Corp. com mon voting trust certificates by Dan iel M. Sheaffer, Philadelphia, directo who held 12,600 at the close of th month direct and 26,500 throug Standard Capital Co., together wit 111,283 warrants through Standar Capital.

"Yellow Jack" Ban In Cuba Is Sough

(Continued from page 1)

meeting of the club which was at tended by Dr. José A. Presno, presi dent of the Academy of Sciences; Dr Domingo Ramos, director of th Health Department, and other dis tinguished physicians, including Dr Carlos Finlay, a son of the famou Cuban assistant of Major Gorgas, t whom the actual isolation of the yel lew fever mosquito is attributed.

The reports from Hollywood are t the effect that M-G-M, in the treat ment of "Yellow Jack," has failed t give credit to Dr. Finlay for his work in connection with the isolation of th yellow fever carrier, in which event th Lions' International Club feels that th picture will prove detrimental to th prestige of Cuba, and should be banned in this country.

Plan Dinner for Byrne

NEW HAVEN, April 18.—Film friends from all over the state will tender a testimonial dinner to John P. Byrne, M-G-M manager recently promoted from the New Haven to the Boston territory, in the main dining room of the Hotel Taft, April 25. Guests from Boston and New Haven are also expected.

Barney Pitkin, RKO manager, chairman; Harry F. Shaw, John Pavone and Charles Lazarus comprise the committee in charge. Harry Shaw will be master of ceremonies.

d Film Pacts Submitted to Para. Houses

(Continued from page 1)

nmercial films are called. Last these theatres received between 000 and $400,000 in revenue m advertisers for the use of their eens for this type of film. It is pected that the agreement with neral Screen Advertising will inase the number of outlets and, of rse, their revenue.

Agreements with the component ramount groups are now being otiated. It is understood that Gen- l Screen Advertising intends to n similar negitiations with War- s, RKO and National Theatres ox). The policy of the Loew cirt precludes advertising films of any ure.

The contracts which the Paramount tners are being asked to sign proe for exclusive screen time to Gen- l Screen Advertising for films nning up to 500 feet. The exclue feature covers national camgns only and the individual thees will still be able to show films local merchants. However, it is icipated that the national camgns will in many instances replace local films.

"Minute" Type Entirely

While the contracts do not prevent theatres from showing one-reel two-reel commercial films, a Paraunt official said that the circuit will nfine itself to the "minute movies." factor in this decision is the attile of the Hays office, recently exssed in the annual report of Will Hays, as well as the growing opsition of newspapers to long-reel ertising on the screen.

The contracts with the Paramount erators will run for two years and it to three the number of adverng units shown at one time, or a ximum of about three minutes. e Paramount theatres now limit ir advertising time to about four d a half minutes per performance. Terms of payment will be based verified attendance and classifican of theatre, the contracts for the st time making actual attendance ures the gauge. The rate of paynt generally is now based on a atre's seating capacity.

Negotiations Lengthy

Negotiations with Paramount thee executives in the New York ce were begun several months ago J. Don Alexander, chairman of board of General Screen Adverng, and M. E. Zetterholm, general nager, after Mullin & Pinansky, ramount affiliate in New England, a series of seven "minute movies" Lucky Strike as a test campaign. It was feared that this might prove precedent for other national adverers to deal with the theatres direct, ninating the distributor of "min- movies." General Screen Adverng thereupon worked out an agreeent which would give it exclusive een time on the Paramount screens. No blanket agreement is being ight covering all Paramount thees, and whether or not the affilid groups enter into the arrangent is entirely up to them. It is, therefore, premature to estimate the number of Paramount houses that will sign, and it is quite probable that some will reject the arrangement on grounds of policy, it was said.

General Screen Advertising is controlled by Alexander Film Co., the largest individual distributor of "minute movies." It includes several other distributors, all of whom have pooled their theatres under contract to G.S.A., which is thus in a position to give advertisers wide coverage, providing as many houses as they want, nationally or by sections.

Affiliates Use Advertising

About a year ago Lehman Bros., in which John D. Hertz, a member of the Paramount board, is a partner, purchased a small stock interest in Alexander Film Co. It was said that this was purely for investment purposes and had no connection with a possible tieup with Paramount.

Among Paramount affiliates which are now running short advertising films are the Interstate Theatres in Texas, Gordon & Clemmons, Butterfield circuit, Minnesota Amusement Co., Malco Theatres, Wilby & Kincey, Publix Great States, Maine & New Hampshire Theatres, Lucas & Jenkins, North Carolina Theatres and Palmetto Amusement Co. Chiefly these are in the south and central west.

General Screen Advertising does not expect that the large de luxe houses will show advertising films, which are now limited to Paramount's "B" and "C" theatres.

Fleischer's Feature Not Set for 1938-39

There will be no feature length comedy from the Max Fleischer studio on Paramount's release schedule for 1938-'39, due to the fact that no plans for such a production have been settled yet and the company estimates that a minimum of 18 months would be required to complete such a production, it was stated at Paramount yesterday. Thus, even if a feature length cartoon were to be started within the next month or two it would not be completed in time for release on next season's program.

The company has announced that it would release a two-reel Fleischer cartoon next season, but no definite story or title has been selected yet.

White House Drops "Birth" Show Plans

(Continued from page 1)

of the U. S. Children's Bureau, which has endorsed the film. Miss Lenroot had planned to take the film to the White House.

Review Board Approves "Birth"

The American Committee on Maternal Welfare stated yesterday that the National Board of Review had just approved "The Birth of a Baby" for public exhibition.

A majority of the board of 50 reviewers, headed by Executive Secretary Wilton Barrett, saw the film Friday and made their decision over the weekend.

Larsen Case in Court Today

Morris Ernst, attorney for Roy Larsen, publisher of *Life,* will argue before Justices Kozicke, McDonald and Nathan Perlman in Special Sessions court in the Bronx today.

Larsen was arrested on complaint of District Attorney Foley of Bronx County following the publication and newsstand distribution of copies of the magazine showing childbirth pictures from the film "The Birth of a Baby."

Ernst will admit the sale and distribution and will produce 20 witnesses, doctors, psychiatrists, etc., to testify for Larsen that the pictures are not obscene or indecent.

Districts to Hear Para. Sales Plans

(Continued from page 1)

home office and district sales executives in Washington.

In districts comprising widely scattered exchanges, such as the southern, far western and Canadian, the district managers will call in the branch managers for a meeting in some centrally located city. In other districts where the branches are relatively close together, such as the east and central territories, district managers will visit the exchanges individually to outline the new season plans.

Thus, Milton S. Kusell, district manager for New York, Brooklyn, New Jersey, Albany and Buffalo; P. A. Bloch, district manager for Philadelphia and Washington; Harry Goldstein, district manager for Cleveland, Columbus, Cincinnati and Pittsburgh; William Erbb, Boston and New Haven; Hugh Braly, Dallas, San Antonio and Oklahoma City; Allen Usher, Chicago, Detroit, Milwaukee and Indianapolis; Ralph Libeau, Kansas City, Omaha, St. Louis and Des Moines, and Ben Blotcky, Minneapolis and Sioux Falls, all may make visits to their exchanges.

Atlanta Meeting Likely

Oscar Morgan, district manager for Atlanta, New Orleans, Memphis, Charlotte and Jacksonville, will probably hold a meeting in Atlanta for the branch managers in his territory. M. H. Lewis, district manager for Los Angeles, San Francisco, Seattle, Portland, Denver and Salt Lake City, may hold a single meeting in Los Angeles for his branch managers, and M. A. Milligan, general manager for Canada, may call a Toronto meeting.

Complete details of the company's 1938-'39 production schedule may not be ready until the conclusion of the studio conferences to be launched in Hollywood next week by Barney Balaban, president, and Stanton Griffis, chairman of the executive committee, although some additions to the schedule will be made known in the next two or three weeks, according to current plans. The Washington meeting was advised of the types of pictures and casts planned and was given 16 titles of the 58 features planned for next season.

Approve "Birth" for Special Screenings

Kansas City, April 18.—The council of the Missouri State Medical Association has approved "Birth of a Baby" and the maternal welfare committee of the organization will sponsor showings whenever they are requested.

The showings will not be held in theatres which are in regular operation, but as special shows, which will be advertised as such. Such screenings will be restricted to persons more than 12 years old and will carry an admission charge not exceeding 50 cents.

Variety Club

Cincinnati

Cincinnati, April 18.—The Cincinnati Variety Club staged an informal stag party tonight called a "Judge Druffel Night," in honor of John H. Druffel, judge of the U. S. District Court, who recently was made an associate member.

Detroit

Detroit, April 18.—Today's luncheon was WJBK Day, with Barker Richard A. Connell, station executive, cooperating in the arrangements. Jack Douglas, NBC announcer, broadcast a greeting, and the chief speaker was Edward A. McFarland, chairman of the State Liquor Commission. A group from the Michigan Institute of Music entertained.

Arrangements have been completed for the broadcasting by short wave of all the club's Monday luncheons, over the *Detroit News* short wave station, W8XWJ.

A large group from the club, headed by Chief Barker William Carlson, past Chief Barker E. E. Kirchner and William Flemion, welfare chairman, will leave Detroit by special train April 22 for the national convention in Cincinnati, April 23 and 24. The party will include: H. M. Richey, Jack Stewart, Harold Robinson, Police Superintendent Fred Frahm, Inspector William Rick, Charles C. Perry, Dave Newman, Jack Flynn, Jack Saxe, Alex Schreiber, Phil Kaplan, Moe Duddleson, Johnny Howard, Arthur Caplan, Nat Levy and Jim Olson.

Milwaukee

Milwaukee, April 18.—Ray Smith of the Ray Smith Co., and Jack Frackman of Republic Pictures of Wisconsin have been named to represent the local tent at the national conference April 23 and 24 in Cincinnati.

The women's auxiliary of the local tent is making plans to send a group of underprivileged girls to camp this summer.

Philadelphia

Philadelphia, April 18.—Dr. Charles Henry Johnson, member of the New York State Commission of Social Welfare, will be the principal speaker at the luncheon on April 27, with David Milgram and Ray Schwartz as Kings for the Day.

Under the guidance of Chief Barker Jack Beresin, the club has entered into an important program of charitable work.

A luncheon held by the Ladies' Auxiliary was a big success, with almost 800 attending. The proceeds went to charity.

Lunch for Charles Core

Charles H. Core, United Artists manager in the Philippine Islands, was guest of honor at a luncheon given yesterday by Arthur W. Kelly, U. A. vice-president in charge of foreign distribution. Among those attending the affair, which was held at Dinty Moore's, were Harry D. Buckley, Lowell Calvert, H. Muller, Emanuel Silverstone, H. Kosiner, W. Gould, Thomas P. Mulrooney, Samuel Cohen, L. Daly, R. Hilton, W. Liebler, H. Schroder and T. Healy.

Television on Regular Basis Starts Today

First television broadcast for the New York area on a regularly scheduled basis will be undertaken by NBC and RCA beginning today.

The schedule calls for a four-week period of experimental transmissions from NBC's television station W2XBS in the Empire State tower. The televised series is intended primarily for NBC and RCA officials. Amateurs in the New York area, however, who have built receiving sets, will also be able to look in on the programs.

A triple purpose is to be served by the broadcasts. The W2XBS transmitter has been off the air for several months during a period of engineering re-design. Several major changes have been made in the system of transmission and the forthcoming series will give RCA and NBC engineers a chance to observe the results of their work. Also, new program techniques and devices will be subject to review, and finally with definite technical standards yet to be established for common use of television transmitters, the experimental period will enable the research men to obtain engineering data for assistance in the formulatioin of such basic standards.

Live and film shows are to be broadcast from NBC tonight and Thursday evenings between 8 and 9 P. M. The live entertainment will include dramatic and musical productions; the films will be newsreels and educational short subjects. Afternoon broadcasts, today, Wednesday and Thursdays, beginning at 3 P. M., will consist entirely of test charts and still pictures.

Protest Renewal Refusal

San Francisco, April 18.—The Longshoremen's and Warehousemen's Union, C. I. O. affiliate, has filed a protest with the Federal Communications Commission, on the refusal of KGGC to renew a contract for a nightly labor news program, broadcast for the last six months. The protest claims that S. H. Patterson, station manager, was influenced by "pressure from anti-union forces."

Starts New Film Airing

Pittsburgh, April 18.—Promoted by Joe Feldman, advertising manager for Warners, with an eye to plugging the pictures at all Warner houses, KDKA is now using a 10-minute daily feature called "The Movie Magazine of the Air." The idea is a radio version of a regular fan magazine. Jack Crane is doing the announcing, having been selected after more than 60 persons had been tested.

Holds Farewell Luncheon

Luncheon, April 18.—John McCormick, former general manager of WKRC, local CBS affiliate, who is leaving for Minneapolis to take charge of WCCO, entertained the WKRC staff at a farewell luncheon at the Hotel Alms. William A. Schudt, Jr., who succeeds McCormick, was guest of honor.

Radio Personals

FRANK PARKER has been signed for three appearances on the Burns and Allen show, to fill in for Tony Martin, who is now vacationing, Frank, however, will continue in "Hollywood Hotel" . . . Margaret Speaks will vacation from the "Voice of Firestone" program following the April 25 broadcast . . . Efram Zimbalist, Jr., son of the musician, has joined the guest relations staff of NBC . . . Betty Winkler and Pat Murphy have been given roles in the script series "Dan Harding's Wife" . . . J. F. Cross, state commander of the American Legion, has been asked by Lucy Monroe to clarify his stand on the attempt to change the melody of the "Star Spangled Banner." Cross told Miss Monroe, who was the official soloist of the Legion during its convention in New York, that he has not approved any altered version of the national anthem, nor would he do so . . . Jackie Cooper and mother will appear on Sam Taylor's Hollywood program over WHN today at noon.

✚

Chicago

Wayne King and his band have gone on the road for six weeks, during which time he will broadcast from Indianapolis, Detroit, Cleveland, Pittsburgh, Washington and Philadelphia. Al Eisenmenger, NBC technician, accompanied the group. He plans to marry Phillis Regan of Chicago, April 30. . . W. R. Crane and C. J. Maki are new additions to the NBC engineering staff. . . Bill Weaver is now on WCFL with his own program. . . Warren Brown and John Harrington have returned to Chicago for the start of the baseball broadcasts from here over WJJD for Kellogg. . . Hal Totten is about to start his fourth year of baseball broadcasts over WCFL.

Open Short Wave Station

Montreal, April 18.—A new short wave station, VE9RL, owned and operated on the Montreal Light, Heat and Power Consolidated, has started here, operating on 2,238 kilocycles and 135 meters. The only station of its kind owned by a Canadian public utility, the station will broadcast only when other methods of communication are not available.

Ruderman Opens Office

Manuel L. Ruderman has opened his own offices in the RKO Building. His organization, known as Continental Radio Service, will act as radio consultants and radio program producers. Ruderman was a former vice-president of Radio & Film Methods, Inc.

Chevrolet Renews Series

Philadelphia, April 18.—Chevrolet Motors has placed a renewal of its contract over KYW here for its transcription show, "Musical Moments," aired twice weekly. The Campbell-Ewald agency is in charge of the account.

Takes Over KVOO Post

Tulsa, April 18.—Ken Miller has taken over the duties of news editor for KVOO here.

Taking to the Air

Boston, April 18. — Five WAAB - WNAC announcers and operators have really taken to the air. The quintet are taking flying lessons. John Moakley, Dana Fitzgerald, Henry Morgan, Tristan Coffin, and Andrew Holtz are attending an air school on Cape Cod.

It is the first "wing" of the newly organized Yankee Network "airforce."

Sponsors "Ballroom" In Deal with WNEW

Min-Aqua Co. has signed —for participation in the "Make Believe Ballroom" on WNEW for 52 weeks, starting today. Bud Roth, Inc., handled the contract.

Industrial Training Corp. will sponsor a new transcribed series over WNEW starting immediately, one quarter-hour per week. James R. Lunke & Associates is the agency controlling the account.

Switch News Services

New Orleans, April 18.—By mutual agreement WDSU has surrendered the news service of Transradio to WSM, which in turn gave up to the former station all rights to United Press releases. The Transradio bureau in New Orleans will be moved from the Godchaux Building to the offices of WSMB and a station man will pick up the short wave material. The change will become effective on May 1.

Scher Leaves WKY Post

Oklahoma City, April 18.—Hal Scher, night announcer for WKY, has resigned and left for the coast.

Guest on Cantor Show

Lucy Monroe will be the guest star on the Eddie Cantor broadcast of April 25.

Wall Street

Board Gains Continue

	Open	High	Low	Close	Net Change
Col.	12	12⅜	11⅞	12⅜	+ ⅜
Col. pfd.	33	33	33	33	+4
Cons.	1⅜	1⅜	1⅜	1⅜	+ ⅛
E. K.	155	155¼	153	153	.....
G. T. E.	11	11⅜	11	11⅜	— ⅝
Loew	43¼	43¼	41¾	41¾	—1⅜
Loew pfd.	102⅜	102⅜	102	102	—1
Para.	8⅞	8⅞	8¼	8⅜	— ⅜
Para. 1	80½	82	80½	82	+ ½
Para. 2	9⅝	9¾	9½	9⅝	— ½
Pathe	4¾	5¼	4¾	5	+ ¼
RKO	3⅛	3⅛	3	3	— ⅛
20th Fox	22½	22½	21¼	21½	— ⅝
20th pfd.	28½	28½	28½	28½	+ ½
W. B.	5½	5⅝	5⅜	5⅜	— ⅛
W. B. pfd.	30	30	30	30	+1¾

Curb Holds Level

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	.....
Tech.	18	18	17⅞	18	.....
Univ. Corp.	2⅜	2⅜	2⅜	2⅜	— ⅛

Para. In Bond Increase

	High	Low	Close	Net Change
Loew 3½s '46	96⅛	96⅛	96⅛	+ ⅛
Para. B'way 3s '55	58	58	58	.....
Para. Pict. 6s '55	84½	84½	84½	— ½
Para. Pict. '47	62½	62½	62½	+4
RKO 6s '41	55½	55½	55½	.....

(Quotations at close of April 18)

RKO List to Stay At 48, Says Spi

(Continued from page 1)

be ready until shortly before the c pany's annual sales convention e in June.

J. R. McDonough, RKO vice-p dent, who accompanied Spitz Pandro S. Berman, vice-presiden charge of production, to the early in March, is remaining in lywood indefinitely. Although h expected to make occasional trip New York, the bulk of his time be spent at the studio.

Spitz will call a meeting of board of Keith-Albee-Orpheum, which he is chairman and presid in the near future for the annual e tion of officers of the company. of the present officers are schedu for reelection at that time.

RKO Net for 1937 Totals $1,821,1

RKO's net profit for 1937 $1,821,165, Federal Judge Willi Bondy was informed by the Irv Trust Co., reorganization trustee RKO, at a hearing in U. S. Distr Court here yesterday on applicati of the trustee and associates for f for services in connection with the organization proceedings.

The net for 1937 compares with net profit of $2,485,911 for the p ceding year. The 1937 figure, ho ever, does not include RKO's sh in undistributed earnings of Kei Albee-Orpheum Corp. Dividends RKO from that source are estimat to amount to $297,801.

H. C. Rickaby, attorney for At Corp., proponent of the RKO re ganization plan, told Judge Bon that it was hoped that the amend reorganization plan would be readiness for submission to the co by the time of the next schedul hearing, April 25. Rickaby add however, that there was no certain that this would actually be acco plished.

The court reserved decision on t applications for fees, which includ Irving Trust's $60,000 and one $85,000 for the trustee's counsel, pl $2,797 for interim expenses. Richa B. Scandrett, special master, ask $30,000; Edward L. Ward, attorne $4,665, and Price, Waterhouse & C $3,083.

Repec Heads Boston Clu

Boston, April 18.—Charles Rep has been elected president of t Cinema Club of Boston, Inc., for second term. Harry Martin of Un versal is first vice-president. W. Cuddy of RKO is second vice-pres dent. David Grover of RKO is t new treasurer. Harry Smith of RK has been elected secretary.

Except for the resignation of He bert Higgins of Warners, the pe sonnel of the executive committee r mains the same—Sam Berg of 20t Century-Fox, Thomas Fermoyle M. & P. and George Govan o M. & P.

Al Gregg Leaves RKO

Cleveland, April 18.—Al Greg has resigned as head of publicity fo the local RKO theatres to join th Dixon Advertising Co. on the wes coast.

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Picture
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Film and
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Impartial

43. NO. 91 NEW YORK, WEDNESDAY, APRIL 20, 1938 TEN CENTS

0th-Fox Net First Quarter $1,641,537

own $426,061 from Same Period Last Year

A consolidated net operating profit $1,641,537, after normal Federal ome tax, for the 13 weeks ended arch 26, was reported by 20th ntury-Fox yesterday. This comres with $2,067,598 for the first 37 quarter and $2,574,800 for the rth quarter of last year.

The report was issued following annual stockholders' meeting yesday afternoon at which all direcs were reelected. The directors' eting which was to follow was stponed until this afternoon bease of the lack of a quorum. Pres officers are slated for reelection.

After deducting the first quarter's eferred dividend, the remaining ofit is equivalent to 73 cents a are on the 1,741,897 shares of comn stock outstanding on March 26. dividend of $1 was declared for the

(Continued on page 5)

& K Earnings at $2,183,301 in '37

CHICAGO, April 19.—B. & K. Corp. lay reported earnings of $2,183,301 1937, compared with $1,874,308 for preceding year. During 1937, hower, subsidiary and property reorgantions, writedowns and other items non-recurring expense amounted to 84,625, which were charged against reserve previously set up for such rposes.

The 1937 earnings, stockholders re told at their annual meeting to-

(Continued on page 5)

ew Firm to Produce Nick Carter Stories

HOLLYWOOD, April 19.—Surety Proctions, Inc., today filed incorporan papers in Los Angeles County d announced plans to make four tures yearly based on the famous ck Carter dime novels published by reet & Smith. Production will be pervised by I. A. Allen and Sam K. Wiesenthal, the latter being at e time executive aide to Carl emmle and who is now in New

(Continued on page 8)

Radio News—P. 8

New British Aid Secured By Universal

Seidelman Closed Deal, Cowdin Declares

Important financial arrangements were completed in London on behalf of Universal by Joseph H. Seidelman, general foreign manager of the company, he said yesterday on arriving on the *Aquitania*.

Seidelman declined to give details, saying that the information would have to come from J. Cheever Cowdin, chairman of the board. Questioned later, Cowdin confirmed that a new financial arrangement had been made, but refused further information. He said he regarded it as a "private matter" and could see no reason why it should be made public.

At the time Universal announced repayment of a $2,000,000 loan to the Bank of America, on April 12, this being linked with reports that new banking arrangements had been made under which ample funds for new

(Continued on page 5)

Monogram Plans 42 For '38-'39 Season

HOLLYWOOD, April 19.—W. Ray Johnston, president of Monogram, today stated that the company is planning a program of 42 films for the 1938-'39 season. Sixteen of these, he said, will be westerns, two will be Jackie Cooper starring vehicles, four will feature Boris Karloff, four will have Frankie Darro in the leading role and three will co-star John Carroll and Movita.

Production details will be announced at the Monogram convention in Cincinnati May 8-10.

"Cinderella" Is Set For Deanna Durbin

HOLLYWOOD, April 19.—Universal will star Deanna Durbin in "Cinderella," to be produced in Technicolor and to retain the charm and fantasy of the age-old fairy tale, it was stated today by Charles R. Rogers, vice-president in charge of production. Joseph Pasternak will produce and Henry Koster will direct, again uniting the trio which produced "Three Smart Girls" and "100 Men and a Girl."

Rogers has assigned his top writing team of Bruce Manning and Felix Jackson, who wrote "The Rage of

(Continued on page 8)

U.A. MOVE SEEKS MORE PRODUCERS

Aim to Spread Profits; Sale Is Called Off Indefinitely

An agreement to reduce the cost of distribution to United Artists producers was reached by directors of the company on the conclusion yesterday of two weeks of meetings in London, according to company statements issued simultaneously in London and New York.

At the same time the company asserted that all negotiations by Samuel Goldwyn and Alexander Korda for the purchase of stock control of the company "have been definitely abandoned because of present economic conditions." The latter statement sets at rest widely circulated reports that a deal for the purchase of the Mary Pickford, Douglas Fairbanks and Charles Chaplin interests in United Artists had been concluded in London.

The company's statement declared that "a completely unanimous decision to reorganize the operating setup of United Artists" with provision for "greatly reduced cost of distribution to producers who will thus further participate in the profits of the parent company according to their individual contributions" had resulted from the London meetings.

"It is believed that this new policy

(Continued on page 5)

Revival Sets Record

Washington, April 19.—A house record was set at the Little Theater in Washington last week when a revival of Rudolph Valentino in "The Son of the Sheik" exceeded the old record formerly held by Victor McLaglen in "The Informer," although movie houses in general were experiencing a slow week as it was Holy Week.

The Little Theater specializes in showing revived pictures and first run foreign pictures.

Spitz Is Reelected Chairman of K-A-O

Leo Spitz was reelected chairman of the board and president of Keith-Albee-Orpheum Corp. at the annual meeting of the company's board of directors yesterday. William F. Whitman, formerly assistant secretary, was elected secretary of the company, filling the post which has remained vacant since the death more than a year ago of James Field. All other officers of the company were reelected.

Other officers of K-A-O are Malcolm Kingsberg, vice-chairman of the board; Leon Goldberg, treasurer; O. R. McMahon, W. J. Kernan, William Murray and H. E. Newcomb, assistant treasurers; Louis Joffe and Harry M. Pimstein, assistant secretaries.

The board also declared a dividend out of capital surplus of $1.75 per share on the preferred stock of the company for the quarter ended June 30, 1935, payable July 1, next, to holders of record on June 15. The payment will reduce the accumulated dividend arrears on the preferred stock to $19.25 per share.

Irving Trust Sues Pathe for $49,803

An action charging breach of contract against Pathe Film Corp. and asking damages of $49,803 was filed by Irving Trust Co., as trustee for RKO, in the U. S. District Court here yesterday.

The action is an outgrowth of the purchase of Pathe assets by RKO in 1931, involving items in dispute as to their inclusion in the purchase which

(Continued on page 6)

Production Falls; 27 Features Going

HOLLYWOOD, April 19.—Production dropped to 27 pictures in work this week, one less than last week's total, as seven finished and six started. Fourteen are being prepared, and 53 edited.

Those starting were: "Valley of Violence," Columbia; "Enemy Territory," M-G-M; "Prison Farm,"

(Continued on page 6)

Hearing on Picture Title Set for May 6

WASHINGTON, April 19.—Charges of misrepresentation in connection with Grand National's "In His Steps" will be aired at a public hearing to be held by the Federal Trade Commission May 6, it was disclosed today with distribution by the commission of copies of its complaint against the company.

The complaint, issued March 31, is

(Continued on page 6)

◂ Purely Personal ▸

JOSEPH H. SEIDELMAN, Universal foreign manager, gave his young son, ROBERT, a real thill yesterday when he brought over an airplane model from London, weighing 10 pounds.

•

ARTHUR LEE, G.B. managing director, has postponed his planned business trip to London until after several field sales meetings, the dates and places for which he will set in the next day or two, have been held.

•

LEWIS JACOBS has taken time off from work on his book, "The Rise of the American Films," to make a three-reel educational film called "From Tree Trunk to Head."

•

JOHN D. CLARK, 20th Century-Fox general sales manager, was transferred yesterday from the Columbia Medical Center to the Montclair Hospital.

•

KENT TAYLOR will sail today on the *Aquitania* to appear in the G.B. film, "Asking for Trouble," in which JESSIE MATTHEWS will star.

•

LOUIS DE ROCHEMONT and THOMAS ORCHARD of March of Time have returned from a business trip to Washington.

•

ROBERT RITCHIE, director of British studios for M-G-M, talked with his London office by transatlantic phone yesterday.

•

JAMES CAGNEY has left the Warner studio for an extended vacation at Martha's Vineyard, Mass.

•

WILLIAM E. GEER, managing editor of March of Time, has returned from a vacation in Bermuda.

•

RALPH ROLAN of RKO is due in Havana today on a cruise from which he is expected back Sunday.

•

WENDY BARRIE is at the Sherry-Netherland.

•

MAX H. GALFUNT, a member of the Columbia home office legal department for the past four years, has resigned from the company to enter the general practice of law. He will open his own office in the RKO Building next week.

•

HARRY RICHMAN and his bride, the former HAZEL FORBES; GEORGE and MRS. ARLISS and CLEMENCE DANE will sail today on the *Aquitania* for England.

•

HARRY ROSS, head of Ross Federal Service, returned yesterday from Florida.

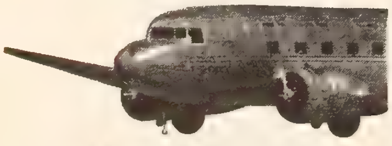
•

ROLAND YOUNG left yesterday for the coast.

Only One Ohio Cut

Cincinnati, April 19.—Another low point was reached by the Ohio division of film censorship for the week ending April 15, when but one elimination was ordered out of a total of 135 reels reviewed.

AMERICAN FLAGSHIPS
TO LOS ANGELES



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OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
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MERCURY—Lv. 5:10 pm; SOUTHERNER—Lv. 9:00 pm.
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Ticket Offices: 45 Vanderbilt Ave. and
Rockefeller Center, 18 W. 49th St.
AMERICAN
AIRLINES INC.

Ampa Officers Will Be Named Tomorrow

Election of officers will be the major business before the Ampa membership at a closed meeting at the International Casino tomorrow. Also to be discussed will be the date of the annual dinner-dance.

It has been suggested that the annual advertising awards be presented at a special luncheon, in which event the annual affair will be postponed to the fall. On the other hand, there is some sentiment for combining the presentations with the dinner-dance, as in the past. The final decision rests with the membership.

Officers slated for reelection are Ralph Rolan, president; Paul Lazarus, Jr., vice-president; Paul Benjamin, treasurer; Lester Thompson, secretary. Others to be elected are: directors, Vincent Trotta, Martin Starr, Elias Sugarman, Gordon White, Mort Blumenstock; trustee for three years, Rutgers Neilson; auditing committee, Herbert Berg, chairman, Al Sherman, Ralph Lund; counsellor to U. S. Chamber of Commerce, Hap Hadley.

The nominating committee consists of Edward McNamee, chairman; Ray Gallagher, Charles Alicoate, Hadley, Trotta, Neilson and Starr.

Canada Bans Life

TORONTO, April 19.—The Dominion Government has banned the entry into Canada, either by mail or express, of the magazine *Life*, which contained stills from the film, "The Birth of a Baby," censorship being applied by Federal agents at border cities. Subsequently, permission was granted for the delivery of copies of the magazine to subscribers providing the pages bearing the illustrations in question were removed.

Hammell Leaves Para.

HOLLYWOOD, April 19.—John A. Hammell, head of the Paramount censorship department, resigned today and was succeeded by Luigi Luraschi, his assistant. Hammell will vacation before resuming work. He was with Paramount for 17 years. He at one time was general manager for Ernst Lubitsch Productions.

Three Judges Rule Bingo Out in Bronx

"Bingo in the Bronx will not be tolerated" three justices in Court of Special Sessions declared yesterday. They passed sentences of 30 days each on three defendants who were arrested when District Attorney closed down on the game. Sentence was suspended.

Justice Bernard A. Kozicke stated that the game had continued beyond the charitable stage and was beginning to become a racket and, being a gambling game, it attracted children and women along with men.

Erpi Denied Particulars

A bill of particulars was denied to Erpi by Federal Judge John C. Knox in the U. S. District Court here yesterday in the $149,948 breach of contract suit brought against it by John G. Paine, as agent and trustee for approximately 100 music publishers. Paine's attorneys advised the court that no claim would be made under foreign copyright for license agreements under such foreign copyright.

Paine claims damages as the result of the alleged failure of Erpi to pay royalties on films distributed abroad. Erpi contends that all payments which were due under the contract have been made.

Yermi Stern Gets 6 Cents

Yermi Stern was awarded a six cents verdict by a jury before Federal Judge Samuel Mandelbaum in the U. S. District Court here yesterday in his $500,000 libel suit against Warners and First National.

Stern claimed his reputation was damaged by a series of sequences in "Go Into Your Dance." The complaint of Casino Productions, Inc., had been dismissed previously.

"Peck's Bad Boy" Again

HOLLYWOOD, April 19.—Sol Lesser today stated that he will produce a series of six features based on the Peck's Bad Boy stories by George W. Peck. The first will be distributed by RKO under an option arrangement. Nobody has been chosen for the title role. The titles will tell of Peck's Bad Boy at the "Circus," "Zoo," "Summer Camp," "Frisco Fair," "Big Game" and "Coney Island."

M-G-M Group Sailing

The *Manhattan*, sailing at noon today, will have aboard an M-G-M contingent which includes Robert Richie, director of M-G-M's British studio; King Vidor, who will direct "The Citadel" at Denham, and Spencer and Mrs. Tracy, who will vacation in Europe for a month.

TMAT Sets Meetings

LOS ANGELES, April 19.—The Theatrical Managers, Agents and Treasurers Union will hold a meeting here on May 5 and another in San Francisco on May 8 for the purpose of coordinating organizing campaigns. Hal Oliver and Jack McNevin of New York will address the meetings.

Girl Born to Le Roys

HOLLYWOOD, April 19.—A daughter was born to Mervyn and Mrs. Le Roy here on Sunday. The child will be named Linda Mervyn.

London Strike Still On; No Houses Clo

By AUBREY FLANAGAN

LONDON, April 19.—The strike the projectionist members of the tricians' union, although still in p ress, has caused the closing of theatres in the London area, Hul Manchester. The business during holiday period was entirely noma spite of the walkout.

In every instance striking p tionists were replaced in theatres most immediately. The Cinem graphers' Exhibitors' Associa has reported that only about 600 about one-half the total number projectionists, walked out, and many already are asking reinst ment. The strike in Hull and chester followed that in London, resulted in no closings. Fifteen m bers of the electrical union wa out of the Gainsborough studic Islington today, in sympathy with projectionists striking in the ho of the Gaumont British circuit. duction was delayed on the Al Hitchcock film, "Lost Lady."

Gehring Leaves for Tour of Exchang

William C. Gehring, 20th Cent Fox central division manager, left night on the second lap of a tou exchanges in his division for new son's sales conferences with field sonnel. His trip will include Moines, Minneapolis and Omaha ritories.

Gehring returned early this w from a trip which included Indian lis, Detroit, Milwaukee and Chica

William Sussman, eastern divi manager, is due back today from ilar conferences in Washington Philadelphia.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and lisher; J. M. JERAULD, Managing E JAMES A. CRON, Advertising Manager. TORIAL STAFF: Charles S. Aaronson, Jack ner, Al Finestone, Thomas Fitzsimmons, Sh A. Kane, Irene Kuhn, Joseph Priore.

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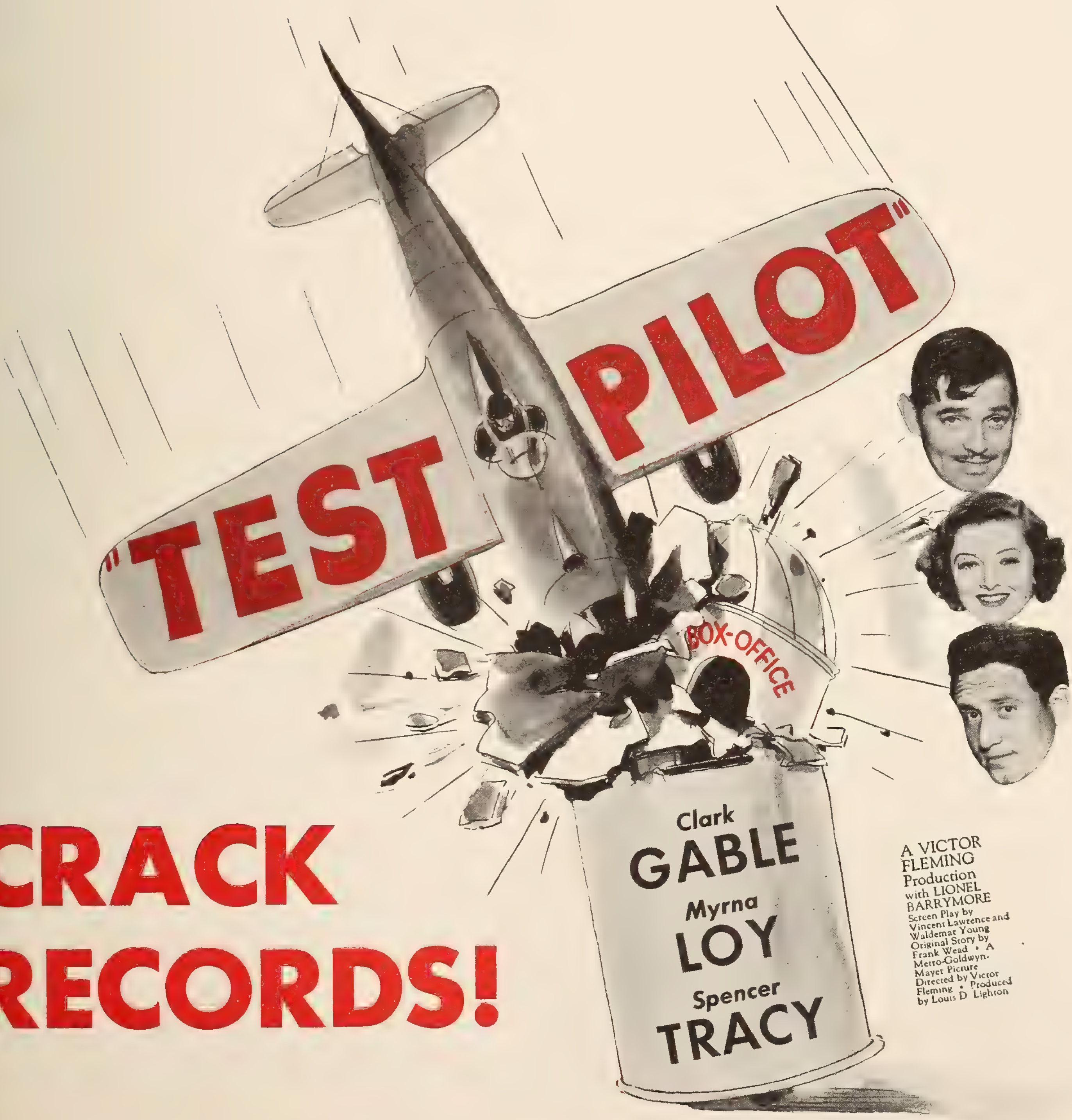
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CRACK RECORDS!

A VICTOR
FLEMING
Production
with LIONEL
BARRYMORE
Screen Play by
Vincent Lawrence and
Waldemar Young
Original Story by
Frank Wead • A
Metro-Goldwyn-
Mayer Picture
Directed by Victor
Fleming • Produced
by Louis D Lighton

"Snow White" $24,400 6th Chicago Week

CHICAGO, April 19.—Ending a six-week run at the Palace, "Snow White and the Seven Dwarfs" grossed $24,400 the final week and beat the previous week by a fair margin. The final week was $5,400 above average. Despite the fact that it was Holy Week, crowds doing Easter shopping jammed the Loop and business was fair considering. As most of the pictures were on extended runs or holdovers grosses were not very high.

The weather was generally mild.

"Bluebeard's Eighth Wife" at the Chicago, "Jezebel" at the Oriental and "Tom Sawyer" at the U.A. did fair in their second week.

Total first run business was $106,400. Average is $121,000.

Estimated takings:

Week Ending April 14:

"ARSENE LUPIN RETURNS" (M-G-M)
APOLLO—(1,400), 35c-55c-65c, 7 days. **Gross:** $4,800. (Average, $6,500)

"BLUEBEARD'S 8TH WIFE" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days, 2nd week. Stage: Paul Gerritts and Revue. **Gross:** $24,800 (Average, $32,000)

"SWING YOUR LADY" (W. B.)
"DANCE OF VIRGINS" (Cap.)
GARRICK—(900), 35c-55c-65c, 7 days. **Gross:** $5,000. (Average, $6,500)

"JEZEBEL" (W. B.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days, 2nd week. Stage: Vaudeville Revue. Gross: $16,300. (Average, $18,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days, 6th week. Stage: Vaudeville Revue. **Gross:** $24,400. (Average, $19,000)

"KING OF THE NEWSBOYS" (Republic)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $11,600. (Average, $13,000)

Week Ending April 15:

"JUDGE HARDY'S CHILDREN" (M-G-M)
ROOSEVELT—(1,300), 35c-55c-75c, 7 days, 3rd week. **Gross:** $7,500. (Average, $11,000)

"ADVENTURES OF TOM SAWYER" (U. A.)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $12,000. (Average, $15,000)

"Chicago" Heard in Indianapolis Hush

INDIANAPOLIS, April 19.—Only "In "Old Chicago" made enough noise at the box-office to penetrate the Holy Week hush. In its second week at the Indiana, the picture took $6,000, equal to a first week normal. Then it was shifted to the Apollo for a third week.

All other first runs were sub-par by considerable amounts.

Total first run business was $21,000. Average is $28,500.

Estimated takings for the week ending April 15:

"JEZEBEL" (W. B.)
"HE COULDN'T SAY NO" (W. B.)
APOLLO—(1,100), 25c-40c, 7 days, 2nd week. **Gross:** $1,500. (Average, $3,000)

"SAILING ALONG" (G. B.)
"TIP-OFF GIRLS" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $2,500. (Average, $4,500)

"IN OLD CHICAGO" (20th-Fox)
INDIANA—(3,200), 25c-40c, 7 days, 2d week. **Gross:** $6,000. (Average, $6,000)

"WIDE OPEN FACES" (Col.)
"OF HUMAN HEARTS" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $4,500. (Average, $7,000)

"OVER THE WALL" (W. B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Three Cheers for Rhythm." **Gross:** $6,500. (Average, $8,000)

New York Previews

"Stolen Heaven"

(Paramount)

A curious blending of the obvious and the more subtle in screen drama, "Stolen Heaven" is a pleasant surprise. Its opening sequence gives no hint of what is to come. For the higher levels of intelligence in the picture-going public, it should prove delightful, while at the same time there is much in it for those who take their screen entertainment in straight, unadulterated doses of action.

Largely responsible for the success of the production effort is Andrew L. Stone, since he not only acted as producer, but also as director and original writer. Eve Greene and Frederick Jackson did an expert job on the screenplay, which is well-knit and moves actively throughout.

The cast is strong in marquee value—and excellent in performance—including Gene Raymond, Olympe Bradna, Lewis Stone, Glenda Farrell, Porter Hall and Douglas Dumbrille. Miss Bradna, who is a comparative newcomer, should send the audience from the theatre exclaiming. Her accent is delightful, she is extremely attractive physically, acts in a restrained and highly capable fashion, and, above all, she is possessed of a remarkably clear and lovely singing voice. She seems to have stardom ahead of her, and the exhibitor should build her for it.

Raymond and Miss Bradna, with Miss Farrell and others, are crooks, posing as a violinist and singing entertainer, respectively, and in love. Seeking escape, they are befriended by, and stay with Stone, elderly and once famous concert pianist, who has not lost his touch but suffers mental lapses. They promise to arrange a return to concert work for him, meaning only to use his home. But at the last moment, Miss Bradna, who has become devoted to the old man, decides to risk arrest to insure success for the old man's concert. Unable to leave her, Raymond stays, too, and they are arrested, but happy in the happiness they have brought to the old master. Beautiful piano, vocal and orchestral renditions of famous music run through the film.

Running time, 87 minutes. "G."

"Fight for Peace"

(Warwick Pictures)

Utilizing the pick of the recent war material from the newsreels, J. J. Milstein has had put together a strong and at the same time a harrowing document of the screen, telling in cold, honest pictures of the death and horror which comes of war, the brutality which is visited upon helpless women and children, and citing those who are responsible for the world's current state of bitterness and fear under the tread of Mars.

The narrative was adapted by Don Bartlett from original material by Hendrik Willem Van Loon and is given forceful and interesting rendition by David Ross. Al Young edited. The leading characters, seen in typical poses, include Mussolini, Hitler, Hirohito, Goebbels, Franco and the others of their ilk who in the narrative are held responsible for the fact that the map of Europe and Asia is being torn to shreds, and that armies are marching to the tune of bullets, and airplanes are raining death on helpless noncombatants in fear-stricken cities.

All this is graphically pictured with the clear eye of the newsreel camera, and strung together, with diagramatic map, occasional pointed subtitle and strong verbal description, to present a fearful picture of war, in sharp contrast to shots of the close of that "war to end wars" which is still remembered.

The film indicts the war-mad nationalist dictators merely by picturing the result of their maneuvering, and becomes a strong plea for peace by showing the horror that is modern war.

Running time, 70 minutes. "G."

"Wild Horse Rodeo"

(Republic)

There are a number of unusual qualities in this film to rate it above average western production. Besides a decidedly different story it has reliable performances by "The Three Mesquiteers"—Ray Corrigan, Bob Livingston and Max Terhune. William Nobles also contributed with fine photography. George Sherman's direction is excellent.

When the story gets going it concerns the trio's difficulties with a wild horse, "Cyclone." They get into conflict with June Martel, an artist, and Walter Miller, a rodeo impresario. The former desires to see the animal free on the rangeland and the latter would like to have the unridden beast in his show. The yarn takes interesting excursions into romance and rodeo activities before the action reverts to type with a roaring gun battle. It is done with novelty, however, as an airplane is brought down in the melee. A more or less confused romantic twist is ironed out, but the boys are still unmarried at the fadeout.

Running time, 58 minutes. "G."

Variety Club

Kansas City

KANSAS CITY, April 19.—Variet Club has established a system fo handling employment applications t exchanges, theatres and allied firms Heretofore there have been person coming to Film Row every day an going to various exchanges and business firms to apply for work. [illegible] after, these persons will be referred t JUNE MEDCALF, secretary to R. R BIECHELE, chief barker, and there wil fill out a Variety Club employmen application blank. When members o the club need an employe, they wil call MRS. MEDCALF who will submi the applications she has on file Variety will ask local and out of tow theatres to cooperate, as well as allie business firms.

The idea was suggested by ARTHU COLE, a member of Variety's charity committee.

GEORGE BAKER, who has been appointed head of the publicity committee for the club, is making a film to illustrate the charitable activities o Tent No. 8.

Quits Norden Committe

LONDON, April 19.—G. F. Salas prominent member of the Norde committee of shareholders of Gaumont British, resigned today, protesting against alleged inaccuracies in th committee's memorandum to th Board of Trade, asking an inquir into the company's affairs.

Ecuador Lifts "Zola" Ba

QUITO, Ecuador, April 19.—Col Francisco Urrutia, Minister of Education, has lifted the ban here on "Th Life of Emile Zola." The film formerly was refused a permit because of it presentation of the French army i an allegedly unfavorable aspect.

May Robson Is 74

HOLLYWOOD, April 19.—Friends o May Robson on the Paramount lot today held a party for the actress in honor of her 74th birthday.

Wall Street

Board Activity in Decline

	Open	High	Low	Close	Net Change
Col.	11½	11½	11½	11½	— ⅞
Cons. pfd.	6	6	5¾	5¾	— ¾
E. K.	151¾	152	150¾	150¾	—2¼
G. T. E.	11¼	11¼	11⅛	11⅛	— ¼
Loew	41⅛	41⅛	40	40⅛	—1⅝
Para.	8¼	8¼	8	8	— ⅜
Para. 1.	81	82¼	81	82¼	+ ¼
Para. 2.	9⅜	9⅜	9¼	9¼	— ⅜
Pathe	5	5	5	5	.....
RKO	3	3	3	3	.....
20th Fox	21¼	21½	21⅛	21½	.....
20th pfd	28½	28½	28½	28½	.....
Univ. pfd.	32¾	32¾	32¾	32¾	—2¼
W. B.	5⅜	5⅜	5⅛	5¼	— ⅛

Curb Issues Drop

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	.....
Monogram	1⅝	1⅝	1⅝	1⅝	— ⅛
Tech.	17⅝	17⅝	17⅝	17⅝	— ⅜
Trans-Lux	2¼	2¼	2⅛	2⅛	— ⅛

Bonds Have Fair Increase

	High	Low	Close	Net Change
Keith 6s '46	82	82	82	+2
Loew 3½s '46	96½	96½	96½	+ ⅜
Para. Pict. 6s '55	85½	85½	85½	+1
Para. Pict. '47	66	62½	66	+3½
W. B. 6s '39	69⅛	69	69	+ ⅛

(Quotations at close of April 19)

.A. Seeking Producers by Profit Spread

(*Continued from page 1*)

operation," the United Artists ment continues, "will make the pany particularly attractive to er independent producers who are king worldwide distribution."

he agreement to reduce distribu- charges to United Artists' pro- ers meets the long-standing de- nds of Goldwyn and Korda for a ater share in company profits—de- nds which, in themselves, led up the obtaining of an option by the producers last summer to pur- se the Pickford-Fairbanks-Chaplin rests in the company. The agree- t is regarded as removing the or cause of dissatisfaction in both dwyn's and Korda's United Art- relationships and eliminating atever possibility there may have n earlier of Korda's seeking a re- e from his exclusive producing mitments to United Artists in er to handle the new British quota uirements of other major Ameri- companies.

Selznick a Factor

eduction of the distribution rges to United Artists producers is regarded as likely to win new duction affiliates to the company's ks, among them David O. Selznick, se releasing arrangement with ted Artists expires with the de- ry of two more pictures. Selznick, recent discussions of a renewal of releasing deal, took the same posi- as Goldwyn and Korda in con- ing that too large a share of the pany's profits were going to the tive partners while those actually ducing the company's pictures re- ed too little. Selznick advocated ownward readjustment of distribu- charges against the producers to alize the situation.

etails of the distribution agree- ts reached in London were not le public here due to the fact that have yet to be ratified by the ted Artists' board of directors ch will meet here next Tuesday that purpose. Miss Pickford, dwyn, Korda, Murray Silverstone, Raftery and David Rose sail from land on the *Queen Mary* today, are due to arrive in New York Monday.

anada Houses Face nnual Time Change

ORONTO, April 19.—The annual bear faces exhibitors throughout ern Canada with the return of day- t saving in a number of the larger s starting April 26, smaller cen- following at different dates in and June.

he perennial objection goes up theatre owners, mothers' or- zations and school bodies but mu- al authorities continue to change clocks to conform with advanced in New York and other leading S. cities. One of the outstanding ptions to the rule is found in Lon- Ontario, which has constantly re- d to adopt daylight saving be- e of the many inconveniences in- ed.

Report U.A. Seeks English Producers

LONDON, April 19.—Reports that United Artists officials here are negotiating new production alliances involving Herbert Wilcox and Dr. Paul Czinner for distribution of their pictures starring Anna Neagle and Elisabeth Bergner followed closely upon the company's announcement today that agreements had been reached to reduce the cost of distribution to producers associated with the company.

The agreement, it is generally believed here, will be certain to attract new producer affiliations to the United Artists banner, offering as it does a larger share in company profits in accordance with the individual producer's contributions. Alexander Korda, it is known throughout the London trade, has campaigned vigorously for an adjustment of the distribution charges which would permit London Films to participate to a greater extent in the earnings from American bookings of his pictures. The present readjustment, it is believed, will enable him to put the Denham studio on a more profitable operating basis and to attempt more ambitious pictures.

U.A. in Mexican Deal

United Artists has acquired Mexican distribution rights for a feature and four shorts from the J. H. Hoffberg Co. The feature film is entitled "Fire Trap" and the four shorts are "Isle of Paradise," "Young Explorers," "Carillon Makers" and "Floridian Curiosities."

B & K Earnings at $2,183,301 in '37

(*Continued from page 1*)

day, is equal after preferred dividend requirements to $7.92 per share on the 264,206 shares of common outstanding. Expenditures of $746,585 for modernization and rehabilitation of properties during the year were charged to surplus. All directors, with the exception of Charles A. McCulloch, who resigned recently, were reelected. William Hollander, B. & K. advertising and publicity director, was elected to the board to fill this vacancy.

Barney Balaban, who presided at the meeting, told the stockholders that the dollar value of current business is 14 per cent under that for the same period a year ago, and that operating profits are off substantially more than the dollar value. Balaban returned to New York by plane following the meeting and will leave there on Friday, accompanied by Stanton Griffis, chairman of the Paramount executive committee, for production conferences at the Paramount studio.

Paramount $47,000 For "Jungle Love"

The Paramount finished with $47,000 for the first week of "Her Jungle Love" with Tommy Dorsey and his band as the stage attraction. The theatre is giving five shows a day.

"Battle of Broadway" will open at the Rivoli on Saturday, following the two-week run of "The Return of the Scarlet Pimpernel." The Rialto will open with "Condemned Women" tomorrow.

20th-Fox Net First Quarter $1,641,537

(*Continued from page 1*)

first 1937 quarter on some 1,684,000 shares of common stock.

It was said by W. C. Michel, executive vice-president, who presided at the meeting, that while the first quarter's earnings are off from last year's, company officials expect the first half year's earnings to be comparable to the first six months of 1937. He pointed out that the company is still to benefit by collections on "In Old Chicago," which was generally released last weekend and which will be getting numerous playdates during the next few weeks.

National's Figures Excluded

The comparable figures for the first quarter do not reflect earnings from National Theatres Corp., nor is provision made for surtax on undistributed profits. The National Theatres dividend amounted to $1,134,400 for 1937 and was included in the film company's fourth quarter report. The 20th Century-Fox share of the theatres' earnings this year will not be reported until the final quarter, it was said.

The film company's gross income for the first 1938 quarter was $13,850,824, accounted for by $13,515,285 gross income from sales and rentals of film and literature and $35,096 dividend income. Expenses totaled $11,888,403.63, divided as follows: Exchange operations, home office and administration, $3,494,137.32; amortization of production costs, $6,751,685.85; participation in film rentals, $1,642,580.46. The net operating profit before interest, depreciation and Federal income taxes was $1,963,421.17. Federal income taxes amounted to $221,148.39.

Economies Cited

Asked by B. F. Castle, a stockholder, as to what the company had done to reduce production costs in line with box-office returns, Michel said that the company watches expenditures constantly "and we don't wait for a depression." He said that consistent reductions in expenses had been made, but that there had been no general salary cuts.

Michel told the meeting that box-office grosses were down variously from 10 to 20 per cent, depending on how different sections have been affected. He said that the Roxy did "very well" in the first quarter this year and that the returns from the theatre are "very satisfactory." He was also optimistic about the company's foreign revenue, which he said is better than last year.

About 30 attended the meeting. Directors were reelected unanimously, as follows: H. Donald Campbell, John D. Clark, John R. Dillon, Felix A. Jenkins, Sidney R. Kent, Daniel O. Hastings, William C. Michel, William P. Philips, Herman G. Place, Seton Porter, Joseph M. Schenck and Sydney Towell.

Egypt Leads RKO Drive

Egypt is holding first place in the Phil Reisman RKO billing drive.

New British Aid Secured By Universal

(*Continued from page 1*)

season's production and additional capital for other purposes would be made available to the company.

Seidelman during his 10-week stay abroad completed sales and distribution deals in Great Britain and the Continent which are expected by Universal to increase its foreign revenue 15 to 20 per cent in the near future, it was learned yesterday.

Arriving with him was Maurice Woolf, 18-year-old son of C. M. Woolf, head of General Film Distributors, Universal's British affiliate. He said he expected to stay here six months and will take a position at the home office to learn American film business methods. His post will be designated by Seidelman.

Seidelman reported three appointments abroad, the only one not announced previously being that of J. Weinreib, formerly with 20th Century-Fox, as manager for Poland to replace William Levy, resigned.

Trans-Lux to Omit Dividend on May 1

Stockholders of Trans-Lux Corp. were advised by letter from the board of directors of the company that the regular dividend of 10 cents per share due on May 1 would be omitted in order to conserve cash for future operations in view of what the directors regard as an unpromising outlook for business. The letter stated, however, that the company's earnings for the first quarter were more than sufficient to provide for the dividend.

The Trans-Lux theatre at 85th St. and Madison Ave. will abandon the organization's established all-newsreel program policy on Friday, when feature pictures bookings supplemented by 30 minutes of newsreels will be begun. Only single features will be shown and the former admission policy of 25 cents for the 60-minute newsreel show will be changed to a scale of 25 cents to 5 P. M. and 55 cents thereafter, with the latter price in effect all day Saturdays, Sundays and holidays. There will be three changes weekly of the feature picture, with "The Life of Beethoven" inaugurating the policy. No change in policy is planned for any of the other houses in the Trans-Lux chain, which will continue with straight newsreel and short subject programs.

Montreal House Gains

TORONTO, April 19.—Mansfield Theatre Corp., Ltd., operating Loew's Montreal, as a subsidiary of Famous Players Canadian Corp., closed the 1937 fiscal year with a relatively improved financial position, the annual statement just released showing a net loss of $16,466 after payment of all charges. In previous years the deficit was substantially greater.

To Reissue Rooney Film

Syndicate Exchanges will reissue "Sin's Payday," featuring Mickey Rooney, under the title "Slums of New York," in the New York and northern New Jersey territory.

Production Falls; 27 Features Going

(*Continued from page* 1)

Paramount; "First Prize," Republic; "I'll Give a Million," 20th Century-Fox, and "Suspicion," Universal.

In addition to these, shooting were: "Holiday" and "City Shadow," Columbia; "Yellow Jack," "The Toy Wife," "Lord Jeff," "Hold That Kiss" and "Shopworn Angel," M-G-M; "The Marines are Here," Monogram; "The Texans," "Spawn of the North," "Sing, You Sinners," Paramount; "The Mysterious Mr. Moto," "Time Out for Murder," "Three Blind Mice" and "Hello Hollywood," 20th Century-Fox; "Rage of Paris," "Letter of Introduction" and "Devil's Party," Universal; "Algiers," Wanger; "Garden of the Moon," "In Every Woman's Life," Warners.

Finished were: "State Patrol," Columbia; "Private Nurse," Monogram; "Muddled Deal," RKO; "Gangs of New York," Republic; "Alexander's Ragtime Band" and "Josette," 20th Century-Fox; "Flaming Frontiers," Universal.

Three short subjects are shooting—one each at Columbia, RKO and Roach. Three finished—one apiece at Columbia, RKO and M-G-M. Eight are being prepared and 14 are being edited.

Constitutional Bank Night Ban Is Aimed

ALBANY, April 19.—MOTION PICTURE DAILY was reliably informed today by a New York delegate that he will offer a resolution banning Bank Night next week in the Constitutional Convention.

Two proposals to legalize lotteries in New York State are before the convention. One by Assemblyman Nick Rossi authorizes the legislature to set up statewide lotteries for low-cost housing projects. The other, by Assemblyman Irwin Steingut, Democratic minority leader of the Assembly, would allow semi-annual operation by the state of lotteries to be used for relief.

Both resolutions were referred to the Bill of Rights Committee, of which Steingut is a member. Hot debate on the proposals is expected in committee, with plenty of strength both for and against.

Supreme Court Justice Charles Poletti, designated as the American Labor Party spokesman, introduced 14 resolutions, including one which would establish a "consumer" department, whose functions are understood to include a strict check on advertising claims, including those made over the radio. Delegate Hirschberg of Newburgh introduced a proposal to change the state Constitution by eliminating the article prohibiting gambling. Its adoption, it is felt, would open the door to Screeno, Banko and similar games.

Hearing on Picture Title Set for May 6

(*Continued from page* 1)

based largely on the charge that the "use of the title 'In His Steps' in connection with a filmed story which has no connection with and is different in all material respects from the story as written by said Dr. Charles M. Sheldon is not a proper use of the said title."

The Newsreel Parade

Movietone News

Vol. 20, No. 63

(*20th Century-Fox*)

The President broadcasting his most recent "chat" to the nation on recovery plans and the nationwide Easter services highlight the reel, which is generally interesting. The Easter material includes shots on New York's Fifth Ave., on the White House lawn, the Atlantic City boardwalk, in the Hollywood Bowl, and in the Yosemite, where the sunrise and the falls make a beautiful picture.

A glider meet is photographed at Arvin, Cal., and the construction work on the Golden Gate exposition is seen. A clever means is devised to show the latest feminine dress styles, with several attractive models dancing the rhumba with a masculine partner. A strong impression of the tremendous size of the Coulee Dam is afforded, as the project nears completion, and Lew Lehr is amusing in his description of one of those spine-chilling bits as a couple dance on a narrow plank projecting from a window in Chicago twenty stories above the street.

The sports section includes the Jamaica opening, with a horse unseating his rider before the starter's signal, and the baseball opening in Washington, with the President tossing out the first ball. Running time, 10 mins.
A.

News of the Day

Vol. 9, No. 261

(*M-G-M*)

Easter services in the Hollywood Bowl, Chicago's Soldiers' Field and on New York Fifth Ave., as well as the annual children's egg-rolling on the White House lawn form the leading clip in a reel of rather routine interest.

A glider exhibition is pictured in California, Dr. Townsend is seen walking into jail to serve a Congressional contempt sentence, then walking right out again with a Presidential pardon in his hand, and a contingent of Marines is shown arriving on the coast after many months in Shanghai.

The work on the planned Golden Gate exposition is shown, and a young couple do fancy steps on plank projecting from a 20-story window in Chicago. The President urges spending in a radio speech and Senator Vandenberg expresses opposition. The reel closes with the traditional opening of the Washington baseball season, with the President participating. Running time, 9 mins. A.

Paramount News

Issue No. 74

(*Paramount*)

Two personalities stand out in this issue. One is that curious old man, Dr. Townsend, who seems to have the vigor of a youngster. He is shown arriving by plane at Washington, waving his hat, and then, later, unfolding his pardon from President Roosevelt with the comment: "Happy days are here again." The other personality, General Pershing, is exceptionally interesting because of the stream of recent stories indicating that he was near death. He walks erectly, accompanied by his doctor and seems to be alert.

Seabiscuit is shown setting a track record at San Mateo, Cal. The deck of the *Rex* is used to present the fashion stuff—mostly bathing suits. A new Los Angeles gadget resembling the electric rabbit that makes dogs race is used to pace swimmers in a tank. Shots of construction work show the progress on the San Francisco Fair.

The continuity sheet mentions opening games at Washington and Boston and pictures of Joe DiMaggio at San Francisco, but they were not shown. Running time, 9 mins. J.

RKO Pathe News

Vol. 9, No. 78

(*RKO*)

In its entirety this issue measures up fairly well. The material is not particularly striking but it does manage to hold a certain degree of interest.

The opening shot shows President Roosevelt in his latest "fireside chat" in which he asks for funds to aid recovery. Easter sunrise services in the Hollywood Bowl gives a seasonal note. War Admiral and Seabiscuit prepare for their history-making race on Memorial Day. A wrecked train is seen in Nevada desert country. A double deck automobile is demonstrated. A west coast glider meet has a number of interesting scenes. The reel concludes with the scoring plays of the Athletics-Senators baseball game in Washington with the Chief Executive tossing the first ball. Running time, 8 mins. P.

Universal Newsreel

Vol. 10, No. 659

(*Universal*)

A good variety of timely subjects, presented concisely and narrated in a lively fashion, make this an entertaining release. The subjects in the order of their appearance in the reel are the Easter sunrise services in the Hollywood Bowl, New York's Easter parade, the President's "fireside chat," San Francisco firemen fighting a waterfront blaze, General Pershing, recovered from his recent serious illness, leaving Arizona to attend the wedding of his son in the east, the Mexican populace contributing personal possessions to aid the Government in paying for expropriated oil lands, observance of the Wright brothers' plane building anniversary, trick dancers performing on a springboard overhanging a Chicago skyscraper, construction progress on San Francisco's exposition which opens next February, California glider contests, and the opening of the big league baseball season with President Roosevelt throwing out the first ball.

This varied material is capably edited, well photographed and interestingly presented throughout. Running time, 9 minutes. K.

P. J. Kiefer Heads Guild

HOLLYWOOD, April 19.—Major Philip J. Kiefer takes office this week as the new head of the Junior Screen Actors' Guild. He defeated Larry Steers and Duke R. Lee.

Harry Mayo is the new vice-president; Peter Du Rey, second vice-president; Jack Grand, secretary; Warren Dearborn, treasurer. Aubrey Blair continues as executive secretary.

Canada Circuit Net Shows Gain in Year

TORONTO, April 19.—Hamilton United Theatres, Ltd., operating a group of houses in Hamilton, Ont., has reported net profit of $54,355, equal to $6.91 a share on the preferred stock, compared with $6.79 in 1936, for the year ended Dec. 31, last. Dividends were paid in 1937 at the rate of $5.50 per share. The report shows cash [illegible] $16,943 and current liabilities of $1[illegible]299 with total income for the year of $80,687. Assets are shown at $158,075.

General Theatre Investment Co., Ltd., which owns seven theatres in Vancouver, B. C., all leased and operated by Famous Players Canadian Corp., reported net profit of $80,891 on a total income of $182,658, with current assets placed at $279,581. Interest charges on the company's serial bonds, now outstanding to the extent of $450,000, were covered by an ample margin, it is stated. The company closed the year with an earned surplus of over $81,000.

Georgia Jury to See "Fugitive" in Suit

ATLANTA, April 19.—"I Am a Fugitive from a Chain Gang" will be screened tomorrow for members of the Fulton County Superior Court jury as the hearing on Judge Vivian L. Stanley's $100,000 libel suit goes into its third day.

Judge E. E. Pomeroy took under consideration today a motion to declare a mistrial on the grounds that jurors had been influenced by a newspaper account which reported six other similar suits against Warners had been settled for "substantial amounts."

RKO to Have Six in Work This Summer

HOLLYWOOD, April 19.—RKO will arrange its schedule of production so as to have an average of six pictures before the cameras all through the summer. The new schedule will go into effect May 1.

The following five productions already have been prepared: "The Fortuneers," "Border G-Man," "Carefree," "Mother Carey's Chickens" and "The Cleanup." Mark Sandrich is directing "Carefree," which stars Fred Astaire and Ginger Rogers.

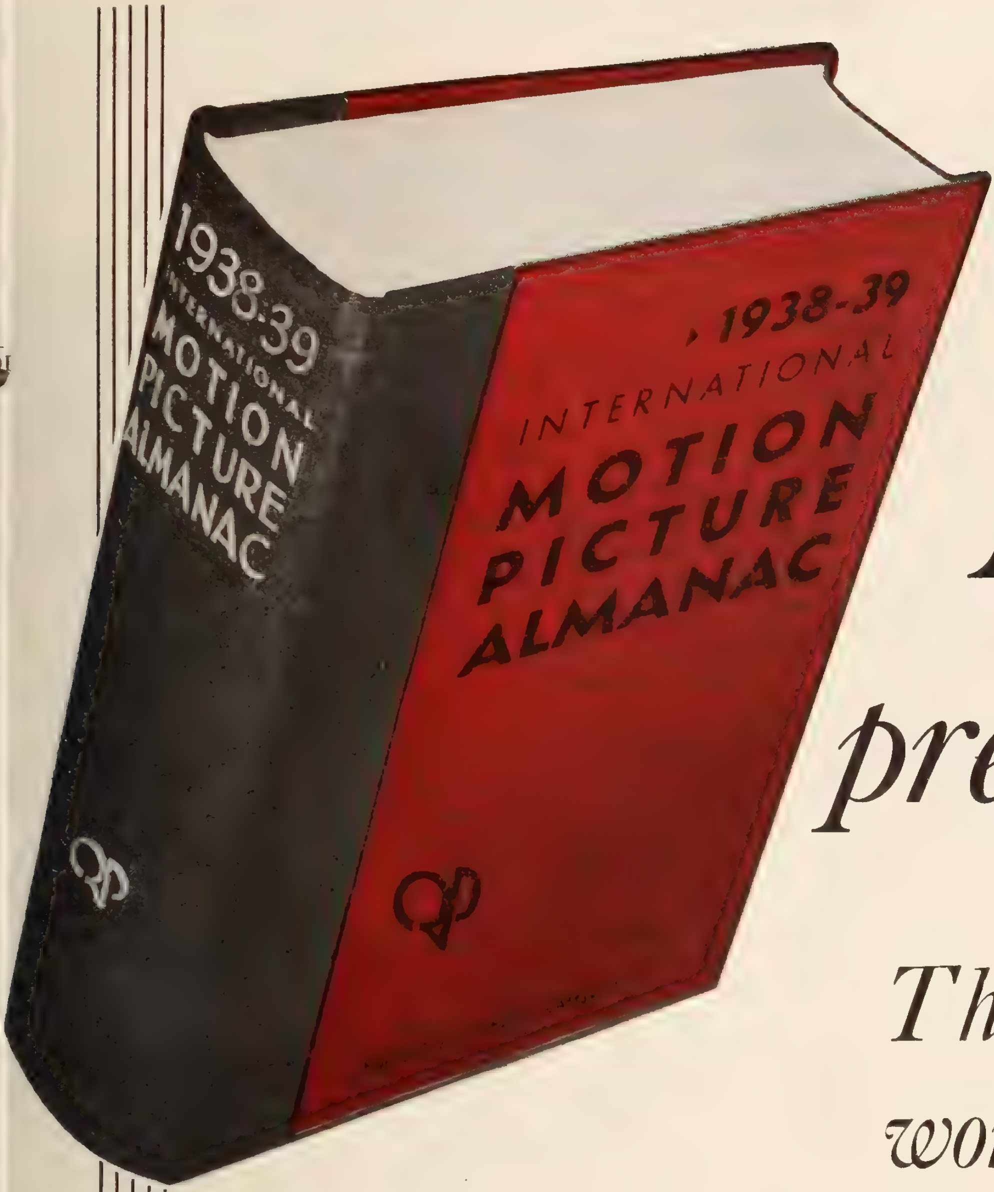
Irving Trust Sues Pathe for $49,803

(*Continued from page* 1)

were left to be decided by a referee several years ago. The RKO trustee charges that Pathe has not complied with an agreement resulting from the referee's findings which, it alleges, is a breach of contract to pay over moneys and breach of contract for failure to deliver property or pay over the agreed value.

Loeffler Quits G. B. Job

CLEVELAND, April 19.—Jos. E. Loeffler has resigned as local G.B. branch manager, to become district manager for Metro Premium Co. in charge of offices in Cleveland, Cincinnati, Detroit, Chicago, Milwaukee, St. Louis and Kansas City. He will make his headquarters in Chicago. No one has been named to succeed him in the G.B. office.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The industry's worldwide reference authority

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MOTION PICTURE ALMANAC

1938-39

Edited by Terry Ramsaye

Revised, enlarged and brought up to the minute, it will include every development of a dramatic year. There will be more than 1,400 pages crammed with facts and figures covering every phase of the motion picture industry.

The Who's Who section will record over 13,000 biographies; statistical data will include every branch of Production, Distribution and Exhibition. $3.00 the copy; *order now!*

QUIGLEY PUBLICATIONS

ROCKEFELLER CENTER • • NEW YORK

Radio Personals

LYN MURRAY, accompanied by his wife, left yesterday for a cruise to Nassau. He'll return in two weeks to the CBS airwaves. . . . Luther Reid, CBS acting publicity director, will leave for Hollywood in a few days, taking along with him Nick Kenny of the *Mirror,* "Dinty" Doyle and Tom Brooks of the *Journal-American* and E. L. Bragdon of the *Sun.* The radio editors will cover the opening of the new CBS-KNX studios. . . . Swor and Lubin, blackface comedy team, will become permanent members of the cast of the NBC Minstrels. . . . Glenn Darwin, the network singer, is vacationing at home in Kansas City.

+

Des Moines

Glen Parker, new announcer for WHO, has just been married to Kathryn Van Gilder of Marshalltown.

Jerry Smith, WHO's yodeling cowboy, has entered the promotion field and is booking himself for personal appearances in theatres throughout Iowa.

+

Pittsburgh

Dorothy Bushey of the KDKA staff dropped out of the cast of the Pittsburgh Playhouse revue, "Hold Your Hats," a week before it opened. . . Dave Garroway is doing an early Sunday morning show on KDKA called "Trails to Happiness," in which he outlines scenic routes for prospective weekend motorists. . . Jeanie Galbraith, vocalist on WCAE, has changed her name to Jeanie Baxter . . . Herman Middleman's band will be back on KDKA and the network from the Nixon cafe soon. . . Bill Hillebrand is subbing for Joe Villella, recovering from an appendix operation, on KQV's "Club Oldsmobile" program . . . Ted Blake has been added to Old Shay's "Night at the Inn" show on WCAE as "em cee" and comedian. . . Bernie Armstrong, KDKA organist, has recovered from a minor operation.

+

San Francisco

A new "spelling bee," conducted by Tom Breneman, veteran "em cee," is set for KSFO April 29. The program will feature competition between various groups. . . Walter Kelsey, who suffered a nervous breakdown two days after being appointed musical director of KPO-KGO, is back on the job after a three-week rest. . . Alma Cella Meda, western soprano just back from the east, is being featured on "Toast of the Town," Roma Wine's Friday night variety show on KFRC.

Broucher to Ad Meet

Frank Broucher WOR vice-president in charge of sales, will leave for White Sulpher Springs tomorrow to attend the convention of the American Association of Advertising Agencies.

LEO SAYS:
WHN's United Press News Flashes are a magnet for sales!
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

Program Checking

San Francisco, April 19.—The home-grown variety of checking a program's popularity has been adopted here by Wesson Oil and the Snowdrift Co., sponsors of "Hawthorne House," a serial. During the broadcast every employe of the firm telephones 20 homes, selected at random from the directory inquiring whether the radio is turned to the program.

WFIL Takes Lead in Philadelphia Survey

Philadelphia, April 19.—The results of a coincidental telephone survey made to test the listening habits of Philadelphians has been made public by Donald Withycomb, manager of WFIL through the issuance of a promotional booklet on the subject.

Ross Federal completed 7,943 calls over a period extending from Feb. 28 to March 4. Despite strong network opposition from WCAU and KYW, WFIL proved to be the top station, according to the survey.

The leading program on the entire list was the "Voice of Experience," which polled 38.46 per cent of the listeners queried, followed closely by Hal Simonds, local sports commentator, with 33.93 per cent; and the "Lone Ranger," with 33.33 per cent.

Petry to Open New Coast Office May 1

Edward Petry & Co., station representatives, have established offices in southern California, with Chester C. Matson appointed as branch manager. The office will open May 1 in Los Angeles.

Southern California territory was formerly served from the San Francisco offices of the company. Matson resigned as account executive in the sales department of CBS-KNX to assume his new duties.

Swors Sues Anthony

M. Lawrence Swors filed a breach of contract suit in N. Y. Supreme Court yesterday against John J. Anthony, alleging that he had advanced the idea for the Good Will Hour which is broadcast over WMCA. Swors alleged that he was to receive 50 per cent of the profits under a contract made in May, 1936. Anthony contended in his answer that the contract was canceled in July of last year. An accounting of the profits is sought.

Will Air Play Award

Scenes from "Of Mice and Men," John Steinbeck's play which recently won the New York Critics Circle award for the season's best play by an American author, will be presented during the broadcast of the formal award proceedings on Sunday over the NBC-Red, from 10:30 to 11 P.M. John Mason Brown and George Jean Nathan, critics, will take part in the program.

Simpson in CBS Post

Hollywood, April 19.—Thomas F. Simpson has been named chief building engineer for the new CBS studios at Columbia Square.

Another Bill Seeks Big Naval Station

Washington, April 19.—Another bill authorizing the Navy Department to construct a high power broadcasting station to combat European propaganda, particularly in Latin America, has been introduced in Congress by Representative Lex Green (Dem., Fla.).

The bill is similar to the several measures already pending, and has no chance of enactment this session of Congress.

Agitation for construction of a Government station has been constant for a considerable period, originally in order that use might be made of the group of frequencies set aside by President Roosevelt for short wave service to South America when commercial broadcasters made efforts to obtain use of those channels. The frequencies some weeks ago were assigned to broadcasters by the Federal Communications Commission.

New KFRC Show Starts

San Francisco, April 19.—A new idea in variety shows, a half-hour program in which the only participants are engaged couples and a master of ceremonies, has started on KFRC under the title, "Wedding Ring Party." It is sponsored by Albert Samuels Jewelry Co. on a 52-week deal. The "em cee," Wilbur Hall, author.

Herman to St. Louis

Cincinnati, April 19. — Chester Herman, program consultant for WLW and WSAI, will return to St. Louis to complete his contract as stage manager and assistant producer of the St. Louis Municipal Opera summer season. He is expected to return to the local stations in the fall.

Witte Gets WCPO Post

Cincinnati, April 19.—Fritz M. Witte, who recently left the publicity staff of WLW, and since has been doing special exploitation work for RKO under E. V. Dinerman, advertising and publicity director, has been appointed program consultant of WCPO, a new post created by the Scripps-Howard station here.

Pearce to Tobacco Show

Al Pearce and Gang, currently broadcasting over CBS in behalf of the Ford Motor Co., will take on a new sponsor, the American Tobacco Co., for Lucky Strike cigarettes beginning early in January of 1939, according to a report. Efforts to obtain a confirmation of this report, however, were unavailing.

Change Program Time

"Lorenzo Jones," NBC serial, will change its broadcast time, beginning April 25, to 11:15 to 11:30 A. M. on the Red network. Frank and Anne Hummert originated and produce the program.

Start Household Series

Anna Steese Richardson, director of the consumers division of the *Woman's Home Companion,* will begin a new series of household broadcasts over the NBC-Red starting Saturday at 11:45 A.M.

Peter Dana Dinner May Draw Over 25

Albany, April 19.—Exchange ma agers expect more than 250 guests f the banquet in honor of Peter Da new Universal manager in Buffal who was formerly located here. T party will be held in the Ten Ey Hotel May 9. At the same tim Dana's successor in Albany, Al Lear will be welcomed.

Plans for adding two cars t Empire State Express in Buffalo a being made by the invitation commi tee headed by Norman Ayres and i cluding M. A. Grassgreen and Phil Fox.

New Firm to Produc Nick Carter Storie

(Continued from page 1)

York. Production will start in days.

Allen was connected with the pi ture, "White Zombie," several yea ago. He said budgets on each fil will approximate $150,000. Attorne for the firm is Lloyd Taraday. Com pany headquarters are in the Equi able Building here.

"Cinderella" Is Set For Deanna Durbi

(Continued from page 1)

Paris" and "Mad About Music," t write the screenplay of "Cinderella.

The film will be Universal's fir in color and will mark the start of th new season's Durbin vehicles. Sh first must do "That Certain Age."

To Start Second Drive-I

Cleveland, April 19.—With wor started last week on construction o a $60,000 Drive-In theatre on North field Road by the Drive-In Corp. o Boston, F. W. Smith, local repre sentative for the company, says a sec ond one will be constructed on Cente Ridge Road between Rocky River an Elyria, to accommodate the Wes Side patrons. The Northfield Drive In is scheduled to open May 31.

To Meet on Neely Bill

Omaha, April 18.—Pointing to th fact that many independent exhibitor are supporting the Neely-Pettengil bills but stating that exhibitor-distrib utor differences might better be set tled within the industry itself, a grou of Nebraska and Iowa exhibitors ha called upon all independent theatr operators in this territory to meet a the Hotel Loyal here on May 3-4 fo the purposes of forming a united fron for or against the legislation.

L. A. Wagner Dead

Kansas City, April 19.—L. A "Daddy" Wagner, who formerly op erated a theatre in Eureka, Kan., an who had been identified with the fil and theatre business many years, i dead here. A son, Billy Wagner, wh was a projectionist, died last year.

Amusement Park Razed

Kansas City, April 19.—Kansa City's only amusement park, Fairy land, was almost completely de stroyed by fire yesterday. The par was scheduled to open for the seaso May 14, and O. J. Kenyon had jus signed as its manager for anothe year. Victor and Mario Brancat own the park.

Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
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Brief,
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)L. 43. NO. 92 NEW YORK, THURSDAY, APRIL 21, 1938 TEN CENTS

).A. Selling ;ost Cuts Set \t 7½ and 10%

esumption of Selznick Talks Expected Soon

The reductions in distribution arges to United Artists producers ich were agreed upon in London by rectors of the company and which e scheduled to be ratified at a board eting to be held here on Tuesday ll lower domestic distribution costs approximately 7½ per cent and reign charges by approximately 10 r cent, it was reported in official arters here yesterday.

The reductions, offering as they do greater participation in the profits the company by United Artists producers, are expected to bring about an mediate reopening of negotiations r a renewal of David O. Selznick's leasing deal with the company. Offials of Selznick International here ated yesterday that the new distribuon policy undoubtedly "would be udied with interest" by their comny, adding, however, that they had t been informed yet of the nature the cost changes. Selznick has

(Continued on page 7)

cully Will Decide "U" Plans on Coast

W. A. Scully, Universal general les manager, will make plans for e company's annual sales meeting llowing his arrival at the studio here he will confer with Nate J. umberg, Universal president. Scully ans to leave for the coast within the xt few days and will probably be companied by Joseph Seidelman, reign manager, and Maurice Woolf General Film Distributors, London.

Whether Universal will hold one tional meeting or two or three reonal meetings has not been decided.

uarter Net of CBS Reaches $1,494,980

Columbia Broadcasting System, c., and subsidiary companies yestery reported net profit after all arges for the 13 weeks ended April 1938, of $1,494,980.09, which comres with a net profit of $1,319,426.- for the corresponding period in 37. The net for 1938 is equal to

(Continued on page 8)

More Radio — P. 8

ITO Receives Numerous Bids On RFC Loans

Come from the Midwest, Says Harry Brandt

A number of applications for Reconstruction Finance Corp. loans have been received by the I.T.O.A. from out-of-town exhibitors, Harry Brandt, president, reported yesterday. He said these were received from the midwest.

Brandt said that the plan under which theatre owners may apply for sums up to $25,000 for five-year terms at a nominal rate of interest was not as yet completed and he will have further conferences with R.F.C. officials. Applications received from exhibitors outside New York are being forwarded to the R.F.C. in Washington and relayed from there to local branches of the corporation for investigation and handling, Brandt stated.

He said he has been informed that it is not necessary that any particular bank be designated to handle such

(Continued on page 7)

March Ticket Tax Shows Second Gain

Washington, April 20.—Increasing for the second successive month, admission tax collections in March totaled $1,773,075, compared with $1,659,641 in February and $1,539,408 in March, 1937, it was reported tonight by the Internal Revenue Bureau.

With the better March collections,

(Continued on page 7)

Rush of Doubles

The Loew circuit is looking for a Jeanette MacDonald double—"a beautiful, redheaded girl of Jeanette's stature"—to sit astride a white horse on the Loew float in the World's Fair Preview Motorcade on April 30. The float will depict a scene from "The Girl of the Golden West." A double for Nelson Eddy has been secured, also a man to represent a western miner who will be seen panning gold from an actual stream of water. Eddy and Miss MacDonald will be heard singing, via recordings.

Republic Sets Budget for 55 At $7,500,000

Republic has budgeted between $7,000,000 and $7,500,000 for the 55 pictures and four serials scheduled for 1938-'39, said H. J. Yates before leaving yesterday by train for the coast. This represents an increase over the current year.

The company's earnings for the current fiscal year will be reported after June 30, when the fiscal year ends, he said. Recent weeks have been the best since the company was started, said Yates.

He is going to Hollywood to complete details of the new season's program and arrangements for the national convention to be held May 2 to 5. He expects to return May 15.

The 55 pictures scheduled for next

(Continued on page 6)

New Threat to Screen from Advertising in the Offing

By IRENE KUHN

(Editor's Note—This is the first of two articles on advertising films covering the latest developments in this field.)

It's no news that for a decade and longer the screen has served as a more or less constant, if erratic, medium for advertising in some form or other. But now film executives are militantly aware of a powerful new threat to use the screen for advertising and are vocal about it.

What is news is that the motion picture screen has suddenly appealed to the high-powered advertising agency as a perfect medium for displaying the promotional or commercial wares it seeks to sell for its clients.

An important advertising executive denied that the trend toward advertising on the screen had developed from the national agencies. "If there is a trend," he said, "it is in response to solicitation of agencies by some

(Continued on page 7)

Affiliated Will Fight US Ban On Bank Night

Will Seek Injunction in Washington Court

Affiliated Enterprises has decided to contest the Postoffice Department order barring the company from the use of the mails and will apply to the U. S. District Court in Washington for an injunction to restrain the department from enforcing the order. Edward Goldstein, New York representative for Bank Night, said yesterday.

Goldstein said he had not been advised of the grounds on which the action would be based due to the illness of John M. Keating, New York attorney for Affiliated Enterprises, who will handle the case. It is understood that the company has 60 days in which to bring an appeal action, but indications are that it will move without delay in order to avoid interference with the conduct of its business.

Keating indicated early this week that the action might be based on what he regards as the inequity of the department's order invoking the full penalties of lottery regulations against Bank Night without specifically proclaiming the game to be a lottery.

Bank Night Ban Is Sustained in Conn.

Hartford, April 20.—The Supreme Court of Errors of Connecticut, the state's highest court, yesterday ruled Bank Night illegal and a violation of the state lottery laws, in sustaining the conviction by Superior Court Judge Edward J. Quinlan of Ernest Dorau, theatre manager of Middletown, in a test case.

The high court declared Bank Night contrary to public morals, and quoted

(Continued on page 6)

Columbia Makes 3 Promotions in S. A.

Three promotions in the South American territory were announced yesterday by Columbia's foreign manager, Jos. A. McConville.

Louis Goldstein, formerly general manager of Columbia's Brazil offices, succeeds Clarence C. Margon as Columbia supervisor in Argentine, Chile and Peru; A. M. Noye, formerly supervisor of Columbia's Panama territory, takes over Goldstein's former

(Continued on page 7)

Paramount to Raise "Snoop" Circulation

Snoop, Paramount's picture fan magazine, which was given a trial-balloon test with 15,000 copies in December, will make a no-fooling debut May 1. Robert Gillham, head of Paramount advertising, has ordered Alco Gravure to print 100,000 copies. Twenty-five theatres will distribute the magazine to patrons, and to doctors and dentists for their offices. Theatre managers will pay seven cents apiece for it, this being the actual cost of production, according to Gillham who is hopeful that the magazine will prove so attractive to advertisers that they will buy sufficient space to make it virtually self-supporting.

Their aim is to give it away free to theatre men for distribution. Orders for 60,000 copies of the May issue have been received in Paramount's home office.

The magazine carries no advertising in this issue, but feelers have been put out by agencies. The pages will not be open to ads, Gillham said, until there is a definite circulation guarantee.

Three Denver department stores will give *Snoop* away to their customers and newsstands will sell the book for 10 cents if there is an outside demand.

Gillham is using advance pictures on Paramount productions. The studio has equipped all its still camera men with candid cameras and there is a plethora of material.

Para. 1937 Report to Be Ready Tomorrow

The monthly meeting of the Paramount board of directors will be held tomorrow, by which time the company's audited financial statement for 1937 will have been completed. It was not certain yesterday whether the estimated earnings report for the first quarter of 1938 would be ready in time for the meeting, although it was believed it might be.

Barney Balaban and Stanton Griffis will leave for the coast immediately after the meeting. Balaban plans to be at the studio about 10 days, although Griffis may stay longer.

Rename 20th-Fox Officers

Officers of 20th Century-Fox were reelected by the board of directors yesterday, as follows: Joseph M. Schenck, chairman of the board; Sidney R. Kent, president; Darryl F. Zanuck and William Goetz, vice-presidents; William C. Michel, executive vice-president; Sydney Towell, treasurer; Wilfred J. Eadie, comptroller and assistant treasurer; Felix A. Jenkins, secretary; W. S. Bell and R. B. Simonson, assistant treasurers; John P. Edmondson, J. H. Lang, George F. Wasson, Jr., assistant secretaries.

Plan "Rhythm" Premiere

Paramount's Bing Crosby starring vehicle, "Dr. Rhythm," will have its world premiere April 28 at the Newman in Kansas City during the convention there of the National Nurses Association.

Cecil DeMille Recovered

HOLLYWOOD, April 20.—Cecil B. DeMille has resumed his production work on "Union Pacific" following a session in Good Samaritan Hospital.

◂ Purely Personal ▸

EARL and MRS. WINGART will leave tomorrow for a two-week vacation in South Bend, Peoria and Chicago. He is taking along his golf clubs.

•

LOU GEHRIG will make a personal appearance at the Globe Sunday evening. "Rawhide," in which he is featured, will be playing at the theatre.

•

LESTER THOMPSON of the M. P. P.D.A. advertising Advisory Council has acquired a new sailboat for his Fire Island weekends.

•

ROBERT RITCHIE of M-G-M's studios in England canceled his booking on the *Manhattan,* which sailed yesterday.

•

HARRY GOETZ had a tete-a-tete with **H. J. YATES** before the latter left on the Century yesterday for the coast.

•

J. F. O'DONNELL, Monogram's traveling auditor, has arrived in Chicago.

•

EARL HUDSON of Detroit is in New York on business.

HELEN DEUTSCH will leave the press department of the Theatre Guild May 1 for a one-year vacation. **JOSEPH HEIDT** will handle the department during her absence.

•

WILLIAM CADORET is in town from Rochester.

•

. . . Indianapolis

W. W. WILLMAN has just rounded out 15 years as Indianapolis branch manager for M-G-M.

CHARLES E. OLSON, owner of the Lyric, is spending April in Hot Springs. **CARL NIESSE** is touring the south.

•

. . . Oklahoma City

C. B. AKERS, western division manager for the Griffith Amusement Co., has returned from a trip to Pampa, Tex., to arrange for remodeling of the State there.

ELLAND HOLSTEIN, cashier at the Criterion, was married recently to **L. T. DUTCHER**, Oklahoma City aviator.

BERT STERN, advertising manager for Standard Theatres, Inc., has resigned after 10 years. He plans to remain here.

London Operators' Strike Peters Out

By AUBREY FLANAGAN

LONDON, April 20.—The strike of projectionists here appears today to be petering out, with the men returning to their jobs. Exhibitors in all cases are reinstating them without penalties of any kind.

In no cases were strikers guilty of sabotage. The London branch of the Cinematograph Exhibitors' Association has decided that further strike meetings are unnecessary. All theatres are open.

The electrical union has threatened to extend the strike in studios to Elstree from the Gainsborough plant. In the latter studio, new labor has been employed and production is expected to be resumed shortly.

W. A. Pierce to Produce

HOLLYWOOD, April 20.—William A. Pierce, assistant to Charles R. Rogers at Universal, will be given an opportunity to produce pictures.

He was assigned the production reins on his own original story, "No One Man," for which Wells Root was signed to do the screenplay. Pierce will continue his other duties.

Fulton Opens Sundays

FULTON, Mo., April 20.—For the first time in the history of this city, citizens can see films on Sunday. By a vote of 925 to 653 in the municipal election last week, townspeople voted in favor of Sunday pictures. Twice before Fulton has voted down the Sunday film proposal.

Set National Meeting

LOS ANGELES, April 20.—National Theatres division heads, district managers and bookers, as well as home office executives, will converge at Del Monte in the first week of August for their second annual meeting. Spyros Skouras, William Powers and others will come from New York.

"Marco Polo" Gross Rises to $103,000

The Music Hall's gross came up to an anticipated $103,000 for the second week of "The Adventures of Marco Polo" with a special Easter show on the stage. This was $11,000 more than the first week's take. The combination will start a third stanza today.

"Wide Open Faces" gave the Rialto $6,500 in seven and a half days.

"Sailing Along" will be held a second week at the Criterion. Alexander Korda's "Troopship" will open at the Carnegie on Monday at noon.

G. N.'s Quota Films To Be Decided Here

Production of Grand National quota films in England and distribution arrangements for 1938-39 will be discussed in conferences to be held here by B. Henry, general manager of Associated British Film Distributors, who is due next week. A. B. F. D. is G. N.'s British representative. Henry will confer with Jack Barnstyn, vice-president in charge of foreign sales, and Ed Peskay, distribution head.

Browne Distribution Set

Malcolm Browne Pictures Corp. has closed deals for distribution of the company's 1938-'39 product with Ambassador Film Exchange, Boston, for New England; Monarch Pictures, Pittsburgh, in that area, and Masterpiece Film Attractions, Inc., Philadelphia, for that city, Baltimore and Washington. Other deals are being negotiated.

Germany Bans a Popeye

New York offices of Paramount, notified yesterday that the Fleischer short, "Popeye's Parrot," has been banned by the German censorship office, could not explain the proscription. It was pointed out that the picture contains nothing that might be construed as an affront to Germany.

Fifty Entries Made For Ampa Ad Awar

Some 50 entries, submitted by ma and independent distributing co panies, have been made in Amp annual advertising awards compe tion. Additional entries are to made and the judging will start soon as the full committee of judg is completed.

The judges' committee will cons of 200 prominent exhibitors, [illegible] senting large and small circui[illegible] filiated and independent theatres a various types of localities. This rangement was decided upon by awards committee in order to prov a wide representative judgment.

The advertising and publicity dir tors of the film companies are act in an advisory capacity to the Am committee, which is headed by V cent Trotta, art director at Pa mount. Trotta will make a report the Ampa meeting at the Internatio Casino today.

The plaques to be awarded are ing prepared. They are the donati of A. J. Powers, head of Powers E graving Co.

Lease Old Pathe Studi

The building which housed the Pathe studio on Park Ave., and 134 St., the scene of a spectacular fire 1929, and which has been unoccupi since, has been leased to the H. Oswald Supply Co., Inc., distribut of steam and hot water boilers.

Huisman Leaves Best

Rene Huisman has resigned president of Best Film Co., Inc., a has organized the R. C. H. Film C Inc., for the distribution of the fil "Sacred India," which will be leased shortly. Sam Singer is n president of Best.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Pu lisher; J. M. JERAULD, Managing Edit JAMES A. CRON, Advertising Manager. ED TORIAL STAFF: Charles S. Aaronson, Jack B ner, Al Finestone, Thomas Fitzsimmons, Sher A. Kane, Irene Kuhn, Joseph Priore.

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COMING!

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GALE PAGE

Directed by LEWIS SEILER · Music by Max Steiner · Screen Play by Crane Wilbur and Vincent Sherman · From a Story by Crane Wilbur · A First National Picture

Philippine Pictures Gaining, Says Core

Even in the Philippines native production is beginning to furnish competition to American films. Philippine Films is the largest of the native producers, with a program of 50 pictures for the year, and Parlatone is second, according to Charles H. Core, United Artists manager there, who is in New York on his first American vacation in five years.

The film business is prospering there, he says, with American companies monopolizing about 90 per cent of the market, and with very few European imports. There are about 100 wired houses in the archipelago, with the commercially profitable business confined to six islands. Luzon, where Manila is located, is the largest. There are six first runs in the capital city, which has a population of 250,000. Another, a 1,500-seat house, is being built.

Action pictures are the most popular, Core states. In this classification he includes "The Prisoner of Zenda" and "Hurricane" and other Hollywood films of recent vintage. Releases there are about 30 days behind this country. The average admission price is about 45 centavos, or 22½ cents American money.

English is spoken generally, so there is no dubbing problem. Native pictures are produced in the Tagalog dialect. A few Spanish-language films have been imported from Latin America.

Most of the larger houses are air cooled, Core states, but it doesn't make much difference to the natives whether they are or not. Distribution is a problem, as only one print is received from this country, and these must be shipped by boat to all houses outside Luzon.

Core will spend several more days here and then will go to the coast for a stay of a month before returning to his post.

Davidson to Start New Film Magazine

Sidney Davidson, formerly exploitation man for Warners, will edit a forthcoming movie fan magazine, "Preview" due for the stands this fall.

Davidson is publishing the magazine jointly with George Engel who gets out "Song Lyrics" and "Song Hits," and who fathered the now defunct "Roto" and handles chain store distribution of the Fawcett magazines.

The new magazine, Davidson said, will sell for a dime or 15 cents. It will be a slick paper job, letter press, roto and color, *Life* size, 96 pages, divided as to contents between glamour stuff and human interest, with emphasis on pictures.

Smakwitz to Washington

Albany, April 20.—Charles A. Smakwitz, Warner theatre district manager, is vacationing in Washington, following the victory dinner for his Albany-Utica-Troy-Schenectady theatre managers in the zone box-office competition.

Shroder Succeeds Akers

Denver, April 20. — Succeeding Jerry Akers as commercial manager at KVOD is M. F. Shroder. Akers resigned to start the Akers advertising agency here.

New York Previews

"Wajan"

(Thomfilms)

Theatres which play "exploitation" films, as they are called, may find this Bali picture good box-office. There are enough "angles" here to offer ballyhoo-minded exhibitors plenty of material. As for entertainment qualities, the "Goona Goona" picture of some years ago, to which this is a sort of companion piece, will convey the idea.

The production sponsorship of "Wajan" vouches for its authenticity. As such it has interest for those who are intrigued by faraway places. The film is distinguished by the semi-nudity of the Balinese "beauties," weird Indo-Chinese superstitions and outlandish religious ceremonies and dances.

The plot, enacted by natives, is of a professional witch who casts her evil spell on a village. Her son—"son of a witch" is being used as an ad catchline—is the innocent victim of circumstances. He loves the daughter of Lombos, the witch's chief antagonist. How the witch meets her doom and the lovers are united is the sum of the simple story. No Production Code seal.

Running time, 60 minutes. "A."

"Hollywood Stadium Mystery"

(Republic)

Rather good mystery-melodrama entertainment is offered in "Hollywood Stadium Mystery," the sort that will furnish a series of hurdles which the audience can leap with emotional satisfaction. The unfoldment of the plot utilizes many standby devices, but the injection of fresh twists occurs frequently enough to make it reasonably varied.

The murder of a fighter in the ring before 2,000 spectators causes Evelyn Venable and Neil Hamilton, detective story writer and district attorney, respectively, to forget their humorous friendly enemy relations and join forces in locating the culprit. The yarn then goes along with mysterious excursions and sub-plots, presenting a laugh, chills, more murder and ultimately suspense when the murderer catches up with his nemesis. But the police break in and save the day. At the conclusion romance blossoms and Miss Venable and Hamilton are last seen on their seagoing honeymoon.

Miss Venable and Hamilton contribute fine performances. James Wallington plays a radio announcer who gets his microphone into every nook and cranny of the arena. He does this well. Barbara Pepper, Lucien Littlefield, Lynn Roberts, Charles Williams and Al Bayne are in support. David Howard directed. The original story is the work of Stuart Palmer.

Running time, 65 minutes. "G."

Hollywood Preview

"Call of the Yukon"

(Republic)

Hollywood, April 20.—There is a novelty about "Call of the Yukon" which should cause it to be generally popular and of strong appeal to youngsters. While the romantic and dramatic theme concerns human beings, Richard Arlen, Beverly Roberts and Lyle Talbot, the action backgrounds make the forces of nature, two dogs, a pair of bear cubs and a talking crow, important in the action. Production and directing technique place much stress on movement, with dialogue treated lightly. The story moves speedily and there is something doing on the screen all the time.

The combined menace of starving wild dogs and famine threaten the safety of Miss Roberts, a writer; Arlen, a trapper. Combative romance between the pair, to which Talbot is a third party, grows, and finally Arlen prevails upon the girl to seek the safety of civilization. As they undergo many exciting experiences enroute, the story turns to the companionship of wild "Swift Lightning" and mourning collie, "Firefly." The material is treated in the style which once made dog films highly popular and brings the bears and bird in for tension-easing purposes. Storms, avalanches, brushes with wild dogs and ice breakups have their moments before the climax in which Arlen polishes off Talbot to install himself as favorite in Miss Roberts' affections.

Based on a James Oliver Curwood story, with screenplay by Gertrude Orr and William Bartlett, and directed by B. Reeves Eason, the film has an entertainment and commercial quality that suggest potent exploitation possibilities.

Running time, 65 minutes. "G."

De Luxe Laboratory Staff to Talk Pac

Meetings of employes of De Lux Laboratories will be held tonight an early tomorrow at the Piccadill Hotel by Local 702, Motion Pictur Laboratory Technicians, to ratify conditions which will be presented to D Luxe in a new contract.

Submission of contracts to 15 laboratories and newsreels in the Ne York area, scheduled for this w will be deferred to next week, the possible exception of De Luxe. contract may be submitted to tha laboratory tomorrow to replace th agreement which expired last week About 250 of the company's employe including all technicians, are member of the union, said Allan Freedma president.

A meeting will be held at 8 P. M tonight for day workers and at 2 A M. tomorrow for the night shift. Joh Rugge, president, and Vito Marcantonio, attorney for the local, wil speak.

Warners to Produce New Product Reel

Hollywood, April 20.—Warner will embark upon a new trailer polic today under which special sequence will be produced using various personalities connected with their films.

Special musical scores will be used In the case of "When Were Yo Born," Manley Hall, an astrologer will appear. The trailer for "Whit Banners" will have Lloyd C. Douglas author. The Schnickelfritz Band an its discoverer, Rudy Vallee, will offe a brief preview in the advance reel fo "Gold Diggers in Paris."

Garland-Rooney Again

Hollywood, April 20.—Judy Garland and Mickey Rooney are to b teamed in a fourth picture of th Judge Hardy series. It will be calle "Love Finds Andy Hardy."

Monogram Signs Derr

Hollywood, April 20.—E. B. Der has been signed by Monogram to produce eight features on the 1938-3 program.

Wall Street

Declines Figure on Board

	Open	High	Low	Close	Net Chang
Col.	11¾	11¾	11½	11½	.....
Cons.	1¼	1¼	1¼	1¼	— ⅛
E. K.	150	150	147⅛	149	—1¾
E. K. pfd..	171	171	171	171	+2
G. T. E....	10½	11	10¼	11	— ⅛
Loew	39	40½	39	40½	+ ⅜
Para.	7⅞	8	7½	7⅞	— ⅛
Para. 2.....	9	9	8¾	9	— ¼
Pathe	5	5	4⅞	5	.....
RKO	3	3	2⅞	2⅞	— ⅛
20th Fox ..	21¼	21¼	20½	20½	—1
W. B.	5⅛	5⅛	5	5⅛	— ⅛
W. B. pfd.	28¼	28¼	28¼	28¼	—1¾

G. N. Lone Curb Rise

	Open	High	Low	Close	Net Change
G. N.	⅜	7/16	⅜	7/16	+1/16
Tech.	17½	17½	17½	17½	....
Trans-Lux	2⅛	2⅛	2⅛	2⅛	....
Univ. Corp.	2	2	2	2	— ⅜

Bonds Have Small Gains

	High	Low	Close	Net Change
Loew 3½s '46....	97⅜	96½	97⅜	+⅞
Para. B'way 3s '55	58½	58½	58½	+ ½
W. B. 6s '39......	69	69	69	....

(Quotations at close of April 20)

Marco Polo" Smash Hit in 2 Coast Spots

os Angeles, April 20.—"Adven-
s of Marco Polo" got off to a fly-
start at Warners' Hollywood and
town, taking $22,300, over nor-
y $8,300 at the former, and $21,-
up by $9,500, at the latter.
Joy of Living" and "The Black
l" got into the profit column at
the Hillstreet and the Pantages.
$9,100 gross at the former was up
$2,600 and the $11,500 take at the
er was $4,500 to the good. "Snow
ite and the Seven Dwarfs" held
to $8,081 in its seventeenth week
he Carthay Circle.
otal first run business was $117,-
Average is $105,700.
stimated takings for the week end-
April 20:

"SNOW WHITE" (RKO)
RTHAY CIRCLE—(1,518), 50c-$1.50, 7
, 17th week. **Gross:** $8,081. (Average,
)

BECCA OF SUNNYBROOK FARM" (20th-Fox)
IR. MOTO'S GAMBLE" (20th-Fox)
INESE—(2,500), 30c-75c, 7 days. **Gross:**
05. (Average, $12,500)

E AND LOVES OF BEETHOVEN" (World)
OUTRE—(900), 40c-55c, 7 days, 3rd
. **Gross:** $1,000. (Average, $2,500)

E DIVORCE OF LADY X" (U.A.)
STAR—(900), 40c-55c, 5 days. **Gross:**
. (Average, $3,250)

"GREEN FIELDS" (Collective)
AND—(750), 35c-40c, 6 days. **Gross:**
. (Average, $1,200)

"JOY OF LIVING" (RKO)
"THE BLACK DOLL" (Univ.)
LLSTREET—(2,700), 30c-65c, 7 days.
s: $9,100. (Average, $6,500)

BECCA OF SUNNYBROOK FARM" (20th-Fox)
IR. MOTO'S GAMBLE" (20th-Fox)
EW'S STATE—(2,500), 30c-75c, 7 days.
s: $14,370. (Average, $14,000)

"JOY OF LIVING" (RKO)
"THE BLACK DOLL" (Univ.)
NTAGES—(3,000), 30c-65c, 7 days.
s: $11,500. (Average, $7,000)

"HER JUNGLE LOVE" (Para.)
RAMOUNT—(3,595), 30c-65c, 7 days.
e: F. & M. revue, Jimmie Grier and
orchestra. **Gross:** $14,000. (Average,
)

DVENTURES OF MARCO POLO" (U.A.)
"DAREDEVIL DRIVERS" (F.N.)
(Afternoons only)
ARNER BROS. (HOLLYWOOD) —
), 30c-65c, 7 days. **Gross:** $22,300.
rage, $14,000)

DVENTURES OF MARCO POLO" (U.A.)
"DAREDEVIL DRIVERS" (F.N.)
(Afternoons only)
ARNER BROS. (DOWNTOWN) —
), 30c-65c, 7 days. **Gross:** $21,500.
erage, $12,000)

hift Circuit Personnel

ALT LAKE CITY, April 20.—Inter-
ntain Theatres has named Nevin
Cord manager of the Granada in
se, Idaho; William Harwell ad-
ising and publicity chief of the
an, Brigham City and Preston
ses; Rulon Dunn manager of the
nd in Preston. Wallace Cowen
replaced Dunn in Twin Falls and
il Condon will replace Harwell at
Roxy in Logan.

Ed Mater to Sedalia

ANSAS CITY, April 20. — Fox
west Theatres, Inc., has shifted
Mater from the booking depart-
t, where he has been handling
kings for Kansas-Missouri key
ns, to Sedalia, Mo., as manager of
company's houses there.
llen Karf has been shifted to
er's position.

"Birth" Sole Twin Cities' Draw, $4,000

Minneapolis, April 20.—Countrywide discussion of "The Birth of a Baby" drove customers to the St. Paul World, which grossed $4,000, where $1,800 is average. No other theatre in the Twin Cities pulled average, "Rebecca of Sunnybrook Farm" drawing $8,500 at the Minnesota, where $10,000 is par, and $5,000 at the Paramount, where $5,500 is average.

Total first run business in Minneapolis was $22,950. Average is $27,500. Total first run business in St. Paul was $15,200. Average is $15,000.

Estimated takings:

Minneapolis:

Week Ending April 14:

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $8,500. (Average, $10,000)

"RADIO CITY REVELS" (RKO)
ORPHEUM — (2,900), 25c-40c, 7 days. **Gross:** $4,100. (Average, $6,000)

"BLUEBEARD'S EIGHTH WIFE" (Para.)
STATE—(2,400), 25c-55c, 8 days. **Gross:** $4,800. (Average, $5,500)

"THE FIRST 100 YEARS" (M-G-M)
CENTURY — (1,600), 25c-40c, 7 days. **Gross:** $3,950. (Average, $5,000)

"MAD ABOUT MUSIC" (Univ.)
WORLD—(400), 25c-35c, 7 days. **Gross:** $1,600. (Average, $2,000)

St. Paul:

Week Ending April 14:

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
PARAMOUNT—(2,500), 25c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)

"EVERYBODY SING" (M-G-M)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $3,400. (Average, $4,000)

"LOVE IS A HEADACHE" (M-G-M)
"START CHEERING" (Col.)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $1,200. (Average, $3,300)

"RAWHIDE" (20th-Fox)
"LITTLE MISS ROUGHNECK" (Col.)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,600. (Average, $2,000)

"BIRTH OF A BABY" (Special)
WORLD—(400), 25c-35c, 7 days. **Gross:** $4,000. (Average, $1,800)

"Golden West" Big As New Haven Drops

New Haven, April 20.—It was the worst Holy Week in years. All first runs except the College fell below average. Following a mediocre first week at the Loew-Poli, "Girl of the Golden West" and "Walking Down Broadway" moved to the College for a second week and took $3,800, over the line by $1,000.

The Roger Sherman, with "Over the Wall" and "She's Got Everything," showed the lowest drop from normal, taking $4,500, under by $200.

Total first run business was $17,000 Average is $20,200.

Estimated takings for the week ending April 15:

"GIRL OF THE GOLDEN WEST" (M-G-M)
"WALKING DOWN BROADWAY" (20th-Fox)
COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $3,800. (Average, $2,800)

"THE FIRST 100 YEARS" (M-G-M)
"I MET MY LOVE AGAIN" (U.A.)
LOEW-POLI—(3,040), 35c-50c, 7 days. **Gross:** $7,000. (Average, $8,000)

"MONASTERY" (World)
"KATHLEEN" (Hoffberg)
PARAMOUNT—(2,348), 35c-50c, 5 days. **Gross:** $1,700. (Average, $4,700)

"OVER THE WALL" (W.B.)
"SHE'S GOT EVERYTHING" (RKO)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $4,500. (Average, $4,700)

"Merrily" $13,500 Cincinnati Leader

Cincinnati, April 20. — Business held up fairly well for Holy Week, with "Merrily We Live" getting $13,500 at the RKO Albee, up $1,500. It was moved to the RKO Capitol.

"Bluebeard's Eighth Wife" did a good job on its third downtown week at the RKO Grand with $3,100, or $350 on the plus side. "The Baroness and the Butler" broke even at $10,000 at the RKO Palace, as did also "The Lone Wolf in Paris" plus Buddy Rogers and band at the RKO Shubert at $12,000.

Total first run business was $53,400. Average is $58,700.

Estimated takings for the week ending April 14:

"MERRILY WE LIVE" (M-G-M)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $13,500. (Average, $12,000.) Moved to RKO Capitol.

"BARONESS AND THE BUTLER" (20th-Fox)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $10,000. (Average, $10,000)

"THE LONE WOLF IN PARIS" (Col.)
RKO SHUBERT—(2,150), 40c-60c, 7 days. Stage: Buddy Rogers and Band. **Gross:** $12,000. (Average, $12,000)

"THE GIRL OF THE GOLDEN WEST" (M-G-M)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,800. (Average, $6,500.) Moved to RKO Grand.

"DANGEROUS TO KNOW" (Para.)
RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $3,000. (Average, $6,500)

"BLUEBEARD'S EIGHTH WIFE" (Para.)
RKO GRAND—(1,200), 25c-40c, 7 days, 3rd downtown week. **Gross:** $3,100. (Average, $2,750)

"MR. MOTO TAKES A CHANCE" (20th-Fox) (2 days)
"THE OLD BARN DANCE" (Republic) (2 days)
"THE JURY'S SECRET" (Univ.) (3 days)
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,500. (Average, $2,450)

"JEZEBEL" (W. B.)
KEITH'S—(1,500), 30c-40c, 7 days, 2nd downtown week. **Gross:** $4,500. Average, $6,500)

Buffalo Slumps in Pre-Easter Stanza

Buffalo, April 20.—All first runs here slipped during the pre-Easter session with only duals producing anything like normal figures. The Century's bill, "Condemned Women" and "Love, Honor and Obey," showed a gross of $7,800 to go $2,500 into the black.

That was the only house with a clear margin over par. At the Lafayette, "Trapped by the G-Men" and "It Happened in Hollywood" registered at $6,300, under the house average by $200.

Total first run business was $37,900. Average is $42,300.

Estimated takings for the week ending April 16:

"THE JOY OF LIVING" (RKO)
BUFFALO—(3,000), 35c-60c, 7 days. **Gross:** $9,900. (Average, $14,000)

"IN OLD CHICAGO" (20th-Fox)
GREAT LAKES—(3,000), 30c-50c, 7 days. (Third week) **Gross:** $6,800. (Average, $8,000)

"JUDGE HARDY'S CHILDREN" (M-G-M)
"BULLDOG DRUMMOND'S REVENGE" (Para.)
HIPPODROME—(2,500), 30c-50c, 7 days. **Gross:** $6,900. (Average, $7,500)

"CONDEMNED WOMEN" (RKO)
"LOVE, HONOR AND OBEY" (W. B.)
CENTURY—(3,000), 25c-35c, 7 days. **Gross:** $7,800. (Average, $6,300)

"TRAPPED BY THE G-MEN" (Col.)
"IT HAPPENED IN HOLLYWOOD" (Col.)
LAFAYETTE—(3,300), 25c-35c, 7 days. **Gross:** $6,300. (Average, $6,500)

"Bluebeard," Second Run, Tops Boston

Boston, April 20. — "Bluebeard's Eighth Wife," playing second run in conjunction with the first run of "Accidents Will Happen," grossed $3,500 and $6,500 at the Fenway and Paramount, and was outstanding for Holy Week.

"Everybody Sing" and "Wide Open Faces" drew $9,000 at Loew's Orpheum against a $12,000 average and $7,000, as compared to a $11,000 par, at Loew's State.

All others were off most sadly.

Total first run business was $52,200. Average is $126,700.

Estimated takings for the week ending April 16:

"BLUEBEARD'S EIGHTH WIFE" (Para.) (2nd Run)
"ACCIDENTS WILL HAPPEN" (W. B.)
FENWAY——(1,382), 30c-50c, 9 days. **Gross:** $3,500. (Average, $5,700)

"EVERBODY SING" (M-G-M)
"WIDE OPEN FACES" (Col.)
LOEW'S ORPHEUM—(2,970), 25c-35c-40c-55c, 7 days. **Gross:** $9,000. (Average, $12,000)

"EVERYBODY SING" (M-G-M)
"WIDE OPEN FACES" (Col.)
LOEW'S STATE—(3,537), 25c-30c-40c-55c, 7 days. **Gross:** $7,000. (Average, $11,000)

"HER JUNGLE LOVE" (Para.)
"ISLAND IN THE SKY" (20th-Fox)
METROPOLITAN—(4,332), 25c-35c-55c, 9 days. **Gross:** $8,000. (Average, $28,000)

"BLUEBEARD'S EIGHTH WIFE" (Para.) (2nd Run)
"ACCIDENTS WILL HAPPEN" (W.B.)
PARAMOUNT—(1,793), 30c-40c-55c, 9 days. **Gross:** $6,500. (Average, $10,000)

"CONDEMNED WOMEN" (Col.)
RKO BOSTON—(3,246), 35c-40c-55c, 7 days. Stage: Buck and Bubbles. **Gross:** $7,000). (Average, $20,000)

"MAD ABOUT MUSIC" (Univ.) (2nd Week)
RKO MEMORIAL—(2,907), 35c-50c-65c, 7 days. Stage: Jane Pickens. **Gross:** $9,000. (Average, $22,000)

"Sally, Irene" Up At Omaha, $9,200

Omaha, April 20.—"Sally, Irene and Mary" and "Of Human Hearts" grossed $9,200 in seven days at the Orpheum, topping the seven-day par at the Tri-States house by $2,000.

First run houses were well satisfied with the week considering the Lenten season and stormy weather for half the week.

"Boy of the Streets" and "She's Got Everything" did $5,100 in seven days at the Brandeis to beat weekly average by $1,100. This was far ahead of Holy Week in 1937.

Tri-States brought back "In Old Chicago" for a second week, dualling it with "Bulldog Drummond's Peril" at the first run Omaha. The bill took only $6,100.

Total first run business was $20,400. Average is $16,700.

Estimated takings:

Week Ending April 13:

"BOY OF THE STREETS" (Monogram)
"SHE'S GOT EVERYTHING" (RKO)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $5,100. (Average, $4,000)

"IN OLD CHICAGO" (20th-Fox)
"BULLDOG DRUMMOND'S PERIL" (Para.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $6,100. (Average, $5,500)

Week Ending April 14:

"SALLY, IRENE AND MARY" (20th-Fox)
"OF HUMAN HEARTS" (M-G-M)
ORPHEUM — (3,000), 25c-40c, 7 days **Gross:** $9,200. (Average, $7,200)

"Music" Beats Out Slump at Philadelphia

Philadelphia, April 20.—Balancing the Holy Week slump were the unusual number of attractions for juvenile trade. With the kids off from public school all week, heavy trade went to "Mad About Music"—$19,500 at the Boyd, and the second runs of "Snow White," $8,000 at Keith's, and "Rebecca of Sunnybrook Farm," $8,000 for 10 days at the Karlton.

The Earle slipped from its recent grosses, but landed on the profit side with $18,500 for "Bulldog Drummond's Peril" and the Happy Felton band on the stage.

The second week of "Jezebel" dropped to $13,500 for the last eight days, and the third week of "Bluebeard's Eighth Wife" took $10,000 at the Fox.

Total first run business was $91,300. Average is $86,870.

Estimated takings for the week ending April 14:

"GAIETY GIRLS" (U.A.)

ALDINE—(1,300), 40c-55c-75c, 7 days. **Gross:** $5,500. (Average, $8,160)

"MERRILY WE LIVE" (M-G-M)
(2nd run)

ARCADIA—(600), 25c-40c-55c, 10 days. **Gross:** $3,300. (Average, 7 days, $2,800)

"MAD ABOUT MUSIC" (Univ.)

BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $19,500. (Average, $14,000)

"BULLDOG DRUMMOND'S PERIL"
(Para.)

EARLE — (2,000), 25c-40c-55c, 7 days. Stage: Happy Felton orchestra and revue. **Gross:** $18,500. (Average, $14,000)

"BLUEBEARD'S EIGHTH WIFE"
(Para.)

FOX—(3,000), 40c-55c-65c, 7 days, 3rd week. **Gross:** $10,000. (Average, $14,000)

"REBECCA OF SUNNYBROOK FARM"
(20th-Fox)
(2nd run)

KARLTON—(1,000), 25c-40c-55c, 10 days. **Gross:** $8,000. (Average, 7 days, $4,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
(2nd run)

KEITH'S—(2,000), 30c-40c-55c, 7 days, 2nd week. **Gross:** $8,000. (Average, 7 days, $4,000)

"JEZEBEL" (W.B.)

STANLEY—(3,700), 40c-55c-65c, 8 days, 2nd week. **Gross:** $13,500. (Average, 7 days, $14,000)

"TIP OFF GIRLS" (Para.)

STANTON—(1,700), 25c-40c-55c, 7 days. **Gross:** $5,000. (Average, $7,000)

Akron Against Any Clearance Changes

Cleveland, April 20.—Exchange managers have received letters from a group representing a majority of the members of the Akron Independent Theatre Owners Association, protesting against any change in the availability of pictures from the plan used during the 1936-'37 season.

It is reported that with the opening of two new deluxe theatres during the past few months, subsequent run availability is being pushed back to 42 days. Previous availability was 35 days following the first run.

Findlay Renovating Four

Westerly, R. I., April 20.—Jack Findlay, owner of the three local theatres as well as the Strand, Mystic, is renovating all four. The 400-seat Lyric, closed for many years, will be remodeled, upon completion of the work on the Central, which is being enlarged to twice its original seating capacity.

Out Hollywood Way

Hollywood, April 20.—Jean Parker and Eric Linden have been signed to play the leading roles in Monogram's "Romance of the Limberlost," adaptation of the Gene Stratton Porter novel, "Her Father's Daughter." Marion Orth is writing the script. . . Margaret Lindsay is set for the feminine lead in "Garden of the Moon." . . "Music Made Simple" is the release title of the M-G-M short starring Robert Benchley, formerly known as "How to Enjoy Music."

Bobby and Billy Mauch leave Hollywood next week for a personal appearance tour in conjunction with Warners' "Penrod's Double Trouble." . . Having finished Wanger's "The Adventuress," William Dieterle has returned to Warners where he will direct the next Paul Muni vehicle—either "Maximilian and Juarez" or "The Sea Wolf." . . Shirley Ross draws the feminine lead in Paramount's "Prison Farm." . . George Yohalem, assistant to producer William Anthony McGuire at M-G-M, has left for a New York vacation.

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Casting—Mayo Methot in "Private Nurse," which will be E. B. Derr's last of a series of four for Monogram this season. . . Donald Crisp in "Valley of the Giants," Warners. . . Leo Carrillo in "Too Hot to Handle," M-G-M. . . Isabel Jeans and Dennie Moore in "Garden of the Moon," Warners.

Bill Roberts, singer at a local night club, has been signed for "The Texans," Paramount. . . Phyllis Kennedy in "Mother Carey's Chickens," RKO. . . Mary Lou Lender in "Private Nurse," Crescent-Monogram. . . William Frawley in Paramount's "Prison Farm."

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Directors—Fred Zinneman has been assigned to direct "Tracking the Sleeping Death," M-G-M short based on the life of David Bruce, scientist who isolated the germ which causes sleeping sickness. . . David Howard, who recently completed direction of "Gun Law," George O'Brien vehicle at RKO, draws "Border G-Man," second in the series the western star is making for the studio.

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Contract—Warners has extended the contract of director John Farrow.

Bill Would Increase Omaha Censor Power

Omaha, April 20.—Theatres here face a new form of supervision in a proposed city ordinance giving extreme powers to the newly created city welfare (censor) board of private individuals.

The law calls for an annual $1 permit, to be obtained by written application to the board by all film and other theatres, night clubs, fairs and all other amusement enterprises, whether charge is made or not.

Cloaking the welfare board with such authority would obviate the necessity of going to municipal courts for arrest warrants and presenting cases in court against violators. If passed, the law would mean the welfare board would have authority to suspend or revoke any permit at its own discretion at any time it thinks a violation "has been or is about to be committed against amusement and decency laws."

"This ordinance would not in any way affect the reputable theatres and good shows," Mayor Butler told Motion Picture Daily. He admitted the proposed law would give plenty of power to the censor group.

Violation might result in $100 fine or 30 days in jail.

Manager Is Composer

Oklahoma City, April 20.—Gayle V. Grubb, manager of WKY here, is the author of the theme song, "Jessomine," which is being used by Paul Martin's orchestra now playing over the NBC network.

Takes Standard Post

Oklahoma City, April 20.—A. L. Smith, head of the invoice department at the Warner Theatres home office, has arrived here to take over his duties as assistant treasurer of Standard Theatres Corp., succeeding M. J. Connor, who will return to New York.

Five New Theatres Near for Michigan

Detroit, April 20.—Construction of five new theatres, transfer of three and the closing of one are reported by Allied of Michigan in its monthly listing of directory changes for March.

The new houses are: The Court, Saginaw, opened March 5 by Fred Witters; the Shores, opened March 25 by R. Roy Shook of St. Clair Shores; the Model, South Haven, to be opened by Butterfield June 1; the new Associated Theatres house at Wyandotte, on which work has been started, and the Shafer City, at Garden City, on which Walter Shafer, also owner of the Shafer at Wayne, will start work soon.

Transfers included the Conant, Detroit, from Alex Slendek to William Szypulski; the Sheridan, Detroit, from Roy Taylor to Thomas D. Moule and David Newman, and the Chandler, Detroit, from Thomas D. Moule and David Newman to Joe Mellon.

The house closed was the Garden at Petersberg, operated by L. F. Tarbett.

Griffith Improving 3 Houses in Texas

Oklahoma City, April 20.—The State in Pampa, Tex., has been closed for remodeling by the Griffith Amusement Co., according to C. B. Akers, division manager, after a trip there. The theatre will be idle four weeks.

The Rex in Pampa and the Rex in Borger, Tex., each, will get new seats.

Akers said that Kenneth Blackledge has been named permanent manager of the Griffith theatres in Frederick, Okla., including the Ramona, Ritz and Grand. Blackledge was formerly Griffith manager in Wellington, Tex., where Calvin Council has replaced him. Elmer Caywood has gone from Wink, Tex., to succeed Council in Goldsmith, Tex.

Republic Sets Budget for 55 At $7,500,00

(Continued from page 1)

year represent an increase of one ov the current program. Included will four designated as specials, 1 Jubilee pictures and 15 as Show Pictures. Currently the company h 10 in the Jubilee group and 16 in t Showmen's classification. In additi there will be 24 westerns.

This year's convention will be R public's largest, with about 275 in a tendance, Yates said. Two speci cars will leave New York ne Thursday with the home office gro and delegations from New Yo Philadelphia, New Haven, Bostc Toronto and Montreal. Albany a Detroit contingents will be picked en route. The cars will be attach to a special convention train at Louis. Southern groups will boa the train at Dallas.

Yates said that James R. Graing will not start as president of Repub until June 1 and that his headquarte will be in New York.

Bank Night Ban Is Sustained in Conn

(Continued from page 1)

from an Illinois decision which al held the plan illegal, and which sa "In this scheme there is present eve element of the evils attendant up mass gambling. . . . We have creat cupidity, envy, jealousy and tempt tion—the very things sought to avoided by that enlightened pub policy of most of the world which h outlawed lotteries."

The court held that the fact th large sums are awarded at times i tensifies such evils as are inherent the practice, and pointed out that some jurisdictions the plan has be held legal but that Connecticut statut have a broader scope than merely penalize lotteries.

As a result of today's decision, theatres using Bank Night and other houses having various other giv away games announced their wit drawal of the policy.

Oxford Bank Night Ban Upset

Jackson, Miss., April 20.—Effor of the city of Oxford to put an e to Bank Night suffered a setba when the Supreme Court held that t ordinance under which operators the theatre were prosecuted is invali

The high court took the positic that the ordinance exceeded the sco of authority granted the municipali by the legislature.

FCC Bans Airing of Bank Night Notice

Washington, April 20.—Adverti ing over the radio of Bank Night t be held in film theatres has been fo bidden by the Federal Communica tions Commission.

Newspapers and magazines adverti ing the chance games were barre from the mails by an edict of th Postoffice Department last week.

U. A. Selling Cost Cuts Set At 7½ and 10%

(Continued from page 1)

jected in the past to the scale of stribution charges against United ts producers and, like Samuel wyn and Alexander Korda, held at the charges should be lowered to ualize the participation in company ofits of the active producers, as dif- rentiated from the participations of e inactive United Artists partners.

During discussions of a renewal of s releasing deal with the company t fall, Selznick contended that the tributing charge should be 17½ r cent of the gross instead of the esent 30 per cent on domestic dis- bution.

It is not believed, however, that as astic a reduction as this can be ade, estimates here placing the probable new charge at 22½ per cent for mestic distribution, with a reduction the charge for British distribution 30 per cent from the present 40 per nt, and for other foreign distribution per cent instead of the present 50 r cent.

Goldwyn, Korda Placated

An immediate result of the agree- ent, it is said, is the elimination of e major source of dissatisfaction on e part of Goldwyn and Korda with isting arrangements. Goldwyn will d his long production recess immedi- ely by resuming about May 2, and orda will abide by his contract to oduce exclusively for United Artists lease. In addition, the new financial licy is expected to attract other st rank independent producers to the mpany's banner, probably bringing out an appreciable increase in the mber of pictures to be released by ited Artists during the 1938-'39 ason.

U.A. Drive Gives 22 Offices High Totals

The United Artists' sales drive, ich extended from Jan. 2 to April and realized a 172 per cent business provement over the 1937 sales drive, ulted in 22 company branches meet- g the highest quotas in the com- ny's history, George J. Schaefer, e-president and general manager, ted yesterday in announcing the nners of sales drive prizes.

Haskell Masters, Canadian district nager, won the district managers' ze. Sam Glazer of Toronto won the stern branch managers' prize and Hoffman of Denver the western anch managers' prize. Harry Rees Pittsburgh and T. L. Davis of iladelphia tied for the eastern sales- n's prize, and Earl Collins of Den- and Noe Provencher of Milwau- tied for the western salesmen's ze.

Prize winners in the bookers' divi- n were Elizabeth McCaffrey, Phila- phia; Edward H. Hays, Atlanta; rry Kohen, Toronto; Abe Chap- n, Milwaukee; Bernard Mariner, nver, and Otto Ebert, Indianapolis. ery employe in the following 22 changes which exceeded their played 1 earned quota for the drive will eive a week's pay: Atlanta, Calgary, Charlotte, Chicago, Cincinnati, Dallas, Denver, Detroit, Indianapolis, Kansas City, Los Angeles, Milwaukee, Minneapolis, New Orleans, Omaha, St. Louis, San Francisco, Seattle, Toronto, Vancouver, Washington and Winnipeg.

New Threat to Screen from Advertising in the Offing

(Continued from page 1)

picture producing companies themselves."

The advertising agencies are getting into the fight knowing all the facts. There is the opposition of the public, producers, big exhibitors and newspapers. But the agencies have two aces. Their clients are willing to spend some money experimenting, and the newspapers, natural foe of any competitive advertising medium such as the screen would be, are uncomfortably aware that their opposition might be resented by the agencies' clients who buy advertising space in newspapers, too.

The advent of the advertising agency into the picture medium has been by subtle penetration rather than frontal attack. In 1937 five national advertising agencies set up film departments and a dozen others made investigations preliminary to such a step.

U. S. Steel an Example

Just previewed—its exhibition plans still a matter of discussion and debate—are the three similar productions made for the United States Steel Corp., at a cost of $250,000, under the supervision of Batten, Barton, Durstine & Osborn. One of these productions, a 10-minute short in Technicolor, is destined for the "entertainment" of the American motion picture public, when, as and if. . . .

For while the advertising agencies are pressing forward with this new means of promoting their clients' merchandise, distribution continues to be a major headache. Exhibitors, in the main, particularly on the principal circuits, are against this. Actually, the agencies are on the sharp horns of a dilemma and John Q. Public and the Mrs. are the only ones who can unhorn them.

If an agency makes a film for a client with something to sell and disguises or conceals the product in order to fulfill the demands of screen entertainment, the sales of the product will be negligible, and the return from the investment too small to warrant the expenditure.

If, on the other hand, the agency makes a film which sacrifices entertainment value to direct advertising appeal, it incurs the displeasure of the buying audience.

Unpopular with Public

The exhibitor presents the immediate trial to the agency seeking to use the screen for advertising. He expresses the wishes of his patrons. Deluxe high admission theatres, up to now, have tabooed commercial advertising on the screen because they know their audience doesn't want it. The smaller "B" and "C" houses throughout the country which permit screen advertising cannot be counted upon to produce a high enough buying power audience for anything but the cheapest products.

The American public, moreover, is remarkably alert to attempts to sneak up on it with surprises of some bulk but doubtful value, and is quick to voice its resentment at having something shoved at it which it doesn't want.

The chief reason exhibitors are united against screen advertising is their sure knowledge of this resentment. They have been told off plenty by disgruntled patrons when the experiment has been tried.

Forms Are Varied

The exception is in the "minute movies," chiefly those made by the Alexander Film Co., which controls General Screen Advertising, distributor for them and some other distributors, all of whom have pooled their theatres under contract to G.S.A. The makers of these "minute movies" gamble on the quick one-minute or half-minute flash of the product. It is on and off the screen in an instant, gone almost before it is seen, but familiar eventually through repetition and reiteration.

Screen advertising falls into five classifications which have been exhaustively surveyed. There are trailers advertising coming attractions, universally used and accepted by the audience unless they are overlong or crammed with adjectivial superlatives, when there is violent objection.

Second, there are the trailers advertising commercial products. The use of these is increasing, and audience resentment is not, because they are so short. They add nothing to the entertainment value of the program, but produce a substantial revenue for the theatre, the exhibitor being paid to show them.

The third classification is the educational or industrial short used extensively but not frequently throughout the country. The audience generally is either bored or indifferent. These shorts rarely produce theatre revenue but are supplied free to the exhibitor.

One "Feature" Type

Fourth is the entertainment feature picture sponsored by the advertiser. This is the new idea in screen advertising in which the advertising agency is currently interested. It is the type of picture exemplified by U. S. Steel's Technicolor one-reeler.

Fifth, is the feature picture with the "disguised" advertising to which the public is fairly indifferent but which is hotly resented by the exhibitor. This type requires constant attention by studios to control it.

The last three forms of advertising are of dangerous significance because of audience resentment against being duped or misled.

[To be continued]

Goldwyn Re-Signs Niven

HOLLYWOOD, April 20. — Samuel Goldwyn has renewed the contract of David Niven for another year. Niven currently is playing in "Three Blind Mice" for 20th Century-Fox.

ITO Receives Numerous Bids On RFC Loans

(Continued from page 1)

loans for exhibitors in Greater New York and that applicants may deal with the bank with which they now do business. The lending arrangement being negotiated by Brandt is for improvements to theatre properties and equipment purchases.

There has been no rush of exhibitors to seek R.F.C. loans at a special bureau set up in the Hotel New Yorker by the Smaller Business Association of the New York district, it was reported yesterday by W. A. Zwicke, chairman of the local group. He recalled applications from only one or two exhibitors and was unable to remember details since about 2,000 applications had been filed by last night. The bureau will remain open the rest of the present week, at least.

Zwicke said that applications are being received for loans to a maximum of $100,000 and for a maximum of 14-year terms. Adequate security must be provided. Zwicke said that the R.F.C. will lend money for any purpose.

March Ticket Tax Shows Second Gain

(Continued from page 1)

the spread over last year widened, receipts for the first quarter at $4,786,132 being nearly $270,000 above the $4,518,437 collected in the same period in 1936, it was stated.

For the first nine months of the fiscal year, the bureau announced, collections from the admission tax totaled $16,240,149, an increase of $1,501,534 over the $14,738,614 collected in the corresponding three quarters of the last fiscal year.

Columbia Makes 3 Promotions in S. A.

(Continued from page 1)

post in Brazil and is in turn succeeded in the company's Cristobal office by his former assistant, H. B. Prosdocimi.

Margon, who recently resigned his Columbia post in Buenos Aires, will arrive tomorrow on the *Western World*. His future plans will be announced after conferences at the home office.

Col. Signs "Blondie"

Columbia yesterday acquired the film rights to "Chic" Young's cartoon strip, "Blondie," which is syndicated to 230 newspapers, with an estimated circulation of 30,000,000. The company will make a series of three comedy dramas for next season's release, based on the cartoon material.

Paramount Signs Cobian

Ramos Cobian has been signed by Paramount to make one Spanish language picture starring Tito Guizar. The picture will be made in a Hollywood studio as yet undesignated and is expected to be ready for release by July 1.

Radio Personals

JOE PENNER, accompanied by Mrs. Penner and two members of his cast, will visit New York next week, with the Cocomalt broadcasts of May 1 and 8 emanating from here. . . . Lew Amis, radio director of Brook, Smith & French advertising agency, left yesterday for Tennessee on vacation.

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Lois Doyle, young daughter of "Dinty" Doyle, radio editor of the *Journal-American,* will be the guest commentator on the "Music for Fun" program over CBS next Friday. . . Wendy Barrie will be interviewed by Radie Harris over Mutual tonight. . . Andre Kostelanetz and orchestra this week made six discs for the Brunswick Recording Co.

To Air Track Meet

KANSAS CITY, April 20.—WHB will originate the Kansas relays April 22 from 3 to 3:30, C. S. T., for coast-to-coast airing over Mutual. The relays, held at Lawrence, Kan., will feature Glenn Cunningham, Archie San Romani, Gene Venzke, and Don Lash in an invitation mile.

Two Shows Change Time

"Backstage Wife" and "Lorenzo Jones," NBC serials, both sponsored by Sterling Products Corp., will exchange spots beginning April 25. The new periods will be from 4 to 4:15 P. M. for the former, and 11:15 to 11:30 A. M. for the latter. Blackett-Sample-Hummert is the agency.

Start New CBS Show

"March of Games," a new juvenile program, will be presented bi-weekly over CBS each Monday and Wednesnesday from 5:30 to 5:45 P.M. beginning April 25. Cash prizes will be awarded successful contestants. Nila Mack will produce the show.

New Recorder Is Added

GREEN BAY, Wis., April 20. — WTAQ and WHBY, local stations owned and operated by WHBY, Inc., have added a new Radiotone recorder with A. C. Collette, member of the station's technical department, in charge of the new division.

Renew Two Programs

SAN FRANCISCO, April 20.—Sperry Flour Co., a division of General Mills, has renewed two shows over NBC Pacific Coast networks, "Dr. Kate" and "Martha Mead." The Westco advertising agency of this city handled the renewals.

Rubinoff's Father Dead

PITTSBURGH, April 20. — Reubin Rubinoff, father of Dave Rubinoff, violinist, died today at Montefiore Hospital. He underwent an operation Sunday. Rubinoff was at the bedside.

Drug Firm to Sponsor

United Drug Co. will sponsor "The Magic Hour," musical transcription, on WNEW for five quarter-hours, the contract through Street & Finney.

Quarter Net of CBS Reaches $1,494,980

(Continued from page 1)

88 cents per share, compared with 77 cents per share in the 1937 period. The per share earnings are calculated on the 1,707,950 shares of $2.50 par value stock outstanding or to be outstanding upon completion of the exchange of the old $5 par value stock.

The gross income for the period from the sale of facilities, talent and wires amounted to $9,984,344.99 for the 1938 quarter, compared to $8,595,-533.57 for the 1937 period. Net income for the 1938 period before interest, depreciation, Federal income taxes and miscellaneous income amounted to $1,950,141.51, compared to $1,718,515.-75 in the 1937 period.

Report to President On Foreign Programs

WASHINGTON, April 20.—Federal Communications Commission Chairman Frank R. McNinch has reported to President Roosevelt on the study of international broadcasting that is being made by a committee of the commission. He refused to give details but said that there will be another report within 10 days.

The investigation of chain broadcasting announced some time ago probably will begin early in June, McNinch said.

Miss Pickford on Air

Arrangements were completed yesterday by Martin Starr, film critic of WMCA, for a ship-to-shore broadcast by Mary Pickford from the *Queen Mary* tomorrow night. Miss Pickford is en route to New York with Samuel Goldwyn, Alexander Korda and others. The broadcast will be a part of the dedicatory exercises of WMCA's new station and will be heard for five minutes starting at 10:56 P.M. Former Mayor James J. Walker will be master of ceremonies.

To Audition Program

"I'd Rather Be" is the title of a new type of audience participation show which will be given a general audition by CBS next week. The program is based on an original idea submitted by Dr. Ernest Trattner, and Walter B. Pitkin will supervise the action of the program, which is to be produced by Martin Gosch. Harry Salter's orchestra will furnish the music.

Broadcast Hearings Set by FCC for May

WASHINGTON, April 20.—Hearings on broadcasting applications were tentatively set by the Federal Communications Commission today, as follows:

May 13: Application of Greater Greenwood Broadcasting Station for a 1,420-kilocycle station at Greenwood, S. C., with 100 watts power night, 250 watts day.

May 25: Applications of Inland Empire Broadcasting Co. for a 1,310-kilocycle, 100-watt station at Pasco, Wash., and Emporia Broadcasting Co., Inc., for a 1,370-kilocycle, 100-watt daytime station at Emporia, Kan.

May 27: Application of KTEM, Temple, Tex., for increase of time from day to unlimited, with 100 watts power night, 250 watts day.

Seek Kingston Station

WASHINGTON, April 20.—Construction permit for a new daytime broadcasting station, to operate on 1,500 kilocycles with 100 watts power, was asked of the Federal Communications Commission today by the Kingston Broadcasting Corp., Kingston, N. Y.

The commission also received an application from WDEL, Wilmington, Del., for authority to move its transmitter to a point outside the city and increase power from 250 watts night, 500 watts day, to 500 watts night, 1,000 watts day.

License Television Unit

WASHINGTON, April 20.—Issuance of a license for the new Don Lee television station at Los Angeles, W6XAO, was disclosed today by the Federal Communications Commission. The station will have a power of 1,000 watts for visual and 150 watts for aural transmissions and will operate in the 42,000-56,000 and 60,000-86,000-kilocycle channels.

Demonstrate Television

NBC demonstrated its television program yesterday to opera and concert stars, following a luncheon for the guests in the Rainbow Room. Present at the performance were Kirsten Flagstad, Gladys Swarthout and her husband, Frank Chapman; Efrem Zimbalist, Dusolina Giannini, Jan and Mrs. Kiepura, Mischa Levitski and Paul and Mrs. Whiteman.

Connie Boswell Signed

Connie Boswell has been signed to appear regularly on the cooperatively sponsored beer program now on CBS. She will start April 25.

New Shows on the Air

"Time to Shine"

Hal Kemp's band, one of the shining lights in the popular music firmament, staged a welcome return to the kilocycles Tuesday evening in a new show titled, "Time to Shine."

For those who like sweet swing, "Time to Shine" will be set down as a listening "must," as the Kemp crew is unexcelled for this type of music.

Practically every member of the band had a specialty to do. Bob Allen sang two numbers, "A Foggy Day in London" and "One Song" from the film "Snow White." From the "Radio City Revels," a picture in which the Kemp orchestra was a feature, the band offered "Swinging' In the Corn" with a vocal performance by "Saxie" Down, and Kemp gave one of his specialty performances on the saxophine. Judy Starr, the band's new vocalist, gave several excellent renditions of popular numbers. Benny Goodman was on hand for the opening to wish the Kemp crew luck in their new series.

"Time to Shine" will be heard Tuesdays at 10 P. M. on CBS. Griffin Shoe Polish Co. sponsors.

BANNER

Around the Country

Chicago

Spencer Bentley is out of the dio Actor's Mustache Raising test." He says it interferes w breathing. . . Smiling Ed McC is back to his Elk Rapids, Mich home for the summer months. . . Hodapp of NBC has returned fro trip to Louisville. . . Ray Kelly, ne created chief of the NBC sound fects and maintenance division, is specting equipment here. . . *Chicago Times* is giving Bill Ir radio editor, double his usual s since a recent poll showed he was best read columnist on the paper. Ted Weems and band will go to C lina Island for the summer.

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Cincinnati

"Jus' Tho'ts," a program of po readings with organ accompanim is a new WKRC feature condu by Clair Weidenaar, who had a s ilar program titled "The Old Sc book," on stations in Indiana, I and Nebraska before recently joi the local station. . . Lee Bland, n commentator WKRC, is sojour in New York. Neild Sampson, n writer, is pinch-hitting.

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San Francisco

KFRC's "Headlines on Para twice weekly commentary with T Reed, has been extended to KO Portland; KIRO, Seattle; K Tacoma. . . Cornelia Burdick, plays the title role in KPO's d skit, "Dr. Kate," is down with flu, necessitating rewriting the sc by author Hal Burdick, her band. . . The James Houlihan age has added a radio department, w Renzo Cesana in charge. . . Ad Fried is the new manager of Santa Cruz studios of KDON, M terey. . . Santa Rosa's KSRO is stalling remote studios in Petalu and Vallejo. . . Visiting local ra studios is Richard Kross, promot director of the Chicago Broadcast System, which operates WC WGES, and WSBC.

Network Features Incorporated He

Network Features, Inc., new lo company, has been incorporated. T organization is building and sell radio features for network broadca ing and for the syndication of l radio features for cooperative sp sorship.

Leon A. Friedman is president the firm. Friedman was forme radio director for the Sterling a Cramer-Tobias agencies.

To Air Cohan Dinner

Highlights of the Catholic Act Guild testimonial dinner to Geor M. Cohan April 24 will be broadc by WABC from 11 to 11:30 P. Gene Buck, president of Ascap, w be the toastmaster, and among th expected to attend and broadcast a Alfred E. Smith and Arthur "Bug Baer.

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. 43. NO. 93 NEW YORK, FRIDAY, APRIL 22, 1938 TEN CENTS

STATUS OF GAMES UPSETS THEATRES

Extended Postoffice Ban Has Operators of All Stunts Jittery

Fears were expressed yesterday by distributors of theatre chance games that the moves of Government agencies against Bank Night would focus the official spotlight on similar schemes. It was also said that the Postoffice Department edict barring the Bank Night promoters in Denver from use of the mails would probably intensify the drive of some local authorities against cash award games and would influence exhibitors to discontinue the policy.

Edward Goldstein, New York distributor of Bank Night, maintains that the Government is making a test of the entire legality of chance games at theatres and merely selected Bank Night in the postal action as an "example." Distributors of other schemes who have been cautioning exhibitors against advertising their games in matter sent through the mails are sending out new warnings.

The consensus of chance game distributors here, other than Bank Night, is that the Government moved against the latter because of an accumulation of factors. First, they say, Bank Night became "too big," with about 5,000 accounts two years ago. The chief factor, however, seems to

(Continued on page 8)

Expect 800 at Variety Club Annual Party

elegates of 18 Tents Expected to Attend

CINCINNATI, April 21.—The reser-ion list to date for the banquet to held Sunday night in the Nether-d Plaza Hall of Mirrors, climax- the two-day national convention of riety Clubs of America, indicate an endance of more than 800.

The affair promises to eclipse any-ng of a similar nature ever held in Midwest by reason of the large nber of persons prominent in the ustry who will be present, and o because of the elaborate floor w. which Arthur M. Frudenfeld, irman entertainment committee, mises will be a distinct surprise. nny Perkins will be master of ceremies, with Hugh Herbert head-ed. Lew Lehr, who was booked, l be unable to fill the engagement ause of an unexpected change in his ns, according to word just received. legates from practically all of the

(Continued on page 8)

BC Asks Delay in CC Power Hearing

VASHINGTON, April 21. — Post-ement of the F.C.C. super-power ring until data now being compiled omes available to interested parties been asked of the Federal Comications Commission by NBC and behalf of 12 stations by Louis D. dwell, counsel, it was learned to-

he petitions point out that the

(Continued on page 10)

Additional developments in radio yesterday on page 10.

CBC to Shift Time

Montreal, April 21.—For the first time since its inauguration the Canadian Broadcasting Corp. will switch to daylight saving time this summer for its program schedules.

In former years, though private stations have altered their clocks, the Government-owned outlets have stuck to standard time along with railways and small towns.

Drop Holiday Bill

Boston, April 21.—A bill to apply the Sunday laws also to Patriot's Day, Columbus Day and Armistice Day today was rejected in the Massachusetts House by a standing vote of 76 to 31. Enactment would have prevented early openings by all theatres.

G.B. to Hold Three Regional Meetings

G. B. will hold three regional sales meetings for a discussion of the company's production schedule for 1938-'39, Arthur A. Lee, vice-president and general manager, said yesterday. The first session will be held in New York at the St. Moritz Hotel April 30 and May 1, at which the product lineup will be disclosed.

The second regional conference will take place in Chicago May 3 and 4, at the Blackstone Hotel, to be followed by the last meeting in Denver May 6 and 7. Each regional will be attended by home office executives and the entire regional sales force of that area.

"Pilot" Does $63,000 In Week at Capitol

"Test Pilot" grossed $63,000 at the Capitol for the week ending last night. This is the theatre's best business in almost a year and a half. The film definitely will be held another two weeks.

Business was big also at the Roxy, where "In Old Chicago" finished with $53,000 for the second week. This compares with $61,500 for the first week. This attraction is also being held.

Reorganization Is Voted for Academy

HOLLYWOOD, April 21.—Reorganization of the Academy of Motion Picture Arts and Sciences was voted last night by the board of governors and executive committee. The five branches — actors, writers, directors, producers and technicians—will combine in two groups.

The arts group will include actors, writers, directors and producers. The scientific group will include technical branches and miscellaneous eligibles. Details will be worked out by a committee which will be headed by W. S. Van Dyke.

Other members are Major Nathan Levinson, Lionel Atwill, David O. Selznick, Frank Lloyd, Howard Estabrook and Grover Jones, with Frank Capra and Don Gledhill as ex-officio members.

Rogers Fund Short Loaded with Names

"For Auld Lang Syne," the Will Rogers Fund Drive film made by Warners in behalf of the industry, was shown yesterday at the Warner projection room. It runs approximately 10 minutes, and is loaded with name values.

It opens with James Cagney talking before a microphone. The scene shifts to a theatre marquee marked "Hollywood Benefit Performance" and Cagney introduces the arriving celebrities. Among them are John Barrymore, Freddie Bartholomew, Louise Fazen-

(Continued on page 7)

Warner Managers to Talk Summer Policy

Summer operating policies and forthcoming product will be among the topics to be discussed at a Warner theatres zone managers' meeting on Monday at the home office. Joseph Bernhard, general manager of the circuit, will be in charge.

All zone managers will attend, including James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Ted Schlanger, Philadelphia; Harry Kalmine, Pittsburgh; John

(Continued on page 8)

Loew's State Bulges; Mae's There; Police Quell a Riot

Mae West opened at Loew's State yesterday. She has been trouping around the country for some time now and has attended one or two "world premieres" in Hollywood. But never, she confessed yesterday, has she seen such a reception.

It was more like a riot. At 6 o'clock in the morning the line began forming, and someone mentioned about someone forgetting to have the Salvation Army lassies on hand to pass out coffee and doughnuts. By 10 o'clock the house was filled to the rafters and it was S.R.O. from that moment until the final show.

"Biggest opening in the history of theatre," said Al Rosen, manager. The house expects to do $52,000 for the week. Anyway, it will be an all-time record. Rudy Vallee holds the present record of $45,000 grossed during Thanksgiving Week, 1936. At 6 P. M. it was said the State would take $6,500 for the day.

This is curvacious Mae's first appearance in Gotham in five years. She

(Continue on page 2)

G. N. Files Denial Of Misuse of Title

WASHINGTON, April 21.—Charges of misuse of title and misrepresentation in connection with its picture "In His Steps" were today denied by Grand National in its response to the Federal Trade Commission's complaint.

The answer pointed out that the

(Continue on page 2)

Purely Personal

NINO MARTINI, injured in a train accident last Sunday, has been forced to postpone his planned departure for a concert tour for several more days. He expects to leave for Montreal on Saturday for an engagement there.

•

FRANK STOCKWELL, "Prince Charming" of "Snow White," will arrive at the Newark airport at 9:30 A. M. tomorrow to sing with **GRACE MOORE** on the Kostelanetz program next Wednesday.

•

LUISE RAINER arrived yesterday on the TWA Skychief. On the same plane was **NADINE CONNORS**, who flew to the coast last weekend to be tested by Warners for a part in "Desert Song."

•

HAROLD F. OXLEY, manager of **JIMMIE LUNCEFORD**, left yesterday for Philadelphia to complete arrangements for the Lunceford group's stage appearance at the Nixon-Grand there.

•

HARRY ROYSTER of Paramount's theatre department plans to leave Sunday for a survey in Detroit, Chicago and Des Moines.

•

VINCENT TROTTA, Paramount art director, was called to Waterbury, Conn., by the death of a relative yesterday.

•

RUFE DAVIS, featured in Paramount's "Cocoanut Grove," is en route to New York for a vacation.

•

MERLE OBERON will leave for the coast today on the Century.

Ampa Votes to Hold Dance Next Autumn

Ampa's annual dinner dance will be held in the fall, probably in October, according to a decision of members at a closed meeting at the International Casino yesterday. The advertising awards will be presented at a luncheon next month.

After next week's meeting, which will be an open one, Ampa will suspend activities for the summer, with the exception of the awards luncheon. A committee will be appointed shortly to plan for the fall affair and arrangements will be made during the summer. In the past Ampa has held its annual dinners in the spring.

At next Thursday's luncheon, awards will be made to winners in the recent exhibition of Transit Advertisers in Rockefeller Center. Several film companies had winning posters. W. G. Van Schmus, managing director of the Music Hall, may make the presentations.

The election of officers went off as scheduled yesterday. Paul Lazarus, Jr., presided in the absence of Ralph Rolan, president, who is on a cruise.

Saal in Kansas City

KANSAS CITY, April 21.—William Saal, vice-president of Republic, is here this week preparing for the personal appearance of Republic's Roy Rogers and Smiley Burnette at the Uptown in conjunction with the premiere of "Under Western Stars."

Injunction Against Warners Is Refused

Hollywood Hotel Revue, Inc., producer of stage shows for film theatres, was denied a temporary injunction pending trial in its suit against Warner Bros. Pictures, Inc., and First National Pictures, Inc., in the N. Y. Supreme Court yesterday by Justice Ferdinand Pecora.

The plaintiff claimed infringement of the title "Hollywood Hotel" in the Warner film of the same name. The defense contends that the name is the property of the Campbell Soup Co. from whom permission to use the name was obtained. Justice Pecora ruled that there was no ground for such "drastic remedy" and held that if the plaintiff can prove "it has been injured unjustly it may be compensated in the final judgment."

Dismisses Suit Against Warner

The $10,000 infringement suit brought by Select Theatres Corp. against Warners was dismissed in the U. S. District Court here yesterday by Federal Judge John C. Knox on the grounds that the complaint failed to state a cause of action. Select was granted 20 days to file an amended complaint.

The action alleged infringement of the play "The Audition" in the Warner film, "Ready, Willing and Able." Besides damages, an injunction and an account of the profits were asked.

Permitted to Hold Property

French Motion Pictures, Inc., distributors of French films in North and South America, and now in 77B reorganization proceedings, was permitted to continue in possession of its property until May 19 by Special Master John E. Joyce at a hearing in the U. S. District Court here yesterday. The next hearing will be held on that date.

Louis Soll, attorney for the debtor, told Joyce that income for the month ending April 15 was $1,834 against expenses of $1,374. Soll stated that it was expected that a plan of reorganization which would involve either the introduction of new capital or the payment of creditors out of income would be ready for the next hearing.

Order 300 "Hood" Prints

Warners have ordered what is claimed to be a record number of Technicolor prints on "Adventures of Robin Hood" in anticipation of day and date openings May 14 in 300 cities.

G.N. Files Denial Of Misuse of Title

(Continued from page 1)

company has not been actively engaged in production or distribution since Feb. 21, when it went into the hands of trustees.

The major defense of the company against the charges of the commission is that the name of the picture was changed to "Sins of Children" more that a year prior to the filing of the complaint.

At the same time, it contended, the advertising of the picture was "not intentionally (if at all) misleading," and, further, that the trustees have instructed all agents and employes to discontinue issuing any advertising materially referring to the novel.

The answer contended the company had the right to advertise that the film was suggested by the book "because the theme of said book and of said photoplay are fundamentally the same."

Orange Files Suit Details

Orange County Theatres, Inc., filed a 147-page bill of particulars setting forth its claim in detail in connection with its anti-trust suit in the U. S. District Court here yesterday. Defendants in the suit are Eugene Levy, George Walsh, Netco Theatres Corp., Paramount Pictures, Inc., 20th Century-Fox Film Corp., Joseph Lee, Big U Film Exchange, Inc., RKO Radio Pictures, Inc., and United Artists Corp. Orange charges a "conspiracy" in violation of the Sherman and Clayton Act to prevent it from obtaining film.

'Heaven' to Convention

Paramount's "Stolen Heaven" has been selected as the film to be shown the delegates attending the Kansas State Bankers Convention in Hutchinson March 12, according to word received at the Paramount home office from Tom Steele, manager of the Fox in Hutchinson. Olympe Bradna, starred in the film, will address the delegates on a telephone hookup.

RKO-Butterfield Sign

DETROIT, April 21.—Jules Levy, general sales manager for RKO, today closed a deal with the Butterfield circuit for the 1938-'39 lineup. The deal calls for playing time in 47 situations which have 70 theatres. Levy has been on a tour of exchanges in the Ned E. Depinet Drive.

Loew's State Bulges; Mae's There; Police Quell a Riot

(Continued from page 1)

got her men, thousands of 'em. Hundreds hung around the stage door entrance waiting for a glimpse of her, and some schoolgirls with autograph books were in the crowd. About noon, when the toilers went out for lunch, the crush around the stage entrance was so great that part of the crowd was pushed through the door and into the theatre backstage. Police reserves were called and restored order.

The "c'm up and see me sometime" personality is getting a guarantee of $12,500 for the week, plus 50 per cent of the gross over $38,000. Theatre attaches said they hoped Miss West would earn $19,500.

With her is a company of six men and a colored girl who plays the part of a maid. Her name is Beulah. The show is a sort of revue: it is also a a five-act vaudeville show. Miss West is on the stage most of the time. She works hard. She is doing six performances daily, with seven on Saturday and Monday.

There is a picture at the State, too. Its title is "Merrily We Live."

Will Distribute 16 Foreign Films He

Albert N. Chapereau, with wh Theodore H. Gruelleneyer is as ciated, has obtained the distributi rights for the United States to French and Italian language pictur No deals have been closed as y The distributors plan to increase t total from 25 to 30 in the very ne future.

All of the 16 films acquired been produced with private financi it is understood. The directors of t pictures included Fernand Rive Maurice Lehman of the Come Francaise, Julien Duvivier and Yv Miranda, and feature Annabella, Je Gavin, Pierre Blancher and Danie Darrieux, among others.

Ricketson Book Ready

DENVER, APRIL 21.—Covering phases of theatre management a operation, "The Management of M tion Picture Theatres," written Rick Ricketson, manager of the F Intermountain division, will be pu lished some time next month. Co tending that all phases of exhibiti fall into six divisions, Ricketson h divided his book into six main se tions: attractions, policy, operati and personnel, advertising, constru tive stimulation and corporate a physical structure.

No. Col. Peru Change

Columbia distribution in Peru not affected by the recent addition the Argentine and Chile territories the supervision of Louis Goldstei manager for Brazil, J. A. McConvill foreign manager, said yesterday. D to an error in an earlier company a nouncement, Peru was included in t territories added to Goldstein's supe vision.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Entered as second class matter January 4, 192 at the Post Office at New York, N. Y., unde Act of March 3, 1879.

Short Subjects

Life in Sometown, U. S. A."

1-G-M)

Here is a humorous and homey iematic vignette on American life at should prove an important part the program. At the same time it kes a satiric thrust at antiquated that still survive. It all stems a small boy breaking a window the home of a prominent citizen th his baseball. Running time, 10 ns. "G."

Screen Snapshots 17-6"

olumbia)

The James Gleasons throw a party 200 fans, a location glimpse where ootball film is under way, arrivals the Sante Fe Pasadena station, the z Brothers leaving their marks for terity in Grauman's sidewalk and Hollywood premiere of "The arricane." Plenty of material preited in the usual satisfying style. nning time, 10 mins. "G."

Miracle Money"

-G-M)

Quack doctors and fake medical ctice are taken over the hurdles justice in this "Crime Does Not y" number. The narrative is enhtening in many aspects as well as ng compelling, though brief drama. nning time, 21 mins. "G."

Rubinoff and His 'iolin"

itaphone)

The well known orchestra leader l radio personality contributes a nber of his tricky and compelling sical arrangements in this "Melody ster." Very good. Running time, mins. "G."

ing for Sweetie"

ducational)

This bright and lively musical uld capably fill the bill. The patn of the story might be familiar the enthusiasm of the cast makes for that minor defect. It's the al boy and girl thwarted romance t is finally smoothed out with a ree of novelty. The cast offers Sullivan, George Shelton, Fran- McCoy and June Allyson. Run- time, 19 mins. "G."

eautiful and Gay udapest"

P. Devlin)

How this Hungarian city plays and it prides itself on remembering orical events and figures is aptly entertainingly revealed in this vel short. Photography, nar- on and musical background are excellent taste. Running time, 10½ s. "G."

he Face Behind the lask"

-G-M)

his "Historical Mystery" concerns lf with revealing the origin of man in the iron mask." Three erent persons are offered in evidence a logical explanation. The pro- tion is properly atmospheric. Run- time, 11 mins. "G."

Hollywood Previews

"Religious Racketeer"

(Fanchon Royer-State Rights)

HOLLYWOOD, April 21.—The sponsors of this straightforward expose of fraud and fakery in the domain of pseudo-supernatural manifestation describe it bluntly as an exploitation picture. It is that and something more. Madame Harry Houdini is prominent in the picture and carries on the work undertaken in life by the late wizard of legerdemain. Her efforts to communicate with him in the previously agreed upon 10-year period following his death are mentioned in the early portion of the picture and a police campaign to rid an unnamed city of practicing clairvoyants stems from her failure and subsequent pronouncements. The production proceeds to depict the devices by which unscrupulous pretenders to occult communication with the dead deceive and rob their victims.

Robert Fiske, Betty Compson, Robert Frazer, Arthur Gardner, David Kerman and Helene Le Berthon are the principals directed by Frank O'Connor in the story by himself. This has to do with the operations of a ring of self-styled mystics, oracles and seers who extort money from the susceptible bereaved by pretending to establish communication with their beloved departed. The central story thread has a romantic aspect which is not allowed to dominate the exposure theme. Many will find these exposures interestingly informative.

Much of the acting is better than the "exploitation picture" label is generally interpreted as implying. The continuity is reasonably taut and, although the subject matter is in essence melodramatic, the picture is in good taste and there is no extraneous sensationalism.

Running time, 85 minutes. "G."

"International Crime"

(Grand National)

HOLLYWOOD, April 21.—Along with the suspense of a crime story, "International Crime" also has comedy interludes and romantic moments. A number in "The Shadow" series, it is acted, directed and produced in the standard that should meet the demands of the market in which it will play. It is based on a magazine story by Maxwell Grant, with screenplay by Jack Natteford and directed by Charles Lamont. Features Rod LaRocque, Astrid Allwyn, Thomas Jackson, William Von Brincken, William Pawley, Lew Hearn and Tennen Holtz in the principal roles.

A murder plot of two foreign agents, Von Brincken and Holtz, brings a broadcasting reporter and sleuth, LaRocque, into action. In Jackson's police department, Miss Allwyn is a rattle-brained assistant. While the police are on wild goose chases, LaRocque, helped and hindered by Miss Allwyn, gradually gathers evidence pointing to Von Brincken and Holtz. Learning the details of their plans, LaRocque broadcasts the news to the police and public, and in an exciting climax prevents the murder of John St. Polis and captures the plotters as the police are again completely fuddled.

For average audiences, particularly those appreciative of a lot of melodramatic theatricals and liberal doses of comedy, "International Crime" should prove a satisfactory attraction.

Running time, 65 minutes. "G."

"Nurse from Brooklyn"

(Universal)

HOLLYWOOD, April 21.—Action, suspense and romance are skillfully embodied in the acting, writing and direction of "Nurse from Brooklyn," a study of policemen and robbers operating in New York. With Sally Eilers, Paul Kelly, Larry Blake, Maurice Murphy, Morgan Conway, David Oliver and Lucile Gleason in the cast, the offering will meet approval in any type of house, judging from the favorable comments heard in the Pantages theatre lobby following the preview of the film.

Adapted from Steve Fisher's *Liberty* story by Roy Chanslor, "Nurse from Brooklyn," which falls into the category of melodrama, was competently directed by S. Sylvan Simon. Edmund Grainger was associate producer.

Blake, a criminal, failing in his attempt to lure Murphy back into a life of crime following the latter's departure from a reformatory, kills Murphy and wounds Kelly, a police officer. Kelly's nurse is Miss Eilers, sister of the dead boy. Blake attempts to have Miss Eilers lure Kelly to his death, but she, at the showdown, balks because of her newly discovered love for the officer.

Running time, 67 minutes. "G."

(Additional Reviews on page 7)

Short Subjects

"Feminine Fun"

(Columbia)

An interesting assemblage of scenes of the various sports in which the fair sex take part. The field is covered quite thoroughly. The narration by Ford Bond tends to overemphasize certain aspects but on the whole the film offers much exciting and spectacular activity. It should hold interest. Running time, 10½ mins. "G."

"What Price Safety"

(M-G-M)

The inroads of racketeers in the construction industry told in forceful and thrilling interludes. The brief plot is well rounded, moves briskly and delivers an emotional impact. It is a "Crime Does Not Pay" number. Running time, 21 mins. "G."

"The Old Raid Mule"

(Columbia)

A different Andy Clyde comedy. It's an adaptation from an *Esquire* story. The hillbilly atmosphere and plot will keep the audience smiling constantly. Very good. Running time, 17½ mins. "G."

"Community Sing No. 7"

(Columbia)

Gus Van leads the screen songs in this number. He is assisted ably by Joan Brooks and The Treys. Numbers include such standbys as "Dinah," "My Gal Sal" and "Minnie the Moocher." Fair. Running time, 9 mins. "G."

"Nellie the Sewing Machine Girl"

(Universal)

A number of clever animation twists and several laughs will be found in this Oswald cartoon. It is villain-heroine-hero stuff with modern gags. Running time, 7½ mins. "G."

"Going Places No. 50"

(Universal)

This number is devoted entirely to scenes of life in Holland. It embraces many interesting aspects of the country in spite of its brevity. The photography and narration are good Running time, 9 mins. "G."

"Going Places No. 47"

(Universal)

Pearl culture in Japan, and the manufacture of glass cloth make up this issue. The stuff is well filmed and Lowell Thomas' narration leaves nothing to be desired. Running time 9½ mins. "G."

"Kingdom for a Horse"

(Educational)

An interesting survey on the horse in various fields of endeavor is offered here. The photography might have been better. It will please. Running time, 10 mins. "G."

"The Star Reporter No. 3"

(Paramount)

Ted Husing presents Mark Warnow and his band, Vic Heide, one man band; the Rio Brothers and Jerry Colonna. Clever variety and music. Running time, 10 mins. "G."

"Jezebel" and "Sawyer" Fair In Cleveland

CLEVELAND, April 21.—The Easter Week slump was saved from tobogganing to a new low by two holdovers. "Jezebel," playing a third week downtown on a moveover run at the Allen following two weeks at the Hippodrome, took top honors with $7,000, which was $1,000 better than average. "Adventures of Tom Sawyer" at Loew's Stillman, another moveover, topped the $6,000 average by $500.

"Start Cheering" at the RKO Palace, with Major Bowes' Collegiate Unit as the stage attraction, was $2,000 under the wire with $15,000.

Total first run business was $49,000. Average is $58,500.

Estimated takings for the week ending April 15:

"JEZEBEL" (W.B.)
ALLEN—(3,000), 30c-35c-42c, 7 days, 3rd week. **Gross:** $7,000. (Average, $6,000)

"WOMEN ARE LIKE THAT" (F.N.)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c. 7 days. **Gross:** $10,000. (Average, $12,000)

"START CHEERING" (Col.)
RKO PALACE—(3,100), 30c-35c-60c, 7 days. Stage: Major Bowes' Collegiate Unit. **Gross:** $15,000. (Average, $17,000)

"EVERYBODY SING" (M-G-M)
LOEW'S STATE—(3,500), 30c-35c-42c, 7 days. **Gross:** $10,500. (Average, $15,000)

"ADVENTURES OF TOM SAWYER" (U.A.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 2nd week. **Gross:** $6,500. (Average, $6,000)

"Sally, Irene" Up In Montreal Slump

MONTREAL, April 21.—"Sally, Irene and Mary," first attraction on the double bill at the Capitol, was the only picture to come close to average in the week before Easter, the take being $8,000 compared with par of $9,500. Holy Week and Easter shopping played havoc with grosses.

"Of Human Hearts," dualling at the Princess, grossed $5,000 as against $7,000 average, while "The First 100 Years" accounted for $6,500 at the Palace and the take at Loew's was $4,500 on a double bill headed by "Wide Open Faces."

Total business was $26,500. Average is $40,500.

Estimated takings for the week ending April 16:

"SALLY, IRENE AND MARY" (20th-Fox)
"INTERNATIONAL SETTLEMENT" (20th-Fox)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,000. (Average, $9,500)

"WIDE OPEN FACES" (Col.)
"THE LONE WOLF IN PARIS" (Col.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $4,500. (Average, $8,000)

"STAND-IN" (U.A.)
"BULLDOG DRUMMOND'S REVENGE" (Para.)
ORPHEUM—(919), 25c-35c-50c, 7 days. **Gross:** $2,500. (Average, $5,000)

"THE FIRST 100 YEARS" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $6,500. (Average, $11,000)

"OF HUMAN HEARTS" (M-G-M)
"THE WOMEN MEN MARRY" (M-G-M)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $5,000. (Average, $7,000)

Takes Brockton House

BROCKTON, April 21.—John Deery has taken over the City Theatre Building.

"Dangerous" Best Bet in Milwaukee

MILWAUKEE, April 21.—The leader in a slow week was "Dangerous to Know" and Little Jack Little and his orchestra on the stage, which grossed $6,800 at Fox's Palace, just $1,800 above par.

"Snow White and the Seven Dwarfs" collected $5,000 in its third week at the Warner, which was average business. It was shifted to Fox's Strand for a fourth week.

Total first run business was $25,000. Average is $26,500.

Estimated takings:

Week Ending April 13:

"MERRILY WE LIVE" (M-G-M)
"BOY OF THE STREETS" (Monogram)
WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $6,000. (Average, $8,000)

Week Ending April 14:

"DANGEROUS TO KNOW" (Para.)
PALACE—(2,400), 35c-50c, 7 days. Stage: Little Jack Little. **Gross:** $6,800. (Average, $5,000)

"THE SPY RING" (Univ.)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: "Frisco Follies." **Gross:** $4,000. (Average, $5,000)

"GIRL OF THE GOLDEN WEST" (M-G-M)
"INTERNATIONAL SETTLEMENT" (20th-Fox)
STRAND—(1,400), 35c-50c, 8 days. **Gross:** $3,200. (Average, $4,500)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
WARNER—(2,400), 35c-50c, 7 days, 3rd week. **Gross:** $5,000. (Average, $5,000)

"Rebecca" Is Only Oklahoma Grosser

OKLAHOMA CITY, April 21.—"Rebecca of Sunnybrook Farm" was the only first run attraction to get into the profit column on the week. It took $5,500, over normal by $300, at the Criterion.

"Merrily We Live" took a par $4,500 at the Midwest. All other grosses were off.

Total first run business was $18,300. Average is $20,600.

Estimated takings for the week ending April 16:

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
CRITERION—(1,500), 10c-25c-35c-40c, 7 days. **Gross:** $5,500. (Average, $5,200)

"RAWHIDE" (20th-Fox)
"MR. MOTO'S GAMBLE" (20th-Fox)
LIBERTY—(1,200), 10c-20c-25c, 4 days. **Gross:** $1,400. (Average, 7 days, $2,600)

"MAID'S NIGHT OUT" (RKO)
"BLACK DOLL" (Univ.)
LIBERTY—(1,200), 10c-20c-25c, 3 days. **Gross:** $300. (Average, 7 days, $2,600)

"MERRILY WE LIVE" (M-G-M)
MIDWEST—(1,500), 10c-35c-40c, 7 days. **Gross:** $4,500. (Average, $4,500)

"LONE WOLF IN PARIS" (Col.)
STATE — (1,100), 10c-25c-40c, 7 days. **Gross:** $2,800. (Average, $3,800)

"ADVENTURES OF TOM SAWYER" (U. A.)
VICTORIA — (1,000), 10c-25c-35c-40c, 7 days, 3rd week, moved from Tower. **Gross:** $1,800. (Average, $2,000)

"OF HUMAN HEARTS" (M-G-M)
TOWER — (1,000), 10c-25c-35c, 7 days. **Gross:** $2,000. (Average, $2,500)

"Oxford" Dual With $11,500 Denver Leader

DENVER, April 21. — "A Yank at Oxford," on a dual with "Love Is a Headache," did excellent business all week and the bill was held over for two days. The $11,500 gross was $4,000 above par.

"Mad About Music" was strong at $4,500 in the Aladdin, following a week at the Denver. "Her Jungle Love," with "Portia on Trial," turned in an excellent $7,000 at the Denham.

Total first run business was $38,000. Average is $32,750.

Estimated takings for the week ending April 14:

"MAD ABOUT MUSIC" (Univ.)
ALADDIN—(1,400), 25c-40c, 7 days, following a week at the Denver. **Gross:** $4,500. (Average, $3,500)

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
BROADWAY—(1,100), 25c-40c, 7 days, following a week each at the Denver and Aladdin. **Gross:** $2,000. (Average, $2,500)

"HER JUNGLE LOVE" (Para.)
"PORTIA ON TRIAL" Republic)
DENHAM—(1,750), 25c-35c-40c, 7 days. **Gross:** $7,000. (Average, $5,500)

"A SLIGHT CASE OF MURDER" (F. N.)
DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $8,000. (Average, $8,500)

"YANK AT OXFORD" (M-G-M)
"LOVE IS A HEADACHE" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $11,500. (Average, $7,500)

"WALKING DOWN BROADWAY" (20th-Fox)
"THE JURY'S SECRET" (Univ.)
PARAMOUNT—(2,200), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

"GOLDWYN FOLLIES" (U. A.)
"WOMEN IN PRISON" (Col.)
RIALTO—(878), 25c-40c, 7 days. "Goldwyn Follies" followed a week each at the Denver, Aladdin and Broadway. **Gross:** $2,000. (Average, $1,750)

"Hardy" with Waring Wins At Washington

WASHINGTON, April 21. — Fred Waring and his Pennsylvanians, heading the stage revue at Loew's Capitol, boosted the take to $23,500, $2,600 over average. "Judge Hardy's Family" was the film.

"Goldwyn Follies" at the Columbia went over by $400, taking in $4,000.

Total first run business was $63,000. Average is $73,700.

Week Ending April 15:

"JUDGE HARDY'S FAMILY" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Fred Waring's Pennsylvanians. **Gross:** $23,500. (Average, $20,900)

"GOLDWYN FOLLIES" (U.A.)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,600)

"BLUEBEARD'S EIGHTH WIFE" (Para.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,300)

"BRINGING UP BABY" (RKO)
RKO KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $8,000. (Average, first week, $10,600)

"OVER THE WALL" (W.B.)
EARLE—((2,218), 25c-66c, 7 days. Stage: Cab Calloway and Cotton Revue, with Avis Andrews, Cotton Club Boys and Stump and Stumpy. **Gross:** $14,500. (Average, $18,400)

"GIRL OF THE GOLDEN WEST" (M-G-M)
LOEW'S PALACE—(2,370), 25c-55c, 7 days. **Gross:** $8,500. (Average, first week. $15,900)

Reopen Portland Plaza

PORTLAND, April 21.—The Plaza, a suburban house formerly the Zephyr, has been reopened by C. J. Hanzlik, owner. The theatre has been equipped with the newest in sound equipment, also screen and heating plants.

"Chicago" Up As Detroit's Grosses Fal

DETROIT, April 21.—"In Old Chicago," on a dual with "Who Kille Gail Preston?" was the only att tion to make an impression during Holy Week slump. It went $1,00 over the line on a gross of $6,000 a the Adams where it had been transferred after two good weeks at th Fox. It was held another week wit "When G-Men Step In" as the othe half of the new dual.

Other houses took it on the chi with sub-par grosses all along th line.

Total first run business was $58,70 Average is $70,000.

Estimated takings for the week end ing April 14:

"IN OLD CHICAGO" (20th-Fox)
"WHO KILLED GAIL PRESTON?" (Col.)
ADAMS—(1,770), 15c-40c, 7 days. **Gros** $6.000. (Average, $5,000)

"DR. SYN" (G. B.)
FOX—(5,100), 15c-65c, 7 days. Stag WJR Hermits Cave, Marjorie Gainswort Sen. Edward Ford, Lewis & Van. **Gros** $16,500. (Average, $20,000)

"HAWAII CALLS" (RKO)
MICHIGAN—(4,100), 15c-65c, 7 day Stage: The Kimris, Burns, Moriarity Dell, Lowe, Hyte & Stanley, Bee-Ho-Gra & coyote, Carroll Manners. **Gross:** $15,00 (Average, $20,000)

"JEZEBEL" (W. B.)
STATE—(3,000), 15c-40c, 7 days. **Gros** $4,500. (Average, $5,000)

"MERRILY WE LIVE" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, days, 2nd week. **Gross:** $7,200. (Averag $10,000.)

"SNOW WHITE & SEVEN DWARFS (RKO)
MADISON—(2,000), 25c-65c, 5th wee **Gross:** $9,500. (Average, $10,000)

'Love, Honor' Beats Kansas City Storm

KANSAS CITY, April 21.—Thre combination bills got pushed in th face by the blizzard Friday openin and by snowdrifts Saturday and Sunday. The weather combined wit Holy Week to leave first run box offices on the ropes. "Love, Hono and Behave," with Benny Mero and Jackie Heller, gave the Newman $8,400, $400 over the line. Th only outside competition was Richar Crooks at the Music Hall one nigh

Total first run business was $34,80 Average is $39,500.

Estimated takings:

Week Ending April 14:

"THIS MARRIAGE BUSINESS" (RK
MAINSTREET—(3,100), 25c-40c, 7 day Stage: Robert Bell's Hawaiian Follie **Gross:** $7,600. (Average, combination bi $9,000)

"JUDGE HARDY'S CHILDREN" (M-G-M)
"START CHEERING" (Col.)
MIDLAND — (4,000), 25c-40c, 7 day **Gross:** $8,200. (Average, $11,500)

"LOVE, HONOR & BEHAVE" (W.B.
NEWMAN — (1,900), 25c-40c, 7 day Stage: Benny Meroff and his gang, Litt Jackie Heller. **Gross:** $8,400. (Averag combination, $8,000)

"ISLAND IN THE SKY" (20th-Fox)
FOX TOWER—(2,200), 25c-40c, 7 day Stage: St. Moritz Ice Carnival, featurin Kit Klein; Pathening & Co., Ted & A **Gross:** $7,000. (Average, $7,000)

"REBECCA OF SUNNYBROOK FARM (20th-Fox)
"STATE POLICE" (Univ.)
UPTOWN—(2,000), 25c-40c, 7 days, 2 week for "Rebecca." **Gross:** $3,600. (Ave age, $4,000)

SWISS MISS CAN'T MISS!

Hal Roach has at last made the Laurel-Hardy feature of his dreams. The plot is great, the technical production superb, the music exceptional and the result all that one could hope for. Get ready for a really worthwhile attraction in . . .

"SWISS MISS"

starring

Stan LAUREL & Oliver HARDY

with Della Lind • Walter Woolf King
Eric Blore • *Directed by* John G. Blystone
Original Story by Jean Negulesco and
Charles Rogers • Screen Play by James
Parrott, Charles Melson and Felix Adler
Associate Producer: S. S. Van Keuren
Music by Phil Charig Lyrics by Arthur Quenzer

An M-G-M Picture

Bondholders Object To Plan on Midland

Kansas City, April 21.—A bondholders' committee has filed objections to the plan of reorganization under 77-B of the Bankruptcy Act, as proposed by the Securities Service Corp. for Loew's Midland Theatre here. The committee has charged that Midland Investment Co., which owns the theatre, may be insolvent.

"The debtor's own Exhibit 'A' in the printed circulation letter of the reorganization manager, 'Profits or Annual Earnings Statement,' reflects insolvency. It concludes with 'Surplus before Depreciation, $28,815.' The annual audit reports show depreciation deductions of over $100,000 per year," the bondholders stated. The objections were filed by Charles M. Blackmar and Edward L. Scheufler, attorneys for the committee.

The bondholders ask the court to determine the solvency of Midland Investment; to authorize the committee to submit its objections to bondholders, and that the plan submitted by the Securities Service Corp. be rejected as unfair and unduly discriminatory against bondholders or modified in accordance with the objections.

Issues Writ on Picture

U. S. District Judge Edward J. Moinet in Detroit yesterday issued a temporary injunction against Hershel Johnson, Jack Moss and Frederick Raoul Cleaver, and Ferguson & Krul, owners and operators of the White Star in Detroit, in connection with alleged pirating of prints on "The Lash of the Penitents," owned by Michael J. Levinson, according to Al Krellberg, attorney for Levinson. Ferguson & Krul were restrained from releasing the print and turning over rental money to the other three defendants, from whom the operators allegedly rented the film, and the three were restrained from further rental of the picture. The order is returnable on Monday.

Vancouver in 1st Place

The RKO exchange in Vancouver has moved into first place, replacing Buffalo, in the Ned E. Depinet Drive. Eleven weeks have elapsed with four to go. Buffalo is in second place.

Other branches contending for the eight prizes are: Montreal, M. Plottel, manager; Cleveland, H. Greenblatt, manager; Toronto, J. F. Meyers, manager; Portland, M. E. Cory, manager; Los Angeles, N. P. Jacobs, manager, and Indianapolis, R. E. Churchill, manager. The company's exchanges in San Francisco, Seattle, Memphis, Pittsburgh, Denver, Washington, Albany and Cincinnati have also exceeded the 11-week quota.

Para. to Reissue "Arms"

Paramount will reissue "A Farewell to Arms," starring Helen Hayes and Gary Cooper, it was decided yesterday following receipt of an approval of the picture from the Production Code Administration. The picture was first released in 1932 prior to the formation of the code administration.

Edward Smith Dead

Edward Smith, treasurer of Warners' Strand and associated with the theatre for the past 15 years, was found dead in his Manhattan apartment yesterday. Smith's wife died on the same date one year ago.

New York Previews

"Dark Eyes"

(Frank Kassler)

There is more to sell in this French picture than in the general run of importations because of two performers whose names mean something to the American boxoffice, Simone Simon and Harry Baur. "Dark Eyes" is the last French film in which Miss Simon appeared before going to Hollywood.

The story is simple, and it is possible that there is too much dialogue for audiences lacking knowledge of French, despite ample English subtitles. But to compensate there are two choice performances by the leading players.

Baur, head waiter in a leading Moscow restaurant, pretends to his daughter, Miss Simon, that he is an important business man, in order to give her all that he believes she should have in background and attention. She, reading books for romance, meets a banker, one of Baur's customers, and he, not knowing her identity, attempts to entice her. He takes her to a private room of the restaurant, and Baur, in an excellent scene, first hides, then saves her from the man. At home father and daughter have a new understanding of each other. A young romance is interwoven unobtrusively.

Running time, 85 minutes. "G."

"Lenin in October"

(Amkino)

That fertile field for Soviet film scenarios—the history of the revolution—again contributes in "Lenin in October." As in the past, the country's philosophy of government is plentifully voiced. The film has an air of realism that causes it to depart from the entertainment field and become an historical document. Its obvious audience—the Russian minded—will probably find it interesting.

The action opens with Lenin's return to Petrograd from Finland in October, in 1917. He formulates plans for the uprising. Much attention is given to revealing how his supporters idealized him. The preparations for the rebellion against the provisional government are covered with spirited performances by groups of factory workers and sailors and without very much ado the conflict occurs and is over. Lenin is last seen addressing the first Soviet of Workers and Soldiers at Smolny Institute. A younger edition of Stalin is evident in the doings and the film carefully edits out other personalities who have been ousted from the "party." The title role is played by Boris V. Shchukin. Mikhail Romm directed.

Reviewed without Production Code seal. Running time, 92 minutes. "A."

Rogers Fund Short Loaded with Names

(Continued from page 1)

da and her husband, Hal Wallis; Glenda Farrell, Hugh Herbert, Humphrey Bogart and many others. Cagney introduces Rudy Vallee, who, in turn, presents Benny Goodman and his band. A snappy swing number is presented and then Donald Crisp talks. He provides an introduction for Paul Muni. Muni explains the purposes of the drive. While he talks a few shots of the Will Rogers Memorial Hospital at Saranac and its interior are presented.

Muni's appeal is very dignified. In it he explains that the uses of the fund have been broadened this year to include aid for institutions doing work for crippled children.

Tracy Ill in Chicago

Chicago, April 21.—Spencer Tracy, en route to Hollywood for conferences on the forthcoming "Northwest Passage," was taken suddenly ill here and is confined to the Blackstone Hotel. He had planned to sail for Europe yesterday on the *Manhattan* but canceled his passage at the request of the studio.

Over 5,000 Theatres To Aid Rogers Drive

A minimum of 5,000 theatres will participate in the Will Rogers Memorial Week, which will start April 29, according to A. P. Waxman, director of the drive, who returned this week from Hollywood.

Waxman said that many prints have been ordered on "Auld Lang Syne," the 10-minute film made at the Warner studios which is available to theatres making audience collections during the week.

Retitle Fields Picture

Hollywood, April 21. — "Mr. Bumpus Goes to London" has been chosen by Paramount as the working title for the W. C. Fields starring vehicle formerly called "Behind the Eight Ball."

"Adventuress" Has New Title

Hollywood, April 21. — Walter Wanger has changed the title of "The Adventuress." It will be released in May as "The Rising Tide."

Now "Highway Patrol"

Hollywood, April 21.—Columbia will release the film formerly called "State Patrol" as "Highway Patrol."

Variety Club

Kansas City

Kansas City, April 21.—One of Variety Club's best crowds turned out for the weekly luncheon. More than 75 showed up. The success of the idea, called the "Jinx Club," was due to the work of Sam Abend, Earl Jameson, Harold Lux, Sammy Nastor and George Baker. Rube Finkelstein, who worked on the idea, won the prize.

Chief Barker R. R. Biechele, announced that Frank Hensler, A. F. Baker, and himself were definitely scheduled to leave this week for Variety's national party. They will take 200 feet of 35mm film showing Variety Club's charitable activities here. The film was taken by Norris Cresswell, with the cooperation of Abend, Jameson, George Harttmann and George Baker.

Guests at the luncheon were Jerry Zigmond, manager of the Newman; Leroy Miller, manager for Universal; Wayne Brinkert, Brinkert Lamp Co., Detroit; Harry Taylor, National Screen manager on the coast, and Fred Greenberg, Warner manager at Indianapolis.

Members and officers of the new Cinema Club, "junior" organization "fathered" by Variety, were introduced.

The club's "movies for shut-ins" truck last week gave its first program to 175 youngsters at Swope Settlement.

G.N. to Release Nine

Hollywood, April 21.—Edward Alperson and Lloyd Wright, trustees for Grand National, will have nine films for release during April and May, they say. The titles are: "Zamboanga," "International Crime," "Whirlwind Horseman," "He Loved an Actress," "Renfrew Rides North," "Law of the Plains," "High Command," "Secret Life" and "Held for Ransom."

Wesp Succeeds McKivett

Racine April 21. — Floyd Wesp, formerly with Warners in Philadelphia and Atlantic City and more recently manager of the Rialto here, has been named manager of the local Venetian, succeeding the late Owen McKivett.

Wall Street

Small Change on Board

	Open	High	Low	Close	Net Change
Cons. pfd.	5⅝	5⅞	5⅝	5⅞	+ ⅛
E. K.	149	149	149	149	.....
Loew	40½	40⅝	40½	40⅝	+ ⅛
Para.	8	8	7⅝	7⅞	.....
Para. 1	80¼	81½	80¼	81½	— ¾
Para. 2	9	9	9	9	.....
Pathe	4⅞	5	4⅞	5	.....
RKO	3	3	2⅞	2⅞	.....
20th Fox	21	21	21	21	+ ½
W. B.	5⅛	5⅛	5⅛	5⅛	.....

Technicolor Best Curb Rise

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	—1/16
Sonotone	1½	1½	1½	1½	— ¼
Tech.	17½	18½	17½	18½	+1¼
Trans-Lux	2⅛	2⅛	2⅛	2⅛	.....
Univ. Corp.	2⅛	2⅛	2⅛	2⅛	+ ⅛

Warner Bonds Gain

	High	Low	Close	Net Change
Para. B'way 3s '55	57½	57½	57½	—1
W. B. 6s '39	70	69	70	+1

(Quotations at close of April 21)

Games Status Has Theatres Here Worried

(Continued from page 1)

have been that the operation of the game caused disturbances in theatres in some instances which gave the game unfavorable newspaper publicity. It was said that this was due, in some cases, to mishandling of the game by exhibitors, or the patrons' suspicion that it was not being operated entirely "on the level."

Bank Night became a strong favorite with exhibitors at its inception about four years ago, but it was not long before other schemes were brought out which made inroads on the Affiliated Enterprises promotion.

In New York only two theatres, both Loew houses, use Bank Night. A majority of the metropolitan areas subsequent run and neighborhood operations run some form of chance game in which money is given one or more times a week. The schemes having the greatest vogue are Screeno, for which George West, distributor, claims between 450 and 500 theatres in Greater New York, and Lucky, which the owners, Dennis Games, say is in 200 theatres.

Innumerable Types

There are a dozen or more others, including a variegated assortment of Bingo, Bango, Banko, Jumbo, Whirl-Win, Ten-O-Win, Sweepstakes, Line-O, Bankroll, Currency, Wall St. and I-Have-It. Some exhibitors use cash giveaway devices of their own invention.

The cash game situation in New Jersey is described as a delicate one for theatres because of an informers' law under which the person notifying the authorities of a transgression of the lottery laws receives 50 per cent of the fine. A circuit not long ago was a defendant in such a prosecution. Such cases, it was said, can be "framed" easily.

Bank Night has a number of accounts in New Jersey. Ten-O-Win, a comparative newcomer, is making some headway in the state. The latter game is distributed by National Screen Service and has 38 users in Greater New York, mainly in Skouras and Century circuit houses. The game is a strong favorite in California, where it is said to be in 400 theatres.

Loew's Valencia in Jamaica is the last stronghold of Bank Night in the metropolitan area. The crowds flocking to the theatre on Wednesday nights, which is Bank Night, were so great that the Hillside was added to the operation for the overflow.

Bank Night also has remained in upstate New York. The Supreme Court decision in Connecticut earlier this week definitely ends its use there.

To Do Lord Nelson Film

London, April 21.—Gabriel Pascal declared today that he plans to produce a film based on the life of Lord Nelson, with Leslie Howard in the title role, and following the completion of "Pygmalion." An American actress will be sought for the role of Lady Hamilton and Wilfred Lawson will play William Pitt. A spectacular location sequence is planned in picturing the battle of Trafalgar.

The Newsreel Parade

Movietone News
Vol. 20, No. 64
(20th Century-Fox)

Routine clips of varying interest make up this release for the most part, with nothing outstanding of a newsworthy nature. The most rousing shots are those of the Pacific fleet's battle with a storm, the crowds marching in Paris as the Government changes hands and the National League opener with the Giants trouncing the Bees.

Others are: Postmaster General Farley approving a new stamp issue; demonstration by a model of a new British racing boat and the building of a new auto racer; kids opening the fishing season in New Jersey; child bowling champs displaying their skill; L. E. Douglass and his Kansas family and 18 friends he took on a trip to Chicago; surf-o-planing in Australia, which is fun. There are also a soccer match in England and a skating carnival. Lew Lehr's Newsette is a demonstration by a woman fire-eater. Running time, 9½ minutes. F.

News of the Day
Vol. 9, No. 262
(M-G-M)

This issue rests its bid for appeal on baseball, royalty and a storm at sea. Precautions taken by the French to save babies from gas attacks by placing them in glass-enclosed cribs in bomb-proof shelters is a clip that holds interest.

The baseball footage includes the Giants' defeat of the Bees in this week's opener; a shot of Joe DiMaggio; Dizzy Dean speaking a piece before the microphone and then performing in Wednesday's Chicago-Cincinnati game. The cameramen aimed to keep the ball in view all the time. The reel also has: Queen Mary attending a concert at Cardiff, which is entertaining; warships riding unruly waves in the Pacific; demonstration of a railless railroad at Rome; General Pershing arriving in New York; a coiffure show, and the French into steeplechase. Running time, 8½ minutes. F.

Paramount News
No. 75
(Paramount)

Concise presentation of a good variety of subjects gives this release continuous interest and an even pace. Despite the fact that the reel is of no more than average length, careful editing has permitted the inclusion of 11 individual subjects.

In the order of their appearance they are test flights for the Army's new autogiros; Helen Wills Moody's departure for England to try for a "comeback" in international tennis meets; the departure of another contingent of the Joseph P. Kennedy family for the American Embassy in London; George Hale dancers sailing from New York for European engagements; Mexican women donating personal possessions to aid their Government in paying for expropriated oil lands; a Cardiff welcome and entertainment of the visiting Queen Mother Mary; a new English racing car design; a California contribution to economical motoring; opening big league games in Chicago and New York, and the U. S. fleet riding out a Pacific storm off Hawaii. Running time, 9 mins. K.

RKO Pathe News
Vol. 9, No. 79
(RKO)

Outside of the Yankees' opener in Boston against the Red Sox there is little real news in this release. The ball sequence opens the reel, followed by a group of departing persons, including Helen Wills Moody, two more of the Ambassadorial Kennedy children, Sir Herbert Morrison, British Labor M. P., who predicts a great future for the party here, and the Hale Girls, who are bound for England to advertise the World's Fair, and who dance on deck in the latest piece of terpsichorean insanity.

A new type of Italian military highway, which permits of a string of driverless trucks, running in series and over a raised center concrete road, the Pan American fiesta getting under way with a girl group in Miami, the start and finish of the Boston marathon, Commander Gatti's new deluxe trailers for an African expedition, on a New York trial run, and a series of boxing bouts in Brooklyn among infants, which is amusing, account for the rest of the issue. Running time, 8 mins. A.

Universal Newsreel
Vol. 10, No. 660
(Universal)

Some smart camera work on the New York Giants-Boston Bees opening game makes this sequence outstanding. Mayor LaGuardia is caught throwing the ball, former Mayor Walker and Babe Ruth are presented, and, with perfect lighting to help, the first home run and other plays are shown.

From a pictorial point of view the Pacific fleet maneuvers in a heavy storm with closeups of sailors dodging waves are excellent screen material. Indians lassoing logs in a stream in the northwest, an auto road with a raised center that makes the use of long trains possible, a soccer game with plenty of movement, Pawson winning the marathon near Boston, and a girl and boy bowler lend a novel angle to the issue.

The other clips in the 12 subjects shown include the new French Premier, Daladier, a steamship aground at Fisher's Island, Helen Wills Moody on the deck of a ship, sprucing up at Palisades Park and the auto Grand Priz at Pau, France. Running time, 9 mins. J.

G. N. Promotes Hoese

Kansas City, April 21.—Robert Hoese, formerly Grand National salesman in Minneapolis, has been named sales representative for this territory by Russ Borg, branch manager.

Dickinson Acquires Site

Kansas City, April 21.—The Glen W. Dickinson Theatres, Inc., has acquired a location in Warrensburg, Mo., for a new theatre to be known as the Dickinson.

Expect 800 at Variety Club Annual Party

(Continued from page 1)

18 tents throughout the U. S. will b here. All suite accommodations at th leading hotels have been taken. WL will feed to the NBC-Red on a coas to-coast hookup, the address of Joh H. Harris, national president, as wel as those of the various state governors and other notables.

Allan S. Moritz, manager of th local Columbia branch, is genera chairman of the national committee.

Postmaster General James A. Farley is scheduled to be the chief speaker at the banquet.

Among those who are expected t attend are the following officials Governor Chandler of Kentucky, Governor Nice of Maryland, Harold Hoffman, former governor of New Jersey, Senator Robert J. Bulkley o Ohio and Senator Alben Barkley o Kentucky.

Ray Smith and Jack Frackman wil represent the Milwaukee tent at th convention and the Detroit delegatio will be headed by Chief Barker William Carlson, Past Chief Barker E E. Kirchner and William Flemion welfare chairman.

New Yorkers Leave Today

The vanguard of a New York delegation which will attend the two-day national convention of the Variety Club at the Netherland Plaza Hotel Cincinnati, tomorrow and Sunday, wil leave Grand Central on the Ohio State Limited at 3 P. M. today.

In the New York delegation leaving today will be William Sussman, David Palfreyman, Lou Weinberg, George Dembow, Harvey Day, Sr., Harry Ross, Densmore Ross, Richard Ross Frank Miske, Scott Faron, A. Montague and Sherwin A. Kane of Motion Picture Daily. Ned E. Depinet and Sam Dembow, Jr., will be among a second New York delegation leaving here tomorrow.

Warner Managers to Talk Summer Policy

(Continued from page 1)

Payette, Washington; Herb Copelan, Atlantic City; Don Jacocks, Newark, and Moe Silver, Albany.

Home office staff members who will attend are Clayton Bond, Ed Hinchy, Leonard Schlesinger, Frank Phelps, Nat Fellman, Abel Vigard, W. Stewart McDonald, Harry Rosenquest, Louise Kaufman, Frank Cahill, Herman Maier and Harry Goldberg.

CEA Sues Electricians

London, April 21.—The Cinematograph Exhibitors' Association has filed an action against the electricians' union, alleging libel in the publication and distribution of various pamphlets. The printers of the pamphlets also are involved in the suit.

Paul Bloch Leaves Para.

Paul A. Bloch resigned yesterday as Paramount district manager for the Philadelphia and Washington territories, Neil F. Agnew, vice-president in charge of distribution, announced. No successor has been named yet.

HERE ARE FOUR TOP FAVORITES OUT-GROSSING FIRST RUNS IN TEST ENGAGEMENTS ALL OVER THE COUNTRY!

1 **ALL QUIET** ON THE WESTERN FRONT

Twice as timely NOW! Every word of the title super-charged with interest by daily front page events.

2 **LADY TUBBS**

Comedy smash that's pulling them in like magic in a dozen test spots! With Alice Brady, Anita Louise, Alan Mowbray and Douglass Montgomery.

3 **FRANKENSTEIN**

The top grosser of them all! . . . The Power Thriller they can't resist! Karloff! Colin Clive! Mae Clarke! Boles!

4 **LOVE BEFORE BREAKFAST**

with CAROLE LOMBARD, the comedy and star a delighted nation went crazy over!

Accessories now available at your local Universal Exchange

Here's one of a hundred messages from tickled exhibitors!

ESKIN AMUSEMENT ENTERPRISES

Mr. F. J. A. McCarthy
Universal Pictures Company, Inc.
Rockefeller Center
New York, N. Y.

Dear Mr. McCarthy:

Just a line to advise you of the results of the show which you selected for me in Bethlehem, namely, Frankenstein and Love Before Breakfast.

The business was in my opinion very satisfactory. You may unreservedly tell your men in the field, if you wish, to sell this show to the exhibitor as a unit, that it did for me more than 75% in excess of business ordinarily done in my theatre. Not only was the business highly satisfactory, but the show combination proved excellent entertainment. You understand, of course, that all of this was without any of the sensational publicity and advertising that "Frankenstein" originally had when you first released it.

In conclusion, I feel certain that no exhibitor would make a mistake in booking this show. The chances are that it will out-gross most of the attractions being played.

Sincerely yours,

(Signed) Harold E. Eskin

UNIVERSAL PICTURES

RELEASED NATIONALLY MAY 15th —YOUR UNIVERSAL RE-DATE FOR PROSPERITY!

Around the Country

Hollywood

Bill Goodwin has rejoined the Hollywood staff of CBS as announcer-producer. He was formerly associated with the William Esty agency here. His first assignment is the swing series starring Maxine Sullivan . . . Hancock Oil Co., through the Charles H. Mayne agency, will sponsor a 10-minute Monday through Saturday news broadcast on KFI for a year . . . The Great Atlantic and Pacific Tea Co. has signed a KFI contract calling for one spot announcement a week for a year . . . Congratulatory messages addressed to CBS at the new Columbia Square opening April 30 will be made visible to visitors by a Western Union Trans-Lux ticker in the lobby.

"Judy and Jane," transcribed serial Mondays through Fridays, has been renewed until June 16 by the J. A. Folger Co., coffee makers. Raymond R. Morgan Co. is the agency . . . Brewster Morgan, new director of the CBS "Hollywood Hotel," has taken over his duties, replacing Fred Ibbett . . . Loretta Young, David Niven and Richard Greene will preview "Four Men and a Prayer," April 29 on "Hollywood Hotel" . . . First continued drama on Warners' Academy Theatre will be "That Certain Woman," presented in two weekly portions, with Rosella Towne and Jeffrey Lynn heading the cast. "Thrills," Pacific coast NBC Red network program sponsored by the Union Oil Co., has closed and will be replaced by a Monday program featuring John Nesbitt, commentator; Donald Novis, tenor, and David Broekman's orchestra.

Washington Star to Buy WMAL Shortly

WASHINGTON, April 21. — The *Washington Star* will purchase WMAL of NBC within 10 days, it was stated here today.

The station now operates under lease from M. A. Leese Radio Corp. The lease, however, will not be effected under the purchase contract. The station is hooked up with the Blue network. It has a day power of 500 watts and operates at night with a power of 250 watts on a wave length of 630 kilocycles.

To Speak at Ad Meet

Speakers at the convention of the Advertising Federation of America, to be held in Detroit from June 12 to 16, will include Edward F. McGrady, director of labor relations of RCA; Roy S. Durstine, president of Batten, Barton, Durstine & Osborn, and George M. Slocum, publisher of *Automotive News*.

Blair Quits Thompson

CHICAGO, April 21.—Milton J. Blair has resigned as vice-president and director of J. Walter Thompson, effective May 1. Although he did not announce his future business, he admitted that he will move to New York.

NBC Asks Delay in FCC Power Hearing

(Continued from page 1)

commission staff now is engaged in the collection of information which will be of value at the hearings, but that, it is indicated, the material will not be available until just before the hearings, at the earliest. At the same time, it was claimed the commission had not given sufficient notice of the hearing to enable broadcasts to prepare all the information which they will desire to submit.

Indications are that the hearings will require a number of days, the commission so far having requests from more than 60 individuals for time to testify.

The hearings are scheduled by the commission to begin May 16, and are for the purpose of considering some 15 applications for super-power and the general question whether the present maximum power for clear channel stations should be raised from 50,000 to 500,000 watts.

Kellogg Closes All Deals on Ball Games

With the baseball season already under way, the Kellogg Co. has completed all contracts for broadcasting the national game. Excluding the Pacific coast, the company's program virtually blankets the country. In all, play-by-play descriptions of eight major league and 25 minor league clubs will be broadcast.

No estimate is available of the amount of money the schedule for this season will cost Kellogg, but it is estimated that the deal involves a figure well above $1,000,000.

Midwest Program Is Acquired by Kellogg

"Don Winslow of the Navy," a popular sustaining midwestern program, has been purchased for sponsorship by the Kellogg Co., starting May 2.

The series will be sponsored over an NBC split network of Midwestern stations and will be heard Mondays through Fridays from 7 to 7:15 P. M. N. W. Ayer & Son, Inc., is the agency.

Signs WCAU Deal

PHILADELPHIA, April 21.—Varady of Vienna, through their agency, Baggaley, Horton & Hoyt, have signed a 13-week contract with WCAU starting next Sunday. The program will feature a 15-minute show transcribed by the Isham Jones orchestra.

Plan WCAU Series

PHILADELPHIA, April 21.—Libby McNeill and Libby have signed for a series of three 15-minute programs weekly over WCAU, starting Monday. J. Walter Thompson is the agency. The program will be titled "Short Short Stories."

Ameche on Lux Show

Don Ameche and Madeleine Carroll will play the lead parts in a dramatization of the picture "Dangerous" in the Lux "Radio Theatre" over CBS.

April Productions Files 10 New Suits

April Productions, Inc., filed 10 additional suits in the N. Y. Supreme Court yesterday against Harms, Inc., seeking $1,100,000 damages, a permanent injunction and an accounting of profits. Ten suits asking a similar amount and bringing the total demanded to $2,200,000 were filed last month. April contends that its predecessor, Shubert Theatres Corp., Shubert Theatrical Corp. and the Winter Garden Co. contracted for the publication and mechanical reproduction of songs, but that the contracts did not include radio rights.

Harms contends that radio rights were incuded and has filed a counter claim for $100,022 in each action. Justice Ferdinand Pecora will hear a motion today to determine whether the state or Federal court has jurisdiction of the suit.

Plays involved in the latest suite are "Riquette," "Lady in Ermine," "Caroline," "Hitchy Koo," "Springtime of Youth," "Katja," "Passing Show of 1923," "Dew Drop Inn," "Innocent Eyes" and "Passing Show of 1924."

To Ask Summary Judgment

Walter O'Keefe, RKO Radio Pictures, Inc., Nelson S. Hesse, William McCaffrey and Hesse & McCaffrey will ask Justice Ferdinand Pecora in the N. Y. Supreme Court today for summary judgment dismissing the $50,000 plagiarism suit brought against them by Maxwell Harkins, a radio script writer.

Hawkins alleges that he originated a radio script and advertising idea last year called "The Rolling Stone." He claims that O'Keefe used his idea and sold the story to RKO. O'Keefe stated that he sold a script of the same name to RKO for $5,000, but denied that he heard of Hawkins before the suit was brought.

KFAB's Broadcasts Of Baseball Resumed

LINCOLN, April 21.—KFAB has resumed baseball broadcasting with Harry Johnson at the mike for General Mills and Socony-Vacuum. The deal was arranged by Don Searle, general manager of the Central States Broadcasting Co.

The original intention was to have an exchange hookup with the Iowa net. It would have included KRNT, WMT and KMA, but KFAB is handling its own program under the present arrangement, with Johnson broadcasting six days weekly. Teams covered are the Chicago Cubs and White Sox, and the St. Louis Cardinals and Browns on home games.

Two Join Colorado Unit

OMAHA, April 21.—Jim Acuff, local KOIL sales manager, and Gene Willoughby, KOIL salesman, will take over the sales department of KFKA, Greeley, Col., effective April 25. Willoughby has already gone to Greeley.

Novak in Disc Series

Frank Novak and orchestra are to be featured in a series of transcriptions with the Frazee sisters. The series is to be broadcast over radio Luxembourg in behalf of Drene, a Procter & Gamble product.

Women's Radio Uni Award Set for Ma

The Women's National Radio Cor mittee, an organization founded son years ago by Madame Yolan Mero-Iron, and now boasting a mer bership numbering in the thousan will make known its annual award a luncheon and meeting at the S Regis Hotel May 4. Mutual w broadcast the proceedings from 2 2:30 P. M.

Among those who will deliver a dresses will be Alfred J. McCoske president of WOR and chairman the board of directors of Mutua William S. Paley, president of CB and David Sarnoff, president of RC

This year the Women's Nation Radio Committee will make only o award. It will be for "distinguishe service to radio.'"

Kinney Is Elected 4A Board Chairma

WHITE SULPHUR SPRINGS, April 2 —Gilbert Kinney, vice-president of t J. Walter Thompson Co., has bee elected chairman of the board of t American Association of Advertisin Agencies. He succeeds Henry Eckhardt of Kenyon & Eckhardt.

Advertising can and should play a essential part if the country is agai to attain or exceed the 1929 figure $80,000,000,000 of national incom Kinney said in accepting the post a chairman.

Kinney joined J. Walter Thompso upon his graduation from Yale in 190 and is now a vice-president and director.

Close Deal at WNEW For Baseball Serie

General Mills Corp. and Socon Vacuum have placed a contract wit WNEW for broadcasts of all hom and out-of-town games except Sundays and holidays of the Newar Bears baseball team. The contract i for 21 weeks through Knox Reeve advertising agency.

Other new business at WNE includes a contract for Ellbee Furriers, 15 weeks, six spot announcements each week; Policyholders Advisory Council, a quarter-hour week for one year through Dillon & Maier, and Abelson's, Inc., 68 spo announcements per week for one yea

To Hold Television Demonstration Her

The National Union Radio Corp makers of radio tubes, will hold television demonstration at the Hote Victoria Monday at 8 P. M. Th demonstration is being given primaril for radio service men in the Ne York area.

Equipment for the demonstration i of a new type, designed by Marshal P. Wilder of National Union.

Extend Show 26 Weeks

"Dan Harding's Wife," sponsore by the National Biscuit Co. and hear over NBC, has been extended 2 weeks to the end of 1938. McCann Erickson is the agency.

Poetry Aired on KOIL

OMAHA, April 21.—KOIL is no airing a poetry program each Sunday handled by Had Hughes.

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Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 94 NEW YORK, SATURDAY, APRIL 23, 1938 TEN CENTS

Variety Men Start Annual Session Today

Election Is Scheduled For This Afternoon

Cincinnati, April 22. — Official legates to the two-day national con- ntion of Variety Clubs of America, pening at the Netherland Plaza on aturday, arrived today as the van- uard of a gathering of 800 showmen pected in the city this weekend.

The delegates will open the business ssions early Saturday, which will lminate with the annual election of tional officers late in the day. Sun- y will be devoted to entertainment, ith the annual banquet concluding e two-day program on Sunday ght.

The business session will begin at A.M. The afternoon session will followed by a cocktail hour at 15 P.M.

Official delegates to the convention e: Mike Cullen and Harry Kal- ine, Pittsburgh; M. R. Clark and ax Stearn, Columbus; J. J. Oula-

(*Continued on page 2*)

Work Is Resumed at Gainsborough Plant

By AUBREY FLANAGAN

London, April 22.—Work has been sumed at the Gainsborough Studio at lington, following a delay occasioned the strike of members of the Elec- ical Trades Union, who had gone t in a sympathetic strike with pro- ctionist members of the union. The erator strike, however, had resulted no theatre closings.

It is reported that Gainsborough scharged the striking members of the ectrical Trades Union, replacing

(*Continued on page 3*)

Anthem As Is

Philadelphia, April 22.—When the "Star Spangled Banner" is played or sung over WCAU it will be presented in its original form or not at all, according to an announcement from the station. For the past two years WCAU has opened and closed its broadcasting day with the playing of the national anthem.

Vincent Lopez recently had copyrighted a streamlined version of the anthem.

SEC Moves to Aid Securities Issues

Washington, April 22.—The Securities and Exchange Commission today acted to make easier the issuance of securities by small corporations, including those in the film industry.

Orders were issued providing exemption from registration of issues offered for cash not exceeding $100,000 and reducing materially the volume of information to be required of small established corporations registering securities.

To secure the exemption from registration under the Securities Act, the total offering price of an issue must not exceed $100,000; the blue sky laws of all states in which the securities are offered, sold or delivered after sale must be complied with, and a notice of intention to issue must be filed with the SEC and copies of all prospectuses, letters or other communications in connection with the issue must be filed with the commission prior to use.

In the case of corporations having total assets of less than $5,000,000 and which have been in business for at

(*Continued on page 4*)

Bank Night to Ask Rehearing on Ban

Affiliated Enterprises, promoters of Bank Night, next week will file a petition for rehearing of the case in which the Postoffice Department barred it from the mails on the ground that it is a "scheme for distribution of prizes by lot or chance."

Should the petition be denied, Affiliated Enterprises will then take its fight to the U. S. District Court in Washington. The petition for a rehearing will be filed with Postmaster General James A. Farley, probably early next week.

At the same time, John M. Keating,

(*Continued on page 4*)

Conn. Police Views On Games Ban Vary

New Haven, April 22.—Following the Bank Night test case decision which rules the game out of the state of Connecticut, local police departments are interpreting the decision as to games other than Bank Night in various ways. For the first night following the decision, Screeno, Ten-O-Win and Cash Night were ordered stopped in Waterbury, Bridgeport and New Haven. Hartford County has had an active ban on all money games

(*Continued on page 4*)

Turn Them Ahead

Tonight is the occasion of the annual "clock-pushing-ahead," after which the timepieces will be in order until next September, wherever Daylight Saving Time is observed.

For the guidance of those who can never remember the direction—it is ahead.

Para. Earnings in Quarter $830,866

The earnings of Paramount Pictures, Inc., for the first quarter of 1938, ended April 2, were estimated yesterday at $830,866. The amount includes $806,000, which is noted as representing Paramount's direct and indirect net interest as a stockholder in the combined undistributed earnings for the quarter of partially owned non-consolidated subsidiaries.

The consolidated earnings for the first quarter of 1937, ended April 3, 1937, amounted to $2,011,000, while Paramount's share of undistributed

(*Continued on page 3*)

SMPE Convention Will Open Monday

Washington, April 22.—Delegates to the annual spring convention of the Society of Motion Picture Engineers, the 43rd semi-annual convention of the organization, will arrive over the weekend, preparing for the opening of the meeting on Monday. The convention, to run through Thursday, will be held at the Wardman Park Hotel.

The meeting will be opened by S. K. Wolf, president, after registration on Monday morning. The sessions will be devoted chiefly to a technical consideration of color and sound recording and reproduction, and a

(*Continued on page 3*)

Lab Union Demands Stir Strike Threat

An implied threat of a strike to enforce new demands has been made by Motion Picture Laboratory Technicians, Local 702, which next week will start negotiations with De Luxe Laboratories for a contract calling for a closed shop, 35-hour week, $25 minimum weekly wage and other conditions.

Union officials submitted the proposed contract to Allan Freedman, president of De Luxe, yesterday

(*Continued on page 3*)

Radio News of Yesterday on Page 4

RKO Theatres Profit in 1937 At $1,483,281

Trustee's Report Shows Gain Over 1936

The combined operations of the theatre operating subsidiaries of RKO during the calendar year 1937 resulted in a net profit after all charges of $1,483,281, according to the sixth report of the trustee, Irving Trust Co., filed yesterday in the U. S. District Court.

Among the charges included in the theatres' net was the accrual of interest in the amount of $357,467.23. The net profit of the theatre companies compares with a net profit for the calendar year 1936 of $1,386,679.74, after all charges, including the accrual of interest in the sum of $215,819.79 on indebtedness to RKO.

The company's consolidated net profit for 1937 of $1,821,165.98 has already been reported in Motion Picture Daily. The 1936 consolidated net profit amounted to $2,485,911.03.

RKO Radio Pictures, Inc., the film unit, reported a net loss for 1937 of $236,909.10 after all charges, including the accrual of interest amounting to $1,024,647.98 on indebtedness to RKO. This compares with a net profit

(*Continued on page 3*)

"Lynton" Damages To Be Set Shortly

The liability of theatres which played "Letty Lynton," a 1932 M-G-M release, to the authors of the play, "Dishonored Lady," which was held by the courts to have been plagiarized, is scheduled to be decided by Referee Gordon Auchincloss within the next two weeks, it was stated at the referee's legal office yesterday.

Auchincloss, who was appointed by

(*Continued on page 3*)

Different Offices

Cincinnati, April 22.—When the *Motion Picture Daily* correspondent went to contact Arthur M. Frudenfeld, RKO division manager, in his office this week, he was sent to what he understood to be the box-office in the Palace. Frudenfeld was not there, nor had he been. He finally was located in "Bock's office."

Irvin Bock is manager of the Palace.

Variety Men Start Annual Session Today

(Continued from page 1)

han and Harry J. Wessel, Cincinnati; Roy Colvin and Harold Evens, St. Louis; William Carlson and William Flemion, Detroit; Harry H. Goldstein and M. B. Horwitz, Cleveland; Jacob Lavene and Robert Murphy, Buffalo; R. R. Biechele and George W. Hartmann, Kansas City; Carl Niesse and A. C. Zaring, Indianapolis; A. J. Brylawski and Sam Wheeler, Washington; Sam Schwartz and Earle W. Sweigert, Philadelphia; Jack Frackman and Ray A. Smith, Milwaukee; Edward Shafton and Harry J. Shumow, Omaha; R. J. O'Donnell and J. B. Underwood, Dallas; William A. Clegg and Roy Wells, Dayton. No delegates were present from the Baltimore and Minneapolis tents.

Many Chief Barkers Present

Chief Barkers of the various tents are: J. T. Greevey, Pittsburgh; M. R. Clark, Columbus; J. J. Oulahan, Cincinnati; Harold Evens, St. Louis; William Carlson, Detroit; Dave Miller, Cleveland; Jacob Lavene, Buffalo; H. R. Biechele, Kansas City; A. C. Zaring, Indianapolis; A. J. Brylawski, Washington; Jack Beresin, Philadelphia; C. W. Trampe, Milwaukee; Walter M. Greene, Omaha; R. J. O'Donnell, Dallas; W. L. Steffes, Minneapolis; J. L. Rome, Baltimore and Roy E. Wells, Dayton.

Among the prominent guests scheduled to attend are Postmaster General James A. Farley, Gov. Martin L. Davey of Ohio, Gov. A. B. Chandler of Kentucky, Former Governor Harold Hoffman, New Jersey; U. S. Senators Robert J. Bulkley, Ohio, and Alben W. Barkley, Kentucky; Chief Justice Carl B. Weingardt, Ohio Supreme Court; Charles Sawyer, candidate for governor of Ohio; Ned E. Depinet, RKO Radio Pictures; Ed Kuykendall, president, M.P.T.O.A.; Arthur Lee, G.B.; Sam Dembow, Jr., F. & M. Theatres; Lou Weinberg, Columbia; David Palfreyman, M.P.P.D.A.; Major L. E. Thompson, RKO Theatres; Roy Haines, Vitagraph; Mayor James G. Stewart and Former Mayor Russell Wilson of Cincinnati; Sam Galanty, Columbia; William F. Rodgers, J. E. Flynn, T. J. Connors and E. M. Saunders, Loew's; Y. Frank Freeman, J. J. Unger and Harry H. Goldstein, Paramount; William Sussman and George A. Roberts, 20th Century-Fox; Ike Libson, RKO Theatres; F. J. A. McCarthy, Universal; George W. Weeks, Monogram, and E. L. McEvoy, RKO.

Johnny Perkins, m.c.

On the local convention committee in charge of the affair are: John S. Allen, William Bein, Arthur M. Frudenfeld, Joe Goetz, James J. Grady, John Hawthorne, Ralph Kinsler, Joe Kolling; Paul Krieger, Ike Libson, William Onie, Noah Schecter, Maurice White and Sol Worthington.

On the entertainment program for the Sunday night banquet are Johnny Perkins, master of ceremonies; Hugh Herbert, headlined; Andre Marcelle & Co., adagio dancers; Four Franks, musical and dancing act; Lamberti, xylophone comedian; Peter Higgins, tenor; Oxford Trio, vocalists; Lowe, Hite and Stanley, comedy; Diane Denise, French songstress; Joe and Jane McKenna, comedians; The Les Ghezzis, equilibrists; Irene Vermillion Co., dancing and musical act; Gali-Gali, magician; Mildred and Jimmy Mulcay, dancers; Cross and Dunne, novelty act; The Chester Hale Girls and Jack Sprigg's Orchestra.

New Yorkers Off for Cincy

The bulk of the New York delegation to the national convention of Variety Clubs of America left for Cincinnati yesterday afternoon and will arrive in Cincinnati early this morning for the all-day business sessions and election of national officers.

A second delegation from New York will leave this afternoon to attend the annual banquet at the Netherland Plaza, Sunday night. The New Yorkers will return late Monday and early Tuesday.

Out Hollywood Way

HOLLYWOOD, April 22.—Twentieth Century-Fox has extended the contract of SIMONE SIMON and she will get the starring role in "French Doll," upon completion of "Josette" . . . EDITH FELLOWS and LEO CARRILLO are teamed again in Columbia's "City Shadow," being directed by AL ROGELL and supported by FRANK SHERIDAN, HELEN JEROME EDDY, TOMMY BOND, MARY GORDON, ARTHUR LOFT, JOSEPH KING and GRACE GOODALL. . . . The complete cast of "You Can't Take It With You," being produced and directed for Columbia by FRANK CAPRA, follows: JEAN ARTHUR, JAMES STEWART, LIONEL BARRYMORE, EDWARD ARNOLD, ANN MILLER, SPRING BYINGTON, MISCHA AUER, DONALD MEEK, HALLIWELL HOBBES, DUB TAYLOR, MARY FORBES, EDDIE ANDERSON and LILLIAN YARBO.

RKO has signed GREGORY LACAVA, who last directed "Stage Door," on the lot, to produce and direct his original story, "Right Angles," described as a romance with a spectacle background . . . JEAN O'NEILL, Brooklyn's lassie, who won the Monogram-*Screen Book* talent contest has been cast in the studio's "Romance of the Limberlost" . . . Warners has changed the title of "Madame Doctor" to "Lady Doctor," KAY FRANCIS vehicle, to follow "Changeling" . . . Warners are preparing "Oklahoma Kid," story of the early West, for JAMES CAGNEY . . . HAL B. WALLIS has signed MILTON SHUBERT, Broadway producer, as a supervisor.

✚

Casting—CECIL CUNNINGHAM in "Suspicion," Universal . . . ERIN DREW in "Sing, You Sinners," Paramount . . . WHITNEY BOURNE and PAUL GUILFOYLE in "The Cleanup," RKO . . . ROSITA ROYCE in "Algiers," Wanger . . . MONTE BLUE, IRVING BACON in "Spawn of the North," Paramount.

✚

Story Buys and Writers—RKO has purchased "Memory of Love," novel by BESSIE BREUER, as a possible vehicle for IRENE DUNNE, and RICHARD CARROLL'S "Five Who Came Back." DUDLEY NICHOLS and HAGAR WILDE will adapt "Memory of Love," and GEORGE HAIGHT will produce it as his first on the lot. ROBERT SISK will produce "Five Who Came Back," story of a Clipper ship forced down in South American jungles . . . Progressive Pictures has purchased "One of the Finest," original by TOM VAN DYCKE and HENRY BLANKFORT, JR., and has signed the pair to adapt it for the title "Trapped by Radio Police" . . . EARL BALDWIN is working with MARK HELLINGER to write the screenplay of Warners' "Sally."

Circuit Net Increases

Consolidated Theatres, Inc., has reported net income for 1937 of $16,092, equal to 20 cents per share on 81,183 common shares, which compares with net of $2,663, equal to three cents per share, on 91,370 common shares in 1936.

"Torchy" Gets $11,000

"Torchy Blane in Panama" did $11,000 at the Strand during Easter Week. "Sailing Along" grossed $8,000 at the Criterion and is going a second week. "Invisible Enemy" will follow at the Criterion on April 29.

"The Return of of the Scarlet Pimpernel" took $8,500 for its second week at the Rivoli, compared with $9,500 for the first week.

Expect 50 Theatres In New Allied Unit

About 50 theatres in New York City and a similar number in Albany will be represented at the organization meeting of an Allied state unit here on May 3, according to Arthur K. Howard, business manager of Independent Exhibitors, Inc., of Boston, who has been delegated by National Allied to further its expansion program.

Howard said here yesterday that the New York group will be the first to be organized under the expansion policy adopted at Allied's national convention. Separate organizations will be maintained for New York City and Albany, and a Buffalo group will be formed before the end of the year, all to be combined within the state unit, he said.

Abram F. Myers, Allied States general counsel, and Nathan Yamins, president, will address the organization meeting, and Arthur Price of Baltimore, regional vice-president, and Sidney Samuelson, executive committee member, also are expected.

All New York and Albany independent exhibitors have received invitations to attend the meeting, which will be at the Hotel Astor, said Howard. There will be morning and afternoon business sesions, with election of officers and directors and adoption of constitution and by-laws scheduled.

Allied has never had a unit in New York City. A Buffalo and Albany unit was organized about seven years ago but became inactive four or five years later.

Castle to Washington

Eugene Castle and Don Hancock of Castle Films, left for Washington, D. C., yesterday. Castle will confer with Secretary of State Cordell Hull.

"U" Test Runs Caus
Reissues of 4 Film

As a result of successful test e
gagements in many sections of t
country Universal will reissue fo
pictures, with prints being availal
in company exchanges after May
The four pictures are "All Qu
on the Western Front," "Lady Tubb
"Frankenstein" and "Love Bef
Breakfast." "Frankenstein" played
good business in a trial first run
ing at the Rialto, New York,
combination of "Frankenstein" a
"Love Before Breakfast" record
good grosses in many trial bookin
in the New York area. "All Qui
drew exceptional business in wid
separated localities in a number
trial bookings, according to F. J.
McCarthy, Universal eastern divisi
manager.

WB "Hood" Ball Tonig

HOLLYWOOD, April 22.—Warners
morrow night will stage a Ro
Hood Ball at Charles Farrell's R
quet Club in Palm Springs as a p
liminary to the Robin Hood Arch
Tournament on Sunday at the Des
Inn. It will be broadcast over W
from 7 to 7:30, E.S.T.

Maude Adams Talks Fil

Maude Adams, now 65, one of
outstanding actresses produced by
American stage, is en route to
coast where she will discuss w
David O. Selznick the possibility
her playing a role in the forthcomi
"Young at Heart."

Hotels Elect F. C. Walk

Frank C. Walker, vice-president
the Comerford theatre circuit,
been elected to the directorate of
Bowman-Biltmore Hotels Corp.

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tive. COPENHAGEN: Vesterbrogada 20;
Winther, representative. HELSINSKI: Freder
gatan 19C; Charlotte Laszio, representa
LONDON: 4 Golden Square, W. 1; cable add
Quigpubco, London; Hope Williams, mana
MELBOURNE: Regent Theatre Buildings,
Collins St.; Cliff Holt, representative. MEX
CITY: Apartado 269, James Lockhart, represe
tive. MONTEVIDEO: P. O. Box 664; Paul B
representative. MOSCOW: Petrovski Per
Beatrice Stern, representative. PARIS: 29
Marsoulan; Pierre Autre, representative. PRAG
Uhelny trh 2, Prague 1; Harry Knopf, represe
tive. RIO DE JANEIRO: Caixa Postal 3
L. S. Marinho, representative. ROME: 54
Della Mercede; Joseph D. Ravotto, representa
SANTIAGO de CHILE: Casilla 13300; A. W
mann, representative. SHANGHAI: Rooms 3
Capital Theatre Building, 142 Museum Road; J
Koehler, representative. STOCKHOLM: Ku
gatan 36; Ragnar Allberg, representative. TOK
880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. T
naga, representative. VIENNA: Neustiftg
54 Vienna VII; Hans Lorant, representative.
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RKO Theatres Profit in '37 At $1,483,281

(*Continued from page* 1)

1936 of $893,580.23, after the ac- al of interest amounting to $987,- 9 on indebtedness to RKO.

Pathe News, Inc., showed a 1937 net ofit of $63,011.07, compared with a loss of $241.78 in 1936. The ac- ual of interest on indebtedness to KO was $13,297.65 in 1937, and $13,- 1.57 in 1936.

During 1937, RKO received $51,510 distributions in liquidation of the n Beuren Corp., in which RKO s a 50 per cent interest.

During 1937, according to the re- t, the fixed indebtedness of RKO s reduced to the extent of $2,232,- ,70, including the payment of $450,- principal amount of RKO secured per cent gold notes and the reduc- n, subsequent to acquisition, of the ed indebtedness of the active Or- eum companies. The interest on the ebtedness was paid in the amount $1,250,813.63.

Cash Shows Decrease

The cash of RKO and its subsidi- es declined from an aggregate of 928,810.69 on Dec. 31, 1936, to $5,- ,613.25 on Dec. 31, 1937. The re- t explained the reduction of $2,646,- .44 in cash position as attributable the facts that the fixed indebtedness s reduced approximately $2,230,000 ring the period, Stadium Theatres rp. made a payment of $700,000 for assets of Orpheum Circuit, Inc., the inventory of films, stories and tinuities, etc., increased by approx- ately $2,800,000.

However, officials declared that the npany's cash position probably is ter today than it was on Dec. 31, 37, largely as a result of inventory luction on films, stories, etc.

The report indicates that theatre at- dance was lower in 1937 than dur- 1936, but an increase in the aver- admission price raised the total atre receipts above the 1936 level. oss receipts declined measurably ring the second half of 1937, par- ularly in November and December, report declared. An increase in n rental cost for the theatre subsid- ies was attributed in part to a fur- r spread of the double feature pol- , and salaries also rose.

The consolidated statement of profit loss for 1937 shows theatre admis- ns of $23,640,464, film rentals and es of $26,307,399. Expenses are put $47,692,246.

ub Unions Thank RKO

Commendation of the RKO cir- t and of Charles W. Koerner, New gland manager, for sponsoring stage ows in the Keith Memorial and the O Boston today was published in d advertising space by the Stage nds Union, Local 11; Musicians ion Local 9, and the Operators ion, Local 182.

'Boheme" in 6th Week

"The Charm of La Boheme," star- g Jan Kiepura and Martha Eggerth distributed by International Cine- rt Corp. is now in its sixth week the World.

"Lynton" Damages To Be Set Shortly

(*Continued from page* 1)

the court to determine the extent of the financial damages accruing to Edward Sheldon and Margaret Ayer Barnes, authors of the play, as a result of the exhibition of the Joan Crawford picture, submitted a tentative report on his findings to attorneys in the case more than a week ago. The attorneys were invited to prepare briefs setting forth their reactions to Auchincloss's preliminary findings, and on the basis of these briefs from the attorneys for both sides, the referee's final report and recommendations will be made.

It is known that in his preliminary report Auchincloss suggested damages totaling almost $900,000 as being the aggregate liability of the theatres which exhibited the picture, but it is impossible to forecast what his final recommendation will be. His findings, of course, must be approved by the Federal court before they are enforceable, and the court's ruling is subject to appeal. The case has been in the courts since 1934 when the authors first brought their successful plagiarism action against M-G-M.

Momand Trust Case Answers Are Filed

Oklahoma City, April 22.—Answers have been filed in the $6,000,000 anti-trust suits of A. B. Momand against several major distributing companies, the Griffith Amusement Co. and Standard Theatres, Inc., of Oklahoma, with the U. S. District Court clerk here.

Twentieth-Century Fox has filed a motion to quash which they say is based "on the fact that plaintiff did not comply with the orders of the court" in asking that the plaintiff make the charges in their petition more definite. United Artists has filed a similar motion. Griffith's Amusement has filed a motion to strike from the petition its name as defendants on the ground that the plaintiff has not complied with the court's orders.

Work Is Resumed at Gainsborough Plant

(*Continued from page* 1)

them with members of the National Association of Kine and Electrical Employes, a rival union. The production, "The Lost Lady," had been delayed.

The Electrical Trades Union yesterday protested to the Office of Works against the alleged employment of non-union projectionists at a private screening for King George VI at Windsor Castle.

Zanuck on CBS Hookup

Hollywood, April 22.—Darryl F. Zanuck will be the principal speaker on the national CBS hookup marking the official opening of the network's new studio here on April 30. Zanuck will discuss the trends of motion pictures.

Sheila Barret to RKO

Sheila Barret, well known impersonator, has been signed to appear in four one-reel shorts for RKO Pathe to be produced in New York by Frederic Ullman, Jr.

Suit Naming Warners Dropped by Beekman

Beekman Film Corp. filed a stipulation of discontinuance of its infringement suit against Warners in the U.S. District Court here yesterday. No disclosure of the terms of settlement was made.

Beekman sued for an accounting of the profits of "The Yanks Are Coming," together with triple damages for an alleged infringement of the Beekman film "This Is America."

Asks "Hollywood Hotel" Trial

I. Robert Broder, attorney for Hollywood Hotel Revue, Inc., has filed notice of trial for the June term in N. Y. Supreme Court of the damage suit for $50,000 against Warner Bros. The plaintiff claims infringement of the title "Hollywood Hotel" in the Warner Film.

Justice Ferdinand Pecora this week denied motion for an injunction pending trial.

Settle Infringement Suit

The copyright infringement suit of Cinephonic Music Co., Ldt., and Leo Feist, Inc., against Warners, Remick Music Corp., Al Dubin and Harry Warren was marked settled and discontinued in the U. S. District Court here yesterday. Terms of the settlement were not revealed. The complaint charged a "deliberate piracy and infringement" of Harry Woods' song "The Sandman's Serenade" in "'Cause My Baby Says It's So," which was heard in the Warner film, "The Singing Marine."

Charge Copyright Violation

Mrytle C. Warner and Warner-Allender Roadshows filed suit in U. S. District Court here yesterday against Harry Woodin, Mapel Attractions Co., Ed Mapel and S. E. Coleman for an alleged copyright infringement of the travelogue, "Forbidden Adventure." The complaint charges that the defendants have been exhibiting the film without authority. A permanent injunction, accounting, damages and destruction of the allegedly infringing film are sought in the complaint.

Postpone "Gang" Suit Hearing

Atlanta, April 22.—The hearing on Judge Vivian L. Stanley's $100,000 suit against Warners, which is based on the story material in the film, "I Am a Fugitive from a Chain Gang," today was recessed until May 23 by order of Judge E. E. Pomeroy.

Music Hall Planning 4 World Fair Shows

The Radio City Music Hall plans four stage productions which will be dedicated to the New York World's Fair, according to W. G. Van Schmus, managing director. They are to be presented in accordance with an offer made by Van Schmus to Grover Whalen, president of the Fair. They will be produced by Leon Leonidoff, senior producer.

The first show will open April 28 and will have reference to the World's Fair Motorcade. The second will be based on the cavalcade of American transportation, the third will have the development of light as its theme, and the fourth will be dedicated to the nations which will participate.

SMPE Convention Will Open Monday

(*Continued from page* 1)

lengthy list of papers have been prepared for delivery.

Daniel C. Roper, Secretary of Commerce; William G. McAdoo, Senator from California, and Col. Daniel I. Sultan, Engineer Commissioner for the District of Columbia, will deliver the principal addresses at the informal luncheon in the hotel's Continental Room on Monday. The Monday morning session will be devoted to a general business session, highlighted by reports of the convention, membership papers and progress committees.

Mrs. Franklin D. Roosevelt will entertain the women attending the convention at the White House Monday.

Para. Earnings in Quarter $830,866

(*Continued from page* 1)

earnings of partially owned subsidiaries aggregated $640,000, a combined total of $2,651,000 for the 1937 quarter.

On April 2, 1938, there were outstanding 142,172 shares of cumulative convertible $100 par value six per cent first preferred stock, but 555,101 shares of cumulate convertible $10 par value six per cent second preferred stock. The estimated earnings of $830,866, after deducting $296,523 of dividends accrued for the quarter on these preferred shares were equal to approximately 22 cents per share on the 2,465,900 shares of common stock outstanding on April 2, 1938.

Lab Union Demands Stir Strike Threat

(*Continued from page* 1)

afternoon. It was indicated that contracts will not be presented to other laboratories until the De Luxe agreement has been negotiated or until De Luxe indicates acceptance.

Terms of the proposed pact were ratified at meetings of 300 De Luxe employes Thursday night and early Friday. John H. Rugge, president of the local, and Vito Marcantonio, attorney, addressed the gatherings.

Wall Street

Rising Stock Trend

	Open	High	Low	Close	Net Change
Col.	12	12¼	12	12¼	+ ¾
Cons. pfd...	5⅝	5⅝	5⅝	5⅝	— ¼
E. K.	150	153	150	153	+4
E. K. pfd..	171	171	171	171	.....
G. T. E....	11½	11½	11½	11½	+ ½
K.A.O. pfd	65	65	65	65	+2
Loew	41	42⅞	41	42¾	+2⅛
Para.	8	8½	8	8½	+ ⅝
Para. 2.....	9¼	9½	9¼	9½	+ ½
Pathe	5	5¾	5	5½	+ ½
RKO	2⅞	3	2⅞	3	+ ⅛
20th Fox .	21¼	22¼	21¼	22¼	+1¼
20th pfd ..	28⅞	28⅞	28⅞	28⅞	+ ⅜
W. B.	5¼	5⅜	5¼	5⅜	+ ¼

Technicolor Gain Holds

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	+1/16
Tech.	19¼	20¼	19¼	20¼	+1¼

Loew Bonds Up

	High	Low	Close	Net Change
Loew 3½s '46...	98⅜	97¾	98⅜	+ ⅞

(Quotations at close of April 22)

Radio Personals

THE Frazee Sisters, heard on WOR, will open at the Fox Theatre, Detroit, May 4, for a one-week engagement. The Frazees are currently making a series of transcriptions for Drene. . . . Irene Beasley will appear as guest on the Al Pearce program Tuesday. . . . J. W. Thompson has a show on the Yankee network for Fleischmann's Yeast which will be brought to New York soon, according to present indications. . . . Daniel Dougherty, National Commander of the American Legion, will speak over WNEW tonight at 10. . . . Phil Lord will return from London on the *Queen Mary* Monday. . . . Max Eastman will be the director of the new CBS program "The Word Game," which will begin Wednesday. . . . Bob Ripley will begin his 10th year on the air Tuesday.

✚

Lincoln

Cliff Connway is leaving KFOR's announcing staff to become a salesman. . . . Chet Gowan, KFAB, has lined up a string of KFAB-KFOR talent and has a 40-minute show which he is booking on conventions and theatres. . . . Henrietta Dirks called her Shirley Temple club together via KFOR and it took the 1,600-seat Lincoln to hold them. . . . Don Wagner former proofreader on the Nebraska *State Journal,* is now writing radio in Chicago for Associated Press. . . . Joe di Natale promoted several sponsors for an Easter Egg hunt which was aired via KFOR and drew 2,000 youngsters.

Query Series on WKRC

CINCINNATI, April 22.—"Right or Wrong" will be a new program to bow in as a sustainer over WKRC at 5:30 P. M. Sunday, to be conducted by Lee Bland as a weekly feature. Programs will present teams from local clubs and organizations, and all questions asked contestants will in some way pertain to Cincinnati. A cash award will be given the winner.

Set Series on WCAU

PHILADELPHIA, April 22.—A series of 13 transcribed programs for the J. W. Marrow Co. will begin over WCAU next week. The program was signed through Baggaley, Horton & Hoyt and placed by Transamerican. The United Drug Co. will sponsor another transcribed series of five 15-minute programs over the same station.

Signs Deal at KSFO

SAN FRINCISCO, April 22.—The Marney Animal Food Co. has signed a one-year contract with KSFO, CBS outlet in this city, through the Long Advertising Service. The new program will present a spelling bee conducted by Tom Brenneman.

Starts KYA Program

SAN FRANCISCO, April 22.—Ramona Bergere, former Hollywood scenario writer, has launched a new Monday show on KYA, called "Lady Next Door." The half-hour program incorporates all types of information of aid to housewives.

Preserving Voices

Oklahoma City, April 22.—WKY will aid in preserving the voices of Oklahoma's pioneers by recording them and presenting them to the Oklahoma Historical Society.

Once a week the station will have one of the 89'ers on the air to relate his early day experiences. Electrical transcriptions will be made.

Melbourne Executive Here After Scripts

SAN FRANCISCO, April 22.—R. A. Stuart, Melbourne radio executive, who has arrived from Australia, is "in the market" for standard American radio scripts, suitable for broadcast in the Antipodes. Local selections were "Hawthorne House" and "Death Valley Days," dramatic skits. Stuart will visit eastern cities in search of other material.

Station 3XY, Melbourne, already is producing an Australian version of "One Man's Family," NBC Red network serial.

Stuart pointed out that Australia's "Class B" stations, which carry commercials, have about 90 per cent of the Commonwealth's listening audience. Government stations, known as "Class A," have the remaining 10 per cent. They do not carry commercials.

KPO Leads Field in San Francisco Check

SAN FRANCISCO, April 22.—KPO, NBC Red network outlet, is leading the local field in total commercial time sold, according to figures compiled for a sample week. The summary indicated 59½ sold. The figure is over half—51.6 per cent—of the station's total weekly time on the air.

KSFO, CBS affiliate, is the runner up with 57½ commercial hours weekly. Third is KFRC, Mutual-Don Lee station, with 32 hours, 45 minutes. Fourth is KGO, NBC Blue outlet, with 25 hours.

Bland on Air a Year

CINCINNATI, April 22.—Lee Bland, pilot of "The Dawn Patrol," a commercial sponsored by the Dow Drug Co., will celebrate his first anniversary on the air Saturday. The date also will mark the 311th consecutive broadcast of the program.

The special anniversary broadcast will be made before a studio audience.

On the Air 15 Years

OMAHA, April 22.—Rev. R. R. Brown, pastor-evangelist of the Omaha Gospel Church, has just celebrated his 15th anniversary as WOW's minister. The station had its 15th anniversary recently.

Dearing Leaves Ayer

CHICAGO, April 22.—Albin P. Dearing, formerly publicity director for N. W. Ayer & Son in this city, has been appointed director of public relations for the Container Corp. of America.

Baldwin In KOIL Post

OMAHA, April 22.—Bill Baldwin, former WOW announcer, is now with Central States' KOIL. Baldwin came here from KWKH, Shreveport, La.

WJEJ Is Allowed to Use Power Increase

WASHINGTON, April 22.—The Federal Communications Commission has authorized WJEJ, Hagerstown, Md., to increase its night power from 50 to 100 watts, and has taken under consideration reports by Examiner P. W. Seward recommending the granting of applications of S. B. Quigley for a new 1,200-kilocycle, 100-watt daytime station at Mobile, and Northwestern Broadcasting Co. for a 1,500-kilocycle, 100-watt station at Vernon, Tex.

The commission also has received reports in which Examiner M. H. Dahlberg has recommended denial of an application of the Tri-City Broadcasting Co., Inc., for a 950-kilocycle, 1,000-watt station at Schenectady, N. Y., and Examiner John P. Bramhall has recommended dismissal with prejudice of an application of Kathryn B. Gosselin for a 1,500-kilocycle, 100-200-watt station at Aurora, Ill.

Order Miami Hearing

At its weekly meeting, the commission ordered hearings held on the applications of the Rock Hill Broadcasting Co. for a 1,310-kilocycle, 100-watt daytime station at Rock Hill, S. C.; Miami Broadcasting Co. for a 1,420-kilocycle, 100-watt station at Miami; Paul R. Heitmeyer for a 1,210-kilocycle station at Cheyenne, with 100 watts night, 250 watts day; Frontier Broadcasting Co. for a 1,420-kilocycle station at Cheyenne, with 100 watts night, 250 watts day; Cheyenne Radio Corp. for a 1,210-kilocycle station at Cheyenne, with 100 watts night, 250 watts day, and Charles Porter and Edward T. Eversole for a 1,420-kilocycle, 100-watt daytime station at Festus, Mo.

Hearings also have been ordered on the applications of WEAN, Providence, for increase of night power from 1,000 to 5,000 watts; KFEQ, St. Joseph, Mo., for increase of time to operate evenings with 500 watts; WCKY, Covington, Ky., for increase of power from 10,000 to 50,000 watts; WDAS, Philadelphia, for increase of night power from 100 to 250 watts.

Joining Sponsors of Brewers' Group Show

The Brewers Association participation show on CBS has added the Joseph Schlitz Brewing Co., for eight stations of the network covering Georgia, North Carolina and South Carolina.

The Philadelphia Brewing Co., now sponsoring the program in Philadelphia, has increased its coverage by buying participation over WAPI in Birmingham. Also, the Jackson Brewing Co. of New Orleans has bought WWL in New Orleans.

Columbia Unit to Move

HOLLYWOOD, April 22.—Columbia Management Corp. will move into new quarters at Columbia Square April 28, according to Arthur Rush, managing director, who returned to his desk this week after a 10-day absence during which he underwent a minor operation.

Plan New CBS Program

HOLLYWOOD, April 22.—Associated Features will syndicate a column by George McCall, CBS cinema commentator, starting May 3.

Bank Night to Ask Rehearing on Ba

(Continued from page 1)

attorney for the promoters, will app for a suspension of the order. Kea ing said that the order barring t mails to Affiliated went into effe upon issuance last Friday. Since the he said, the company has not used t mails but has transacted its busine by telegraph and express money

Keating said the petition wil that Solicitor Karl A. Crowley mi interpreted the evidence and that h conclusions of law and fact a inaccurate. The appeal will mainta that Bank Night is not a lottery, w not declared a lottery in the rul and hence is not a violation of t postal laws, Keating said.

Conn. Police Views On Games Ban Var

(Continued from page 1)

in and out of theatres since last sprin and the Supreme Court decision do not affect the status of giveaways.

Yesterday Chief of Police Phil Smith declared here, following a co ference with the city attorney, that would interpret the decision to app to Bank Night only, and theatres the city prepared to play Lucky a other similar games, while organiz tions continued Bingo, etc., unmoleste West Haven, a suburb, ruled out games, as did Waterbury, where types of money games flourishe Bridgeport ruled out Ten-O-Wi Bank Night and Screeno in theatre

Local Bank Night attorneys h predicted that no other interpret tion was possible than that all gam must go, in and out of theatres.

Postpone Utah Game Test

SALT LAKE CITY, April 22.—A fu ther extension of the time allotted t Utah Trade Commission attorne Edward F. Richards, for preparati of his brief against Bank Night a similar theatre games in Utah, h postponed the impending Utah S preme Court hearing another mont A similar extension was allowed t theatre attorney last month. T hearing is now tentatively set f May 25.

SEC Moves to Aid Securities Issue

(Continued from page 1)

least five years, it will no longer necessary for them to file historic information, or certify profit and lo statements for all of the past thr years; while such statements will required only that for the most rece year need be certified.

In the near future, it was a nounced, a unit will be established aid prospective registrants and to a vise them on any problem which m arise in connection with their regi tration statements.

U. A. to Open Exchang

NEW HAVEN, April 22.—Unite Artists will open its new exchang in the former Fox Bldg. with a hous warming next Tuesday. A. W. Smit Jr., general sales manager, Charl Sterns and Thomas Spry, district ma agers; Lou Wechsler, exchange ma ager, and Reville Kniffen, salesma will act as hosts.

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MPE Session Vill Hear of ilm Progress

pring Conclave Starts Today in Capital

ASHINGTON, April 24.—The out- nding technical developments of the t year in the science and engineer- of motion picture production and roduction, with special attention on opening day to photographic and oratory developments, will occupy annual spring convention of the ciety of Motion Picture Engineers, ich will get under way at the ardman Park Hotel here tomorrow. e convention will run through ursday, with an elaborate list of hnical papers scheduled.

The opening day's activities, follow- the address of President S. K. lf, after registration in the hotel's tle Theatre, will be devoted during morning to the reports of the ious committees. Chief among them the report of the progress commit- of which J. G. Frayne is chair- n. The morning meeting will be a iness and general session.

The convention was described by

(Continued on page 7)

RS Changes Plan On Grading Lists

By AUBREY FLANAGAN

ONDON, April 24.—The Kinemato- ph Renters Society (distributors) decided to drop its plan of issuing ist of films which it has graded in " and "B" classifications for rental booking purposes, but will confine h grading to verbal advice to mem- s. The abandonment of the plan is n as a result of the retaliatory ion of the Cinematograph Exhibi- s' Association in publishing for its

(Continued on page 7)

Expand W3XAL

Two new 25,000-watt transmitters have been installed and will go into operation in the immediate future at NBC's international short wave station, W3XAL, at Bound Brook, N. J. The transmitters will operate through four directive beam systems and two non-directive antennae, and will greatly enhance W3XAL's reception in Europe and Latin America.

Republic Men To Start West This Thursday

Special Train to Carry All Sales Personnel

Delegations will start leaving Thursday for Republic's third, and biggest, national sales convention, to be held in Hollywood starting next Monday and continuing through Thursday. The gathering will include more than 200, according to the official list.

The full roster of home officials will attend, as well as franchise holders, sales managers, branch heads, salesmen and bookers. In addition, production representatives will sit in. James R. Grainger, who is to assume the presidency in charge of distribution on June 1, will be introduced.

Delegates will stay at the Roosevelt Hotel, but all sessions will be held on Stage 4 at the studio in North Hollywood. The convention will wind up

(Continued on page 7)

Extra Playing Time General for "Polo"

United Artists home office on Saturday stated that "The Adventures of Marco Polo" has been held over in every situation where it had been playing during the week. Heading the list is the Music Hall, where the film started its third week on Thursday after grossing $195,000 during the first two stanzas.

"Marco Polo" will be held for a third week in Philadelphia and for a second week in Portland, Buffalo, Detroit, New Haven, Cincinnati, Providence and Los Angeles.

Hays Again Hits Sponsored Films

April 24.—Will H. Hays, following meetings with producers before he left Hollywood for the east, reiterated his firm stand against advertising on the screen. The M.P.P.D.A. president said:

"Whatever the problems of general business recovery may be, the studios, in characteristic fashion, have launched a program of production of a great number of splendid pictures with the purpose of bringing about, rather than waiting for a box-office upturn.

"The studios are thoroughly awake to the possible results of the reported efforts to use the motion picture theatre screen for sponsored films produced primarily for advertising purposes. The policy of the organized industry continues firm against the extension of advertising to the entertainment program."

Further Delay to Be Asked on RKO Plans

With creditor groups, whose assents to an amended plan of reorganization for RKO are essential, still unable to reach an accord, another postponement of hearings on the reorganition will be asked by proponents of the plan at the scheduled hearing before Federal Judge William Bondy today.

Floyd Odlum of Atlas Corp. has conducted several of the meetings with the principal creditors in recent weeks and several basic ideas for

(Continued on page 7)

No Opposition To U.A.'s New Deal Expected

Quick Action by Board Predicted Tomorrow

Ratification of the reduced distribution charges for producers releasing through United Artists is accepted as a foregone conclusion at the meeting of the company's board of directors here tomorrow. Mary Pickford, Samuel Goldwyn and Alexander Korda will arrive on the *Queen Mary* today to attend the meeting.

Also in the arriving United Artists party are Edward Raftery, of O'Brien, Driscoll & Raftery, United Artists counsel; David Rose, vice-president of Samuel Goldwyn, Inc., and Murray Silverstone, head of United Artists British operations. Korda and Silverstone plan to return to London as soon as the New York sessions have been concluded. Clarence Ericson will arrive from Hollywood to represent Douglas Fairbanks at the meeting and Charles Schwartz of Schwartz & Frohlich will represent Charles Chaplin. Dennis O'Brien, a director, also will attend.

Due to the fact that there is "a most favored nation clause" in all United Artists producer contracts, under which no producer is to receive more advantageous terms than another, changes such as those agreed

(Continued on page 3)

Dallas Case Ruling May Be Made Today

WASHINGTON, April 24.—Meeting to hand down decisions following its April recess, the U. S. Supreme Court tomorrow may render an opinion in the socalled Dallas suit involving the use by distributors of contract provisions requiring subsequent-run exhibitors to maintain minimum admission prices and abandon double bills.

Arguments in the case were heard

(Continued on page 6)

Bank Night Appeal Will Be Filed Soon

The appeal of Affiated Enterprises for a rehearing of the action in which the Postoffice Department barred the Bank Night copyright owners from use of the mails will be filed in Washington by Wednesday, according to present plans of John M. Keating, attorney for the company.

Keating said the papers will be filed

(Continued on page 6)

Variety Club Takes Over Cincinnati for Conclave

By SHERWIN A. KANE

CINCINNATI, April 24.—About 600 showmen from all parts of the country found themselves in possession of Cincinnati for the weekend. And what it did to them can't be assayed properly until the bookkeepers finish tabulations on their back-home businesses next Saturday night.

The occasion, of course, was the national convention of Variety Clubs at the Netherland Plaza, officially Saturday and Sunday, but with considerable unfinished business appearing to be still on hand in the city's incandescent belt early today.

Conventioneers accepted the fact that John H. Harris of Pittsburgh would be returned by the delegates of all tents for his fifth consecutive year as chief barker. A vote against Harris would bring down the wrath of Variety Club's legions who wouldn't recognize the organization without

(Continued on page 6)

Radio News of the Weekend on Page 8

Purely Personal

BEN HENRY, general manager of Associated British Film Distributors, will arrive on the *Queen Mary* today for conferences with JACK BARNSTYN, Grand National foreign manager. M. A. SCHLESINGER of General Talking Pictures is returning on the same ship from London conferences.

•

BEN F. SILSBEE, formerly of the group selling staff of the Jam Handy organization, has been named exploitation director for the sales training film, "Selling America." He will cover the Chicago territory.

•

WILLIAM SUSSMAN, 20th Century-Fox eastern division manager, held a sales meeting in Cincinnati over the weekend. He was there to attend the Variety Club doings.

•

FRANK GILLMORE and PAUL M. TURNER, counsel for Equity and Radio Actors Guild, will arrive today from the coast on the *Santa Clara*.

•

J. P. O'LOGHLIN, Canadian district manager for 20th Century-Fox, is himself again after a siege of illness.

•

JOHN DUNNE of the J. H. Hoffberg office is on a tour of Pennsylvania. He will be in Pittsburgh this week.

•

GUS SCHAEFER has returned to New York from an extended trip to key cities throughout the country.

•

GEORGE METAXA, actor, and MRS. METAXA are Europe-bound on the *Bremen*.

Talley to Discuss European Coverage

Plans for coverage of any eventuality in Europe will be made by Truman H. Talley, head of Movietone News, during his visit abroad. He left Friday night aboard the *Bremen*.

Talley will speak at the Paris and London sales conventions of 20th Century-Fox and hold meetings in both cities of the newsreel staffs. He will also visit Vienna, Prague, Berlin and Rome and expects to discuss world events there with Government officials.

Plans will also be set for thorough coverage of the coming League of Nations meeting at Geneva, under supervision of Russell Muth, European manager for Movietone News.

Talley will inform the foreign sales staffs of the company's new short subjects production schedule, of which he will be in charge. He is expected to return in about a month.

Film Baseball to Start

The Motion Picture Baseball League season will open this week. Simplex, the International Projector team, will engage Consolidated Film Industries Wednesday at the George Washington High School Field. Other games to follow will be played on Monday, Wednesday and Friday evenings, and on Saturday afternoons. League participants include RKO, M-G-M, Columbia, NBC and Skouras. A new team will be named shortly.

Mae West Says She Could Make a Million, But Why?

Mae West propped a pillow under her blonde coiffure and consented to be interviewed between shows in Dressing Room No. 1 at Loew's State yesterday.

"I could make more than a million dollars if I wanted to," she said, "but there's no sense to it. Eighty per cent of it would go for taxes."

Miss West is emphatic on the subject of the tribute exacted from the higher bracket players in Hollywood by the Federal Government and the State of California.

"After you pay taxes you're lucky if you have enough left for beans," chimed in Irwin Zeltner, the State's press agent.

"That's right," said Mae, and nodded.

She does not believe that film stars should be heard much on the air. She considers herself a picture personality and holds that it's all right to broadcast once in a while, but there is such a thing as overdoing it.

"I could make a million dollars if I wanted to go into radio," said Mae. "A picture star should be heard only occasionally on the air, unless he or she is a radio star converted to pictures. You make the public tired of you when you give them too much of yourself."

Miss West will end her 12-week tour in Boston, following her engagement at the State, and then will return to Hollywood with her retinue. She is under contract to Paramount and expects to make a film or two during the fall and winter. One is scheduled to go in work in September.

"I don't know yet whether I'll have to write the story myself," she confided. "I like stuff suited to my own style. I had to write a good part of 'He Was Her Man.' I don't want to do any writing, but it seems I have to. I have my own ideas."

She may barnstorm the key cities again next year, and may even make a world tour some time. She has heard that she would go over big in South America and Australia.

On Saturday she did seven shows, going on for the first time at 10:40 A. M. and winding up her stint at 1:10 A. M. Sunday, a 13-hour stretch. She will appear seven times again today, with the theatre's doors opening at 7:30 A. M., and maybe also on Wednesday, when the engagement ends.

Buxbaum Celebrates

Harry Buxbaum's New York 20th Century-Fox exchange is observing "20th Century-Fox week." The reason is three first runs on Broadway. "In Old Chicago" is in its third week at the Roxy, "Battle of Broadway" is playing at the Rivoli and "Rawhide" at the Globe.

Ullman Adds Crews For "Sportscopes"

RKO Pathe Sportscopes are at the peak of production activity. Another camera crew has been added to the location groups. Field activity now includes production at Silver Springs, Fla.; Hollywood, Cal., and Lexington, Ky., where, respectively, subjects on underwater filming tricks, racquet sports and horses are being shot.

"We found such a demand for Sportscopes after the release of the first two that we added a second crew and now a third," Frederic Ullman, Jr., supervisor, stated. "We are giving each unit ample time to turn out sports subjects of definite dramatic and entertainment values, with particular attention to colorful backgrounds," he added.

Byrne Dinner List Grows

NEW HAVEN, April 24.—The reservations list for the Jack Byrne testimonial dinner at the Hotel Taft tomorrow night, is growing. A Pullman special will bring a delegation from Boston. The New Haven territory will be represented almost 100 per cent; and several New York guests are expected.

The Boston group will include: I. H. Rogovin, new Columbia Boston manager; Maurice N. Wolf, M-G-M district manager; William Erbb, Paramount; Al Kane, Paramount; Herman Rifkin, Republic; Nat Furst, Warners; Tom Spry, United Artists; Ted Fleischer, Interstate; Henry Wolper, Charles Repec and Morrey Goldstein, M-G-M.

Harry F. Shaw, Loew-Poli Division Manager, will be master of ceremonies.

Chrisman Winner in Columbia's Contest

H. A. Chrisman, Memphis branch booker, won first prize in the second five-week period of Columbia's short subject unit competition, in connection with the current "Montague Good Will Campaign." Chrisman captured first honors also in the first period of the drive.

Other winners, in the order in which they placed, are: R. Kimelman and Jack Kohler, Pittsburgh; W. C. Sampler and J. F. Laird, Atlanta; Leo J. Sullivan and L. A. LaPlante, St. Louis, and C. Patterson, Charlotte.

Wilcox Shifts Film Plan

LONDON, April 24.—Herbert Wilcox has abandoned plans to produce a film based on the life of Lady Hamilton and will substitute a Technicolor production written around the life of Marie Lloyd, famous English music hall star. Anna Neagle will play the title role. Production will start on the conclusion of "Sixty Glorious Years," which will get under way on May 7.

Lopert Takes Picture

I. E. Lopert, president of Pax Films, acquired American distribution rights to "Edge of the World," produced by British Independent Exhibitors, Ltd. He said that "Mayerling" has played 156 theatres in the metropolitan area and has just been booked for the Century, Randforce, Consolidated and Brandt circuits. Lopert will sail for Europe at the end of May. He plans to return to the United States in July.

Eleven of 14 Films Win Legion Approv

Of 14 new pictures reviewed a classified by the National Legion Decency for the current week, were classed as unobjectionable general patronage, five as unobjecti tionable for adults, two as objecti able in part and one was condemn The three classified as objectiona in part and condemned all are fore importations, two German and French. The list of new films their classification follow.

Class A-1, Unobjectionable for G eral Patronage: "Four Men and Prayer," "Lady in the Morgu "Moonlight Sonata," "Mujer Me cana" (Spanish), "Outlaws of nora," "Under Western Stars." Cl A-2, Unobjectionable for Adul "Call of the Yukon," "Der Lache Dritte" (German), "Der Maulko (German), "El Traidor" (Spanis "There's Always a Woman." Class Objectionable in Part: "Pearls of Crown" (French), "Urlaub Ehrenwort" (German). Class C, C demned: "Aus den Wolken Kom das Glueck" (German).

Dicker on "Antoinette

SAN FRANCISCO, April 24.—Lo Lurie, local capitalist, has opened gotiations with Louis B. Mayer obtain for San Francisco the wo premiere of "Marie Antoinett Norma Shearer's first picture si the death of her husband, Irvi Thalberg. The plan is to bring production to the Geary in July.

Illinois Allied to Mov

CHICAGO, April 24.—Allied Theat of Illinois will move to new quart in the Exhibitors' Building at 1 South Wabash Ave., tomorrow.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and P lisher; J. M. JERAULD, Managing Edi JAMES A. CRON, Advertising Manager. E TORIAL STAFF: Charles S. Aaronson, Jack B ner, Al Finestone, Thomas Fitzsimmons, Sher A. Kane, Irene Kuhn, Joseph Priore.

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o Opposition o U.A.'s New eal Expected

(*Continued from page 1*)

n in the London meetings must ratified by all producers. Because his, it is assumed that Walter ger and Edward Small, although ther is a United Artists stock own- will be asked to ratify the nges. This, however, is regarded a technicality only. Schwartz, who Wanger's attorney, also, could resent the producer in this respect. lthough the details of the reduced ribution costs to producers have been divulged in advance of their fication, it is reported here that will average 7½ to 10 per cent domestic, British and foreign dis- ution. The changes are regarded an important victory for Goldwyn Korda, who have campaigned for n for more than a year. They are expected to attract outstanding production talent to the United ists banner and undoubtedly will to new negotiations with David Selznick for a renewal of his re- ing agreement with the company, the latter, too, has urged a reduc- of the distribution costs to pro- ers during the past year.

he new policy brings into effect, well, changes urged by Darryl uck and Joseph M. Schenck as y as 1931, which, when they failed materialize at that time, led to the hdrawal of 20th Century from ited Artists. That changes of this ure were in work was reported in TION PICTURE DAILY March 28.

ome Arranging Dinner

ALTIMORE, April 24.—J. Louis ne heads the committee arranging testimonial dinner to be given nk H. Durkee April 26 in the tel Belvedere banquet room. ers on it are: R. R. Rever, treas- ; I. M. Rappaport, S. A. Ga- y, Sam Wheeler, Rudolph Berber, ert Sindall, Lauritz Garman, liam K. Saxton, George Geartner, ert W. Samson, Edgar Moss, rles Hawthorne, Thomas J. oney, Robert Smeltzer, James L. ford, Morris Shapiro, Edward rman, Edward Fontaine and Fred Gettemuller.

Film Men Seek Office

ALTIMORE, April 24.—Two persons nected with the film industry here run for nominations as political didates. Hyman Paul Rome, her of J. Louis Rome, will seek Maryland State Senator nomina- from the fourth district of Balti- e and Dr. Ben Paul Sandy, Mary- censor chairman, will try for the gressional nomination.

inish Cuban Picture

AVANA, April 24.—Peliculas Cu- s, S. A., has completed the first nish-language film produced in Ha- , "Sucedió en Habana," and F. arez Coto, general manager of the ern, states that arrangements have made for the distribution of the ure, which cost $100,000, through- Latin-America.

Hollywood Preview

"Doctor Rhythm"

(*Paramount*)

HOLLYWOOD, April 24.—Gossipy Hollywood cherishes a report that when Paramount liquidated Emanuel Cohen's production contract he delivered the negative of this picture in takes without the script and the studio had to fit it together like a jigsaw puzzle. It probably isn't true, but if it is Cohen contributed something important to the art and science of the cinema. Because the picture is a slam-bang hit from start to finish. It's as slick as a ribbon, tuneful as a Kraft Music Hall broadcast and funnier than the cageful of monkeys let loose in one of its uproarious sequences. Bing Crosby never has had as good a vehicle as this for his talent and this one carries a snug load of additional box-office personnel.

Crowding Crosby for honors, without shoving, is Beatrice Lillie, who hits her stride in this and makes a return to Hollywood for further display of her intellectual slapstickery obligatory. She had a hardened preview audience in stitches 10 or a dozen times and chuckling steadily in between. Others who pile laugh upon laugh are Andy Devine, Rufe Davis, Franklin Pangborn, Laura Hope Crews, Sterling Holloway and Fred Keating. Mary Carlisle plays Crosby's love interest straight and becomingly.

Jo Swerling and Richard Connell based their screenplay on O. Henry's "The Badge of Policeman O'Roon," and Frank Tuttle directed it as Henry might have. It's about a doctor who poses as a policeman to help out a pal and guards a girl against the romantic advances of a fortune hunter but not, of course, his own. Incidentally it's about the cleanest comedy of the year. Which means utterly, and has no truck with the giddy devices of the so-called screwball school of humor lately seen in protracted sessions. One sketch, "Double Damask Napkin," by Dion Titeradge, contains more honest comedy as played by Miss Lillie and three straight men than anybody has good reason to expect to find in one picture. The songs by John Furke and James V. Monaco are already popularized by radio. "On the Sentimental Side," "My Heart is Taking Lessons" and "This is My Night to Dream" stand out in the picture, although Aunty Bea's eccentric solo, "Rhythm," paralyzes the witnesses. John Scott Trotter of Bing's radio program did the arrangements in his usual faultless fashion and dance ensembles by Jack Crosby combine grace, beauty and dispatch in rare consonance.

It's a picture on which showmen may shoot the bankroll in complete confidence of collecting a fatter one.

Running time, 80 minutes. "G."

Abbott, Porter Will Sail for Exposition

John E. Abbott of the American Museum of Modern Art Film Library, with Allen Porter, will sail, on the *Ile de France* Wednesday at the invitation of the French Government to take part in the Exposition of the History of American Art.

The film exposition, arranged by Abbott, will be a part of the general show at the Musee de Jeu de Paume in Paris.

Abbott will show still and motion picture material; the making of a contemporary film—"The Adventures of Tom Sawyer"—and will run a film show 45 minutes daily. In all, there will be three programs under American auspices, made up of excerpts from "The History of the American Film, 1896-1938."

After the Paris exposition Abbott will spend June on the Continent collecting film material for the museum.

Judell to Start Fourth

HOLLYWOOD, April 24.—Ben N. Judell has finished work on his third feature for Progressive Pictures, "Scandal House," and has started arrangements for putting "I Want a Divorce" into work May 9. It is from Arthur LeRoy Kaser's play. Melville Shyer will be associate producer.

Two more, "Desirable Lady" and "Trapped by Radio Police," are being prepared.

Wichita to Get New Tryout for Singles

WICHITA, April 24.—Howard E. Jameyson, district manager for Fox Midwest, has inaugurated a new policy at the Uptown. Pictures which make the best showing downtown will be taken immediately to the Uptown for a week. Such pictures will be shown on a single bill with selected short subjects.

"We don't know whether to believe what people tell us or what we see in our daily box-office reports," Jameyson said in announcing the policy. "Practically everyone tells us he doesn't like two features, yet since we started them our theatres show a little more than a 10 per cent increase in attendance. Being business men, we are just a little more inclined to believe our figures than the protests we have received, some of which have been rather heated."

"If the experiment does nothing else, it will tell me whether single feature fans are as numerous as they are noisy."

UA to Reissue "Cristo"

United Artists on May 15 will release "The Count of Monte Cristo," starring Robert Donat and Elissa Landi. The film was adjudged one of the "ten best" of 1934. It will be shown at the Rivoli following "The Battle of Broadway."

Short Subjects

"Screen Snapshots 17-7"

(*Columbia*)

The usual candid glimpses of players. Here they are seen at a fair in Pomona, on the lot and attending an American Legion dedication. Good for average audiences. Running time, 9½ mins. "G."

"Robinson Crusoe's Broadcast"

(*Educational*)

A certain well-known arctic explorer is good naturedly kidded in this cartoon. The laughs are quite bountiful. The plot has to do with a character patterned after Defoe who spins a "tall" tale on the radio. Quite good. Running time, 6½ mins. "G."

"Mr. and Mrs. Jesse Crawford"

(*Vitaphone*)

Organ music by this couple is a treat. Their playing is familiar everywhere and here they offer a tasteful assortment of reliable, popular numbers. Running time, 9 mins. "G."

"Latin Hi-Hattin'"

(*Mentone-Universal*)

Tuneful Spanish music, night club entertainment atmosphere and comedy are reliable short subject fare. Here they are pleasantly assorted and treated for their best values. A highlight of this one is Charles Collins and Dorothy Stone doing the rhumba. Running time, 17 mins. "G."

"Modeling for Money"

(*M-G-M*)

An inside glimpse with Pete Smith into the workings of the feminine model vocation. It has the familiar Smith freshness, is handsomely photographed with a bevy of pulchritudinous girls in all the activities. Excellent. Running time, 10 mins. "G."

"Unusual Hunting"

(*Columbia*)

This News World of Sports offers scenes of falconry, the hunting of alligators, wild pigs, coyotes and kangaroos. It's well done and exciting. Should have good reception. Running time, 10 mins. "G."

Wall Street

Light Weekend Stock Moves

	Open	High	Low	Close	Net Change
Col.	13	13	13	13	+ ¾
E. K........	153¾	153¾	153	153	.....
Loew	43	43	42	42	— ¾
Para.	8½	8½	8¼	8¼	— ¼
Para. 2.....	9½	9½	9½	9½	.....
Pathe	5½	5⅝	5½	5½	.....
R. K. O....	3	3	3	3	.....
20th Fox...	22½	22½	22	22	— ¼
W. B.......	5½	5½	5⅜	5½	+ ⅛

Small Curb Movement

	Open	High	Low	Close	Net Change
G. N.......	7/16	7/16	7/16	7/16	.....
Technicolor.	20⅛	20⅛	19½	19½	— ¼

Bonds Show Gains

	High	Low	Close	Net Change
Loew 3½s '46.....	98¾	98½	98¾	+ ¾
W. B. 6s '39......	71	70½	71	+1

(Quotations at close of April 23.)

TEST PILOT

ZOOMS

to New Heights in Thrill!

CLARK
GABLE

MYRNA
LOY

SPENCER
TRACY

LIONEL BARRYMORE

A VICTOR FLEMING *Production*

Screen Play by Vincent Lawrence, Waldemar Young • Original Story by Frank Wead • An M-G-M Picture • Produced by Louis D. Lighton

"Beautiful, thrilling . . . Myrna Loy emerges as one of the finest emotional actresses on the screen . . . Clark Gable tops his previous screen roles . . . Spencer Tracy's performance is a triumph of histrionic art." —KATE CAMERON, *News*

"A certain hit . . . rousing thriller . . . exciting story, romance, pathos."—BLAND JOHANESON, *Mirror*

"Bang-up drama . . . star studded and spectacular . . . thrilling and suspenseful." —FRANK S. NUGENT, *Times*

"Enormous excitement . . . magnificent entertainment . . . I advise you not to miss it." —HOWARD BARNES, *Herald Tribune*

"Spectacular melodrama . . . whopping good aviation stuff." —EILEEN CREELMAN, *Sun*

"Tense excitement and lilting humor . . . absorbing entertainment . . . expertly directed by Victor Fleming. A decidedly superior production." —ROSE PELSWICK, *Journal*

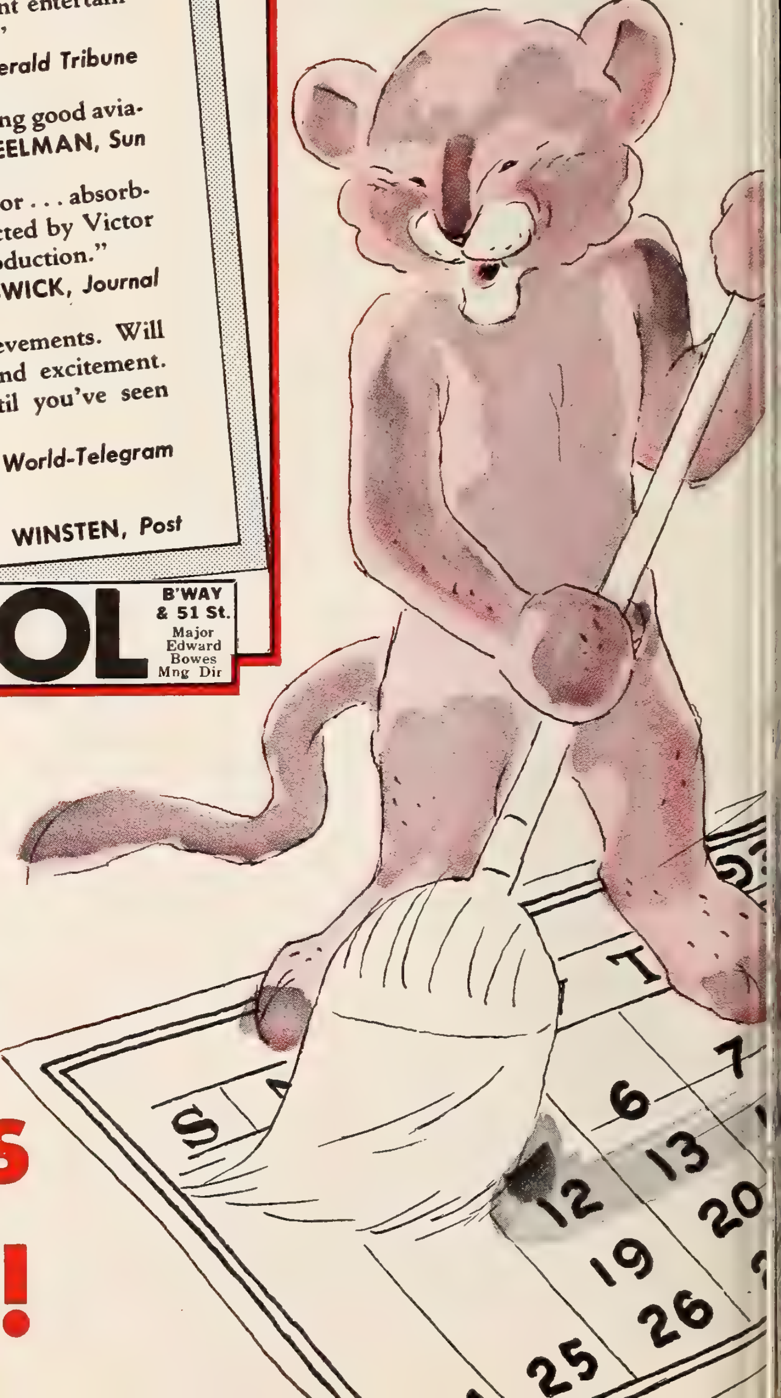
"One of the screen's great achievements. Will leave you limp with suspense and excitement. You haven't seen anything until you've seen 'Test Pilot'. Excellent!" —WILLIAM BOEHNEL, *World-Telegram*

"Attendance compulsory". —ARCHER WINSTEN, *Post*

DOORS OPEN 9 A. M.

CAPITOL B'WAY & 51 St. Major Edward Bowes Mng Dir

"Held over! Just the start
The first engagement
captivates hard-boiled
Broadway--- biggest
in 16 months at
Capitol--- take a tip
and sock it over
for a long and
profitable run!"



CLEAR THE CALENDAR FOR M-G-M's SENSATION!

DID YOU ARRANGE FOR EXTRA TIME?

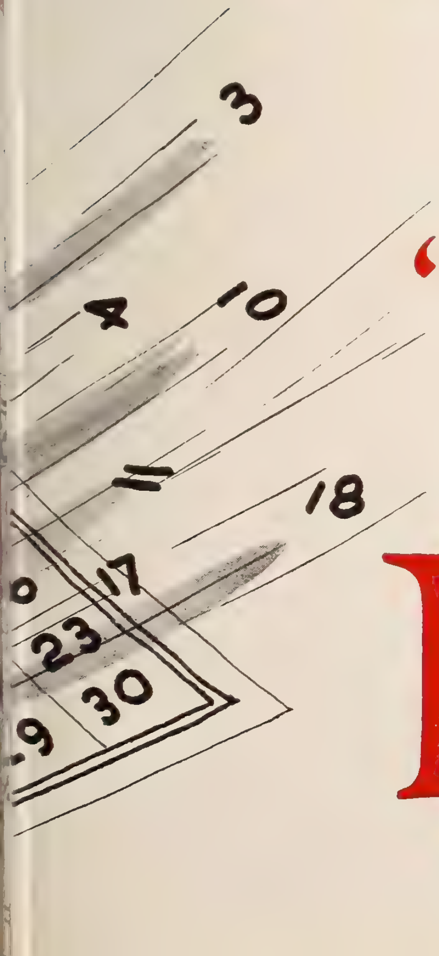
DOUBLE IT!

DID YOU ARRANGE FOR EXTRA AD BUDGET?

DOUBLE IT!

DID YOU ESTIMATE POSSIBLE GROSS?

DOUBLE IT!



It's Twice as Big
as our fondest dreams!

"TEST PILOT"

Record Breaker!

Convention Sidelights

ALLAN MORITZ, inspiration of the Cincinnati tent, was the busiest man at the convention. He handled the business meetings and banquet reservations and served as a one-man welcoming committee and veritable St. Bernard to the lost and bewildered.

✚

Allied States' stalwarts, W. A. (**AL**) **STEFFES** and **H. M. RICHEY**, never mentioned block booking the entire weekend, reserving their steam for their own convention in Pittsburgh in May.

✚

Ross Federal Service sent the largest individual delegation, with **HARRY DENSMORE** and **DICK ROSS**, **FRANK MISKE** and **SCOTT FARON**, all from New York; **HAROLD LUND**, Pittsburgh, and **WALTER I. BROWN**, Chicago.

✚

LOU WEINBERG made up for his late arrival under the tutelage of **ALLAN MORITZ** . . . **NED DEPINET** and **SAM** and **GEORGE DEMBOW** beaming among the banquet crowd . . . **BENNY BERGER** of Minneapolis looking fit as a north woodsman.

✚

DUKE CLARKE of Columbus, Variety bigshot, admired the local tent's clubrooms in the Netherland Plaza . . . **HARRY GOLDSTEIN** of Cleveland greeted numerous acquaintances . . . **HARRY SHUMOW** and **WALTER GREEN** of Omaha busied themselves with committee meetings.

✚

R. J. (**BOB**) **O'DONNELL** and **JACK UNDERWOOD** planed in from Dallas . . . **JOHN WALSH** of St. Louis and **ARTHUR FRUDENFELD**, with RKO in Cincinnati, were among the welcoming committee . . . MOTION PICTURE DAILY and *Motion Picture Herald* were the only trade papers distributed at the convention.

✚

DAVE PALFREYMAN of the Hays office was a familiar figure at the dining tables. He gave the Barkers the lowdown on what's what and why.

✚

HARVEY DAY and **WILLIAM SUSSMAN** improved their recreational knowledge on the ride west. **SID SAMSON** joined them at Buffalo.

✚

ED KUYKENDALL and **IKE LIBSON** brightened corners in the Variety clubrooms.

Elect Ernest Miller

INDIANAPOLIS, April 24.—Ernest L. Miller, operator of the Cinema here, has been elected to the board of directors of the Associated Theatre Owners of Indiana to fill the unexpired term of Manny Marcus, who resigned because of the pressure of private business.

Charter Telefilm, Inc.

DOVER, Del., April 24.—Telefilm, Inc., has been formed here to develop and improve all kinds of machines and instruments for the development and reproduction of speech. The firm listed a capital of $500,000. The incorporators are L. E. Gray, Everett Mayo, Burton R. Golt of Wilmington.

Variety Club Takes Over Cincinnati for Conclave

(*Continued from page* 1)

him at its head. The majority of them appeared equally set on the choice of Detroit for next year's convention city but the Cleveland throng of diehards agitated late into the night on behalf of their local Variety Clubs. The convention atmosphere was as different from that of an ordinary industry gathering as last year's theatre receipts from this year's. Members could be at their native country clubs for the weekend for all the talk heard here of industry topics and problems.

The Neely Bill might be something to be picked up on the way out of a coffee pub for all the interest displayed in it by showmen this weekend. New season schedules could be something railroads issued for customers who can't figure out for themselves what Daylight Saving Time does to their traveling habits, and the only reminder of the business recession is that the poker stakes no longer resemble gross receipts. They are blood brothers to the admission tax, instead.

Now where else, for instance, could you get so many buyers and sellers together and make them forget completely an opportunity to turn a profit?

And where could you get 575 showmen up to register for a convention by 10 A. M. on a Saturday morning?

Where could you even get 575 of them into the same city at once?

Underneath it all, probably, is the charitable motif behind the Variety Clubs, of which there was visible evidence here in the form of films made and exhibited by individual tents depicting outstanding work of the year.

The conventioneers' ranks were swelled Sunday by an additional 300 who jammed the Hall of Mirrors for the eventful banquet and entertainment, lasting far into the night. It happens but once a year, but to many showmen it is on a par with their annual vacations.

Bank Night Appeal Will Be Filed Soon

(*Continued from page* 1)

with Postmaster General James A. Farley simultaneously with an application for suspension of the order pending determination of the appeal.

The appeal, he said, will claim the following: 1. The findings of the solicitor did not show a violation of the law; 2. The findings are not based on the evidence; 3. The solicitor misconceived the law in that he cited a number of cases in which Bank Night was not involved and overlooked others which are pertinent.

Keating will file the papers personally in Washington. The Postoffice Department held hearings over a period of months in which testimony was taken from C. C. Ezell of Dallas, the national sales manager, and Emmett Thurmon of Denver, Bank Night's general counsel.

Jacob C. Rosenthal Dead

TROY, April 24.—Jacob C. Rosenthal, veteran exhibitor, died in Leonard Hospital after a long illness. The funeral was at the Jewish Community Center, Rabbi Joel S. Geffen and Rabbi Allan S. Green officiating.

Rosenthal had been in the business from its pioneer days, owning the Lyceum as long ago as 1909. At the time of his death he owned three independent houses, the Fifth Avenue, Rivoli and Rose.

All branch managers attended the rites. Burial was in Mount Ida Cemetery.

Litvak to Do "Sisters"

HOLLYWOOD, April 24.—Anatole Litvak has been assigned to direct Warners "The Sisters," adapted from a play by Myron Brining. Jane Bryan is expected to play an important role.

Manager Is Transferred

KANSAS CITY, April 24.—Raymond McKittrick, former manager of the Royal, Trenton, Mo., has gone to the Perkins at Harrisonville, Mo.

Dallas Case Ruling May Be Made Today

(*Continued from page* 1)

April 5, Solicitor General Robert H. Jackson appearing for the Government and former Solicitor General Thomas D. Thacher and George S. Wright of Dallas for the film companies.

Parties to the suit are a number of major distributors and two Texas theatre circuits. The Government contends that at the instigation of the exhibitor circuits the distributors incorporated the admission and double feature provisions in their contracts in furtherance of a conspiracy to restrain trade.

Involves Philadelphia Case

In addition to the significance of the decision on sales policies involving the establishment of minimum admission scales and the regulation of double featuring, the Dallas Interstate Circuit case also is of importance to the trade in the effect it will have on the distributors' decision on an appeal of the Philadelphia anti-double featuring case. A reversal of the Dallas court would undoubtedly lead to an appeal of the U. S. Circuit Court of Appeals ruling that the inclusion of anti-double featuring clauses in license agreements is in violation of the anti-trust laws. A decision unfavorable to the distributors would make an appeal of the Philadelphia case to the high court highly unlikely.

Also pending before the court, with possibilities of a decision Monday is the General Talking Pictures Corp. case, involving the question of the validity of license notice restrictions on vacuum tube amplifiers, limiting their use to radio reception, which the company employed in the production of talking film projection equipment. Argument in the case was heard by the court last December.

Whether the court renders opinions in these cases, it is expected to announce Monday whether it will grant the appeal of Hiram Steelman, trustee in the William Fox bankruptcy, for review of a decision holding that bankruptcy courts are without authority compel All-Continent Corp. to op its books and records for examinatio All-Continent is the Fox holding con pany to which the trustee charged F transferred all his assets.

"Tom Sawyer $11,500 Lea San Francisc

SAN FRANCISCO, April 24.—" Adventures of Tom Sawyer" w 50 per cent over normal and wor take of $11,500 at the United A for the best showing of the week

"Joy of Living" at the Golden G with a vaudeville bill, turned in strong $17,500, and a combination "Girl of the Golden West" and " Moto's Gamble" at the Fox w $2,500 over par on a take of $19,5 Both of these houses held their b a second week.

Other downtown grosses were d appointing.

Total first run business was $80,0 Average is $87,800.

Estimated takings:

Week Ending April 19:

"JOY OF LIVING" (RKO)
GOLDEN GATE—(2,850), 35c-40c-55c, days. Stage: vaudeville. **Gross:** $17, (Average, $16,000)

Week Ending April 20:

"REBECCA OF SUNNYBROOK FAR
(20th-Fox)
"HE COULDN'T SAY NO" (W.B.)
ST. FRANCIS—(1,400), 15c-35c-40c-5 75c, 7 days, 2nd week (moved over fr Fox). **Gross:** $5,000. (Average, $7,000)

"GIRL OF THE GOLDEN WEST"
(M-G-M)
"MR. MOTO'S GAMBLE" (20th-Fox
FOX—(5,000), 15c-35c-40c-55c-75c, 7 da **Gross:** $19,500. (Average, $17,000)

"GOODBYE BROADWAY" (Univ.)
"LONE WOLF IN PARIS" (Col.)
ORPHEUM—(2,440), 15c-35c-40c-55c, days. **Gross:** $4,900. (Average, $8,500)

"FOOLS FOR SCANDAL" (W.B.)
"DANGEROUS TO KNOW" (Para.)
PARAMOUNT — (2,740), 15c-35c-40c-5 75c, 7 days. **Gross:** $9,000. (Avera $13,000)

Week Ending April 21:

"JEZEBEL" (W.B.)
"ISLAND IN THE SKY" (20th-Fox)
WARFIELD—(2,680), 15c-35c-40c-55c- 7 days, 3rd week. **Gross:** $7,000. (Avera $13,000)

Week Ending April 22:

"ADVENTURES OF TOM SAWYER
(U.A.)
UNITED ARTISTS—(1,200), 15c-35c-4 55c-65c, 7 days. **Gross:** $11,500. (Avera $7,000)

"I MET MY LOVE AGAIN" (U.A.
"GAIETY GIRLS" (U.A.)
EMBASSY — (1,400), 15c-35c-40c-55c, days. **Gross:** $4,500. (Average, $5,000)

"VICTORIA THE GREAT" (RKO)
CLAY—(400), 15c-35c-40c, 7 days, 2 week. **Gross:** $1,100. (Average, $1,300)

"Penrod" Takes $6,20

"Penrod and His Twin Brothe grossed $6,200 at the Globe for t week ending Saturday night.

Lou Gehrig made a personal a pearance at the theatre Sunday nig in connection, with the film "Ra hide," the current attraction. T members of the New York Yanke also attended the show.

Open Portland House

PORTLAND, Ore., April 24.—Por land's newest theatre, the New Se wood, has opened. The 700-seat su urban house was completed at a co of $60,000 by H. H. Moyer, own and operator.

MPE Session Vill Hear of ilm Progress

(Continued from page 1)

e official as unlikely to be produce of any startling reports or papers, rather as a summation of the opments of the year in the course the evolutionary process of the ence of the film industry, recording normal, progressive development the technical phases of the business.

Of particular interest among the pers scheduled for the morning are ose on "Motion Picture Projection m Metallic Film," by R. W. Carter, ylor-Sloane Corp., New York, and ocumentary Film Study—A Supmentary Aid to Public Relations," A. A. Mercey of the School of blic Affairs of American Unirsity, Washington.

The informal luncheon in the Contintal Room tomorrow for delegates d their guests will be addressed by cretary of Commerce Daniel C. per, William G. McAdoo, Senator m California, and Col. Daniel I. ltan, Engineer Commissioner for District of Columbia.

Two Papers in Afternoon

The afternoon meeting, to be deted to a photographic and labora-y session, is expected to be featured two papers of particular interest: he Determination of Correct Expoe in Photography," by L. A. Jones Eastman Kodak, and "Problems in Use of Ultra Speed Negative m," by P. H. Arnold of Agfa sco Corp. The new ultra speed film been developed only recently, and been rather widely used by newsls, as well as by the studios, for acting types of production work.

The evening session tomorrow in Little Theatre will feature one per, on "The Transmission of Mon Pictures Over a Coaxial Cable," H. E. Ives of Bell Telephone boratories, and the showing of tures.

Other sessions on the following s of the convention will be devoted color, sound, educational and indusal applications of films, optics and jection, 16 mm., apparatus and nufacturers' announcements. The ni-annual banquet will be held in Continental Room on Wednesday ning, and will be addressed chiefly Dr. C. E. Kenneth Mees, vicesident in charge of research and elopment of Eastman Kodak. Entainment and dancing will follow banquet.

The complete program for tomorw, the opening day of the conven1, follows:

A.M.—Registration, Little Theatre.

A.M.—Little Theatre, Business and General Session.

pening Remarks by President S. K. Wolf.

eport of the Convention Committee; W. C. Kunzmann, convention vice-president.

eport of the Membership Committee; E. R. Geib, chairman.

eport of the Papers Committee; G. E. Matthews, chairman.

Progress in the Motion Picture Industry"; Report of the Progress Committee; J. G. Frayne, chairman.

Motion Picture Projection from Metallic Films"; R. W. Carter, Taylor-Sloane Corp., New York. (Demonstration)

Sound Stages and Their Relationship to Air-Conditioning"; L. L. Lewis and C. M. Wert, Carrier Corp., Syracuse.

Documentary Film Study—A Supplementary Aid to Public Relations"; A. A. Mercey School of Public Affairs of American University, Washington.

12:30 P.M.—Continental Room; Informal Luncheon.

Addresses by:

Hon. Daniel C. Roper, Secretary of Commerce.

Hon. William G. McAdoo, Senator from California.

Col. Daniel I. Sultan, Engineer Commissioner for the District of Columbia.

2 P.M.—Little Theatre; Photographic and Laboratory Session.

"The Determination of Correct Exposure in Photography"; L. A. Jones, Eastman Kodak, Rochester.

"Latent Image Theory and Its Application to Low-Intensity Photographic Exposure"; W. J. Albersheim, Electrical Research Products, New York.

"Problems in the Use of Ultra Speed Negative Film"; P. H. Arnold, Agfa Ansco Corp., Binghamton, N. Y. (Demonstration)

"Solution Agitation by Means of Compressed Air"; C. E. Ives and C. J. Kunz, Eastman Kodak.

"Effect of Aeration on the Photographic Properties of Developers"; J. I. Crabtree and C. H. Schwingel, Eastman Kodak.

"Maintenance of a Developer by Continuous Replenishment"; R. M. Evans, Eastman Kodak.

"The Influence of *p*H on the Washing of Processed Films"; S. E. Sheppard and R. C. Houck, Eastman Kodak.

"A New Densitometer"; H. Neumann, Klangfilm G. m. b. H., Berlin.

8 P.M.—Little Theatre, Lecture and Motion Picture.

"The Transmission of Motion Pictures Over a Coaxial Cable"; H. E. Ives, Bell Telephone, New York.

Showing of new motion pictures.

Rehearse in Public

Chicago, April 24.—An innovation at the Chicago is permitting patrons to attend dress rehearsals of the stage shows at 9:30 A.M. on Friday, which is opening day.

This idea is expected to prove a strong attraction for early business. The first time it was tried, last Friday, with "Spanky," one of the "Our Gang" stars, in person in the show, it proved to be a great stunt, with the house soldout for the first performance.

Further Delay to Be Asked on RKO Plans

(Continued from page 1)

changes in the reorganization plan designed to increase its feasibility in the current uncertain business period have been explored. However, no conclusive agreement on any definite program has been reached.

Indications are that an adjournment of two or three weeks will be asked by Atlas counsel.

McRae to Do Serial

Hollywood, April 22.—Henry McRae will produce a 12-chapter Boy Scout serial for Universal, as yet untitled, starting in mid-July, with Boy Scout officers in attendance on the production. Wyndham Gittens, Joseph Poland, George H. Plympton and Basil Dickey had commenced work on the script.

Lewis to Get Sick Leave

Los Angeles, April 24.—M. H. (Myke) Lewis, Paramount district sales manager with headquarters here, has been granted an indefinite leave of absence due to ill health. During Lewis' absence George Smith will be in charge.

Republic Men To Start West This Thursday

(Continued from page 1)

Thursday night with a banquet at which the entire executive and star personnel of the studio will be on hand. Prizes will be awarded at the banquet to the 15 leaders in Republic's sales, billings and collections contest.

Home office representatives will include H. J. Yates, James R. Grainger, G. C. Schaefer, Al Adams, Morris Goodman, J. J. Coffman, William M. Saal, Sam Hacker, Leonard Sills and Walter W. Vincent, chairman of the board of Republic Pictures.

The westward trip will start at 8 P. M. Thursday with delegations from New York, Philadelphia, Boston, Canada leaving in two cars, picking up Albany, Buffalo, Pittsburgh, Cleveland, Cincinnati and Indianapolis men en route. At St. Louis the cars will be attached to the convention special, which will be boarded at that point by representatives from that city and Detroit, Milwaukee, Chicago, Minneapolis, Des Moines, Omaha and Kansas City.

In Dallas Saturday

At 1:40 A. M. Saturday the train will stop at Little Rock to take on the southern group, comprising Atlanta, Little Rock, Charlotte, Tampa, New Orleans and Memphis. That afternoon the travelers will be entertained at Dallas by William Underwood and C. C. Ezell, franchise holders there, with an old time Texas barbecue at White Rock Lake. Busses will meet the train. Yates and Grainger will fly in from the coast to attend the entertainment.

After picking up Dallas and Oklahoma City men, the train will proceed to Tucson where another entertainment is being planned during a 45-minute stopover. The conventioneers will arrive in Los Angeles early Monday and will proceed to the studio where they will be greeted by M. J. Siegel, president of Republic Productions.

District sales managers attending will be Jack Bellman, Harry LaVine, Max Roth, G. C. Parsons and H. H. Everett. Canadian representatives will be J. J. Fitzgibbons, Oscar Hanson and A. W. Perry.

Branch Men Expected

Branch personnel attending will include: New York—Herman Gluckman, Morris Epstein, Dave Sohmer, Dave Black, Tony Ricci, Sidney Picker, Robert Fannon, Martin Harra; Albany—B. H. Mills, Sam Milberg; Boston—Herman Rifkin, Ed Morey, Jack Davis, Al Fecke, Sam Seletsky, Robert Cobe, J. Jennings; Buffalo—Jack Berkowitz, Nate Sodikman, Harry McPherson; Chicago—I. W. Mandel, Harry Lorch, Jack Schwartz, Max Dreifuss, Sig Decker; Cincinnati—Max Margolis, George Kirby, Robert Drew, Rudy Knoepfle, R. Williams; Cleveland—Nat Lefton, J. S. Jossey, S. P. Gorrel, Frank Belles, R. O. Flemm, Rudy Norton, Leonard Mishkind; Denver—Gene Gerbase, Frank Sheffield; Detroit—Sam Seplowin, Phil Kaplin, I. H. Pollard, Fred Sturgess, Harry Berman, Fred Strubank; Dallas—W. G. Underwood, C. C. Ezell, Lloyd Rust, Roy Starling, Grover McDonnell, Russel T. Brown; Kansas City—Clarence A. Schultz, Robert F. Withers, C. B. Riley, C. M. Parkhurst; Little Rock—B. F. Busby, G. W. Jones, Fred Lawrence; Los Angeles—Francis Bateman, A. J. Frey, J. S. Stout, Carl Bryant.

Midwest Groups Attend

Milwaukee—Jack Frackman, Matt Lavin; Memphis—William Snelson, Lloyd B. Miller; Minneapolis—Gilbert Nathanson, George Fosdick; New Orleans—Leo Seicshnaydre, G. Y. Harrell, Jr., George Nungesser, Jack Duffy; Oklahoma City—Sol Davis, Glen Alt, E. Greggs, F. R. Moran, M. Loewenstein, Miss Ona Johnson; Omaha—Hymie Novitsky, John McBride; Philadelphia—Max Gillis, Frank Hammerman, Bill Karrer, Jerome Lewis; Pittsburgh—J. H. Alexander, George W. Collins, Sam Fineberg, Hymie Wheeler; Portland—J. H. Sheffield, Jack W. Rue; San Francisco—Floyd St. John, Sid Weisbaum, S. Martenstein, W. I. Boland; Seattle—J. T. Sheffield, E. L. Walton, Sam Milner, Joe Cooper; St. Louis—Nat Steinberg, Barney Rosenthal, Bill Weiss, Jack Weil; Salt Lake City—Murray Ross; Washington—Sam Flax, Jake Flax, Morris Oletsky; Des Moines—Harry M. Weinberg, E. J. Tilton, C. A. Pratt, J. C. Collins, Bert Thomas; Indianapolis—L. W. Marriott, Harry Gorman, H. C. Knox; Butte—Robert Boomer; Atlanta—A. C. Bromberg, Carl Floyd, A. E. Rook, Sam Wilson, G. M. Jones; Charlotte—J. H. Dillon, Jack London, Marsh Funderburk, R. H. Bradley, H. P. Rhodes; Tampa—Henry Glover, H. G. Moore.

KRS Changes Plan On Grading Lists

(Continued from page 1)

members its own list of film classifications.

The C.E.A. campaign of vigorous opposition to the K.R.S. grading plan will get under way tomorrow when Ken Nyman, president, and Charles P. Metcalfe, ex-president, will head a group of speakers who will address meetings of exhibitor units in the provinces.

The C.E.A. also will publish regularly lists of "B" films, advising members that such films be booked only at a flat rate, and not on percentage. The first confidential circular, which will be issued next week, will say that the K.R.S. grading is not based on Hollywood prophecies, and refers to percentages for Sunday bookings, second and third runs, and children's matinees, Members will be asked specifically if they believe certain pictures are worth percentage bookings, including RKO's "Radio City Revels" and "Wise Girls" and Columbia's "I'll Take Romance."

Rule Bars Cameras, Radio

The Appellate Division has ruled that no pictures or broadcasting may be done during sessions, between sessions and during recess in Supreme Courts in Manhattan, the Bronx and during the Appellate term.

"Arms" to Reopen June 3

"A Farewell to Arms" will be reissued by Paramount in approximately 200 key cities, day and date, on June 3. It will also open in return engagements abroad.

Independents And A.F. of M. In Agreement

The week-long conferences between the national committee of the Independent Broadcasters and the executive board of the American Federation of Musicians ended Saturday with the completion and acceptance of a plan modeled along the lines of the agreement executed some months ago between the Independent Radio Network Affiliates and the A. F. of M.

It is estimated that several hundred more union musicians will be placed to work in independent stations through this agreement. It is understood that the basis of allocation is to be 5½ per cent of the gross yearly income for each independent station covered by the plan. There are approximately 386 independent stations. However, many of these have yearly grosses so small that they will be unaffected by the agreement.

Majority Required

The agreement contains provision that it shall not be effective unless a majority of independent stations substantial enough to satisfy the A. F. of M. approves the plan within the time period set by the musicians' organization. The executive board of the Federation still was in session late Saturday and at that hour this time period had not been determined. President Weber, however, in a talk to MOTION PICTURE DAILY, said, "Undue delay by the stations in accepting the plan will not be tolerated." He added that he expected the plan to be in operation before the next meeting of the A. F. of M., which will be held at Tampa in June.

Members of the Independent Broadcasters' committee, nine in number, left Saturday for their homes, the exceptions being Vice-Chairman Harold A. LaFount, WELI, and Jack R. Howard, WCPO, who will remain in New York for several more days to continued deliberations with the Federation.

Wilmington Station Asks Power Increase

WILMINGTON, April 24.—WDEL, Wilmington Red network outlet for NBC, has asked the Federal Communications Commission for authority to double the present power of 250 watts at night and 500 watts daytime.

WDEL is also seeking the approval of the F. C. C. for the transfer of its transmitter from the Odd Fellows Building to a new location on Governor Printz Boulevard.

Cincy to Shift Programs

CINCINNATI, April 24.—Time of the majority of programs over WLW, WSAI, WCKY and WKRC will be shifted concurrently with the time change in New York Sunday. Two features will be transferred from WLW to WSAI. Phil Spitalny's "Hour of Charm," heretofore a 9 P. M. Monday feature, and Ripley's "Believe-it-or-not," formerly presented at 9 P. M. Saturdays, hereafter will be heard Sunday and Tuesday nights, respectively, over WSAI.

CBS Adult Education Board Will Present Three Series

The CBS Adult Education Board, formation of which was announced last January by William S. Paley, CBS president, will present three new series, "Americans at Work," "Adventures in Science" and "Living History," the first of which is to begin Thursday from 10:30 to 11 P.M. "Living History" and "Adventures in Science" will be given in quarter-hour periods starting shortly thereafter.

The board, with Lyman Bryson, professor of Education at Teachers' College, Columbia University, as chairman, was formed by the network in the belief that a more organized effort should be made to supplement existing programs with planned, formal education for adult listeners. The board met in New York Jan. 17 and 18 and compiled a set of recommendations out of which the three series have grown. Following the meetings Paley announced that evening broadcast periods had been withdrawn from sale so that the recommended programs might reach a maximum audience of adults.

In addition to Bryson, the board comprises Ray Lyman Wilbur, president of Stanford University; Alvin S. Johnson, director of the New School for Social Research; George Edgar Vincent, former president of the Rockefeller Foundation; Stringfellow Barr, president St. John's College; William Benton, formerly of the advertising agency of Benton & Bowles and now vice-president of the University of Chicago; Joseph H. Willits, dean of the Wharton School of Finance; Henry R. Luce, president of Time, Inc.; Thomas V. Smith, professor of philosophy, University of Chicago; William Allen White, publisher of the *Emporia Gazette*; Robert I. Gannon, president of Fordham University; Ruth Bryan Rohde, former United States Minister to Denmark; Harry Woodburn Chase, Chancellor of New York University, and Spencer Miller, Jr., director of the Workers' Education Bureau of the A. F. of L.

Tydol Renews Sport Programs Over WGY

SCHENECTADY, April 24.—Tydol has renewed with WGY for one year, effective May 13, for Leo Bolley's thrice weekly sports broadcasts. The renewal was through Lennen & Mitchell.

Additional new and renewal business for WGY includes participation by Madonna Tomato Paste in "Market Basket," through Sternfield Godley agency; Schaffer Stores program featuring local talent, five 15-minute periods a week, through the DeRouville agency, and through the same agency, a spot announcement series for an Albany optometrist.

Canada Authors to Talk

MONTREAL, April 24.—Two Canadian authors are to be featured on Canadian Broadcasting Corp. programs. J. Campbell McInnes, noted speech authority, will start a series of talks April 29 from 4:45 to 5 P. M. from Toronto on "This English."

Stephen Leacock, author of a score of rollicking books and former professor of economics at McGill University here, will let his wit run wild on his own calling when he speaks on "Professors" over the national network of CBC the same evening from 6:15 to 6:30 P. M.

To Air News Awards

The Pulitzer Prize Awards for 1938 will be announced by Dr. Nicholas Murray Butler, president of Columbia University, over the NBC-Red network at 9 P. M., May 2. The broadcast will mark the first time that the prizes will be announced over the air simultaneously with the original announcement.

CAPA Dance Wednesday

CHICAGO, April 24.—The Chicago Amusement Publicists Association will hold their annual "April Foolies" party Wednesday at the Hotel La Salle ballroom.

Fischer to Sponsor Veteran WOR Series

"Women Make the News," for a long period a Transradio feature on WOR, will be sponsored three times weekly by the Fischer Baking Co., starting May 30. The same client has sponsored "Junior G-Men" over WOR for more than two years. The latter will be discontinued when the new program commences. The agency for Fischer Baking is Neff-Rogow. The contract is for a year.

The Olson Rug Co., through Presbra, Fellers & Presbra, will renew its electrically transcribed show on WOR, "Oddities in the News."

Air Montreal Opening

MONTREAL, April 24.—Canadian Broadcasting Corp. made a big thing of the opening of navigation at Montreal this year. Not only did it broadcast the ice-breaker, *N. B. McLean*, at work, the liner *Duchess of Bedford* winning the race into port and the presentation of the traditional gold-headed cane by the National Harbors Board to Capt. A. R. Meikle, R. D., R. N. R., but it also is planning to group the recordings of these three programs into one disc for use by the B. B. C.

Hill on New NBC Series

Edwin C. Hill will begin a new series of news commentaries May 4 over the NBC-Red network. The program will be heard Wednesdays, Friday and Saturdays from 7:30 to 7:45 P. M. WEAF, however, will carry the program only on Fridays. It will mark Hill's first sustaining series in a long time.

Carmichael in New Post

CINCINNATI, April 24.—William A. Schudt, Jr., new general manager of WKRC, CBS wholly-owned station, has appointed Cecil Carmichael manager of the special events department. Carmichael held a similar post with WBT, Charlotte.

Radio Personals

LOU MINDLING of Music C has returned to town followi a swing to the southeast . . . Lan Grey's "Rhythm School of the A is scheduled to start over NBC at t end of the month . . . Rosalind R sell will be the guest performer Kate Smith's "Variety Hour" T day . . . George Griffin, the netw vocalist, is making a group of sho for Warners . . . Val Gielgud, pı duction director of BBC, will act guest producer of the "Columl Workshop" program of next Satı day, when he will present his o play, "Fours Into Seven Won't G

✚

Chicago

Rush Hughes, stopping over he was feted by NBC officials at a pr party at the Merchants and Manufa turers Club . . . Henry Weber fl to Memphis to meet Mrs. Wel (Marion Claire) . . . Mercedes M Cambridge replaced Templeton F on "Mary Martin" last week . . . K Fry again will handle the Indianapo Speedway broadcasts this year f NBC . . . Niles Trammell is back his desk after a trip to New York a White Sulphur Springs . . . "Vic a Sade," authored by Paul Rhymer, l to his being feted in his home tow Bloomington, Ill, last week . . . B Smith of NBC sales reports deman for auditions far ahead of last seas indicative of a business increase . Ed Wood, WGN sales director, back from Winston Salem, where visited his wife and son.

✚

San Francisco

Shaw and Lee, radio-vaudevi comic duo, and all local dance a radio band leaders were guests at t annual Newspaper Frolic. . . . KG mikeman Burton Bennett is vacatio ing in Seattle. . . . After three co secutive years on the air, Doug Mo tell, local sportscaster, has taken six-month leave of absence. . . . KP Announcer Larry Keating is vacatio ing in Mexico. Keating is "Pr Puzzlewit" in the variety show of t same name, heard Sundays . . . . Che ter Smith's KFRC orchestra is no heard on the Mutual net in spots fo merly filled by Carlton Kelsey, r signed. . . . Edgar Bergen-Charlie M Carthy are being sought by the Fai mont Hotel here for the summ months. . . . KPO child actor Ke neth Garcia has a role in the annu Golden Bough production.

Offers Scholarships

INDIANAPOLIS, April 22.—Fourte musical scholarships are offered to I diana high school graduates less th 21 years old by WFBM and the Jo dan Conservatory of Music here. Pr liminary elimination contests will held the week of June 20 and su vivors will appear on weekly broa casts in July and August. From the the 14 winners will be selected.

"Four Men" on "Hotel"

Loretta Young, David Niven an Richard Greene will dramatize scen from their picture, "Four Men and Prayer," on "Hollywood Hotel" ov CBS next Friday.

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allas Trust ase Returned o Low Court

upreme Bench Refuses To Act on Decision

Washington, April 25.—Failure of Dallas District Court to comply th rules of practice requiring it to ke formal findings and state sepa- ely its conclusions of law resulted in Supreme Court today sending the xas anti-trust suit back to that urt with directions to render a prop- opinion.

Because of the failure of the lower urt to comply with requirements, the preme Court rendered no opinion on the merits of the case, but com- ented that "they point the impor- ce of special and and adequate find- gs in accordance with the prescribed uity practice."

The decision represented the views six of the nine justices, Justice Car- zo taking no part in the proceedings

(Continued on page 3)

hila. Bank Night Appeal Is Argued

Philadelphia, April 25.—Sitting banc today, Judges McDevitt, Kun, d Parry, in Common Pleas Court, ard exceptions to Judge Harry S. cDevitt's decision against Bank ght, and other games in theatres and urches.

The court reserved decision. If cDevitt's decision is upheld, the lice will proceed against games, pro- ded a writ of supercedeas is not se- red to carry the case higher. The

(Continued on page 3)

P Refuses News For Broadcasting

Associated Press news will not be onsored on the air, at least not for other year.

The motion to change the news ganization's bylaws to enable its embers to sell news to radio stations sponsorship was tabled after de- erations lasting all afternoon. This scussion was the highlight of the nual AP convention, which opened sterday at the Waldorf-Astoria.

The issue now cannot come up again til next year's convention.

Radio News—P. 25

Silverstone Slated to Be UA General Manager

Executive Offices Will Be Moved from The Coast to New York; Giannini Retirement Is Indicated

London, April 25.—Maurice Silverstone, managing director of United Artists Corp., Ltd., English branch of the American distributing organization, is slated to be named general manager of United Artists Corp., it is understood here. It is expected that Silverstone will maintain executive offices in New York and that the United Artists executive offices in Hollywood will be suspended.

The removal of the United Artists executive offices to New York is seen as indicating the probable retirement of Dr. A. H. Giannini, now president of United Artists Corp., who maintains headquarters in Hollywood. Dr. Giannini, who is chairman of the general executive committee of Bank of America, National Association, was elected to the presidency of United Artists a year ago.

Silverstone entered the industry in 1918. Prior to his election as managing director in London, he represented United Artists in Central America, Australasia and other countries.

Fifty per cent of United Artists' net earnings during the current year will be distributed to the company's affiliated producers in proportion to the returns their pictures bring and the other 50 per cent will be shared

(Continued on page 24)

Paramount's 1937 Net Is $6,045,103

Paramount's net profit for 1937 was $6,045,103, a gain of $32,853 over the previous year. This total was arrived at after all charges, including interest, Federal taxes, depreciation and reserves.

In a letter to stockholders Barney Balaban, president, says the profit figure does not include approximately $625,000 representing Paramount's net interest as a stockholder in the combined undistributed earnings for the year of partially owned companies.

"After deducting $1,186,090 of dividends accrued for the year," Balaban's letter states, "based on the first and second preferred shares outstanding as of Jan. 1, 1938, the consolidated earnings equal to $1.97 per share on

(Continued on page 23)

Loew's Quarter Net Totals $6,487,678

For the 28 weeks ending March 17 Loew's, Inc., had a net profit of $6,487,678. This was equal to $47.45 per share on the preferred and $3.76 per share on the common before provisions for surtax.

The quarter net showed a sharp falling off from last year when the total for the same quarter was $8,606,130, or $62.95 per share on the preferred and $5.26 on the common. The reduction was $2,118,452.

The operating profit was $9,807,339 and $3,319,661 was charged to depreciation and taxes.

New Haven Film Row In Tribute to Byrne

New Haven, April 25.—Exhibitors and other friends from the four corners of the state joined with local exchange people and out-of-town notables to make the Jack Byrne testimonial dinner at the Hotel Taft tonight a gala affair. Byrne's popularity, gained during his six years here as M-G-M manager, was lauded in all the speeches, and the honor

(Continued on page 23)

Films Called Important as Public Guide

Washington, April 25.—Documentary films are proving of increasing importance as a factor for informing and mobilizing public opinion, A. A. Mercey of the School of Public Affairs of the American University of Washington today told the several hundred delegates assembled here for the opening session of the four-day semi-annual convention of the Society of Motion Picture Engineers at the Wardman Park Hotel.

Mercey, who spoke during the morning session of the meeting's opening day, delivered a paper on "Documentary Film Study—A Supplementary Aid to Public Relations." The speaker stressed the importance of the motion picture in public relations, and

(Continued on page 3)

RKO Hearing Again Postponed to May 16

Hearing on the proposed plan of reorganization for RKO was postponed again by Federal Judge William Bondy in the U. S. District Court here yesterday because of the failure of creditor interests to agree on proposed amendments. May 16 was set by the jurist as the next hearing date.

Judge Bondy expressed his disap-

(Continued on page 23)

Korda Here Since Thursday, He Says

Unknown except to a few intimates, Alexander Korda has been in New York since last Thursday, having arrived on the *Roma*. The impression was that he had left England on the *Queen Mary* with the United Artists' party which arrived yesterday.

After the *Queen Mary* docked, Korda's representatives here disclosed that he was already in New York. He had arranged to receive the trade press after the other U.A. principals arrived, and reporters were whisked to the Waldorf-Astoria for the interview.

Korda explained his secretiveness by saying that he wanted to avoid

(Continued on page 24)

Key City Critics Like "Test Pilot"

Herewith are reproduced brief extracts from the reviews of critics in other cities on "Test Pilot," which received virtually unanimous praise from New York critics:

Atlanta Constitution—"Test Pilot" is a thrilling drama of the air . . . in which the producer makes the audience live in suspense.

Cincinnati Times-Star—The final fadeout will find you dead, dead from excitement or dead from boredom. . . . M-G-M has wasted the talents of three stars on a picture whose merit lies solely in photography and mechanical effect . . . magnificent air sequences.

St. Louis Star-Times—. . . Thrill packed romance. . . . And when M-G-M set out to produce the greatest aviation story screened in years, it didn't do it half way. . . . The producer brought together three of the greatest stars in the business—Clark Gable, Myrna Loy and Spencer Tracy.

Dr. Giannini Links Festus and Taylor

HOLLYWOOD, April 25.—Speaking on the subject, "The Motion Picture 50 Years from Now," and treating the theme in both serious and humorous vein, to the vast amusement and incidental enlightenment of his listeners, Dr. A. H. Giannini, president of United Artists, on Saturday addressed 3,800 guests at the 50th anniversary celebration of Pomona College. Dr. Giannini substituted on the program for Louis B. Mayer, who was unable to appear because of illness.

Festus, the Dionysian festival player of 600 B.C., said Dr. Giannini, was the world's first acting star, and he added, facetiously, that Robert Taylor and Joel McCrae (both Pomona graduates) might occupy a similar niche in 1988, at which time Louis B. Mayer should be able to sit in his sanctum and supervise by means of television all the production on M-G-M's 20 stages instead of "sprinting from one set to another as is necessary now."

Predicts Shopping Ease

Enlarging on this topic the U.A. president envisioned Lady Shopper inspecting the full stock of a department store from a single comfortable vantage point, the motion picture industry functioning with but one laboratory, stars enjoying individual studios, life and living simplified practically to the vanishing point.

On a serious note, Dr. Giannini pointed to the rapid scientific progress during late years, stated that momentous changes are inevitable and that the nature of these changes are unpredictable by anyone lacking the "habitual courage" of the absent Louis B. Mayer.

EXHIBITORS

Increase your box office receipts 5% per month by joining Birthday Month. For particulars address Horoscope Publishing Co., 1633 Cordova Street, Los Angeles, Calif.

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Representatives in each exchange territory. Must have theatre contacts.

Purely Personal

ALAN F. CUMMINGS, head of M-G-M exchange operations, is on a swing of western offices, including Denver, Salt Lake City, Los Angeles, San Francisco, Portland, Seattle, Minneapolis and Milwaukee. He is expected back in about three weeks.

•

D. M. ALEXANDER, vice-president of Alexander Film Co., is attending the S.M.P.E. convention in Washington. J. DON ALEXANDER, president of the company, plans to leave for Colorado Springs late this week.

•

RALPH ROLAN of RKO arrived from a Havana cruise Sunday night and was sent to Philadelphia to address the Motion Picture Forum there yesterday. He is due back today.

•

CHARLES BONN of the J. E. Brulatour office left New York yesterday for Washington to attend the four-day convention of the S.M.P.E.

•

ROSALIND RUSSELL will reach New York tomorrow. She is en route to London to co-star in "The Citadel."

LEON S. SNIDER, head of the Snider-Dean circuit in Australia, plans to sail on the *Ile de France* tomorrow. He expects to return in a few weeks and will proceed to Sydney via the western route.

•

TED O'SHEA, M-G-M district manager, with DAVE LEVY, BEN ABNER and HARRY MILLER, attended the JACK BYRNE testimonial dinner in New Haven last night.

•

ED PESKAY, vice-president in charge of distribution for G.N., cut his field trip short and has arrived in Hollywood, where he plans to remain two weeks.

•

ETHEL MERMAN is due today on the Century for a one-week vacation in New York.

•

ALEXANDER KORDA finds that New York weather is conducive to lumbago.

•

NICHOLAS M. and MRS. SCHENCK returned yesterday from the coast.

Arrest Is Made for Shipping Fight Film

BIRMINGHAM, April 25.—Walter Brandenbrug, 50, of Atlanta, has been arrested at Lexington, Ky., by agents of the Federal Bureau of Investigation and charged with interstate transportation of films on the Joe Louis-Tommy Farr fight from Atlanta to Birmingham last September, according to Jim C. Smith, U. S. District attorney, here.

Brandenbrug will be brought to Birmingham for trial. His bond was set at $2,000.

District Attorney Smith said the films were shown in Birmingham at three downtown theatres.

London Strike Halted

LONDON, April 25.—No further strike action is planned by the Electrical Trades Union here. The National Association of Kine and Electrical Employes, whose factional fight with the E.T.U. caused the strike in London theatres, has repudiated charges that they supplanted strikers in jobs, and the E.T.U. in now making overtures to negotiate through a conciliation board.

"Test Pilot" Runs Big

"Test Pilot" gave 25 Loew theatres outside New York their biggest non-holiday weekend business, breaking all previous records for a comparable period, according to M-G-M. The film was held over in all these spots. It is going three weeks at the Capitol.

Stern Quits Standard

OKLAHOMA CITY, April 25.—Bert Stern, advertising manager for Standard Theatres, Inc., has resigned. He has plans which will probably keep him in Oklahoma City, but said details could not be announced at this time.

Edmund Grainger Back

HOLLYWOOD, April 25.—Edmund Grainger, Universal producer, returned to the studio today after having been in a hospital as the result of a bad cut in one of his wrists.

Lund, Anderson Get New Posts with Ross

CINCINNATI, April 25.—Harold Lund and W. O. Andersen were appointed district managers of Ross Federal Service by Densmore A. Ross at an organization meeting today.

Heretofore Walter H. Brown of Chicago has been the company's only district manager. Lund will handle Pittsburgh, Cleveland, Cincinnati and Buffalo; and Andersen will get Atlanta, Charlotte, Memphis and New Orleans.

Hold Warner Meeting

Business anticipation for the next three months and methods of meeting conditions during the summer were discussed at a meeting of Warner theatre zone managers and home office staffs yesterday. Joseph Bernhard, general manager of the circuit, presided. All zone managers attended with the exception of Nat Wolf of Cleveland, who is vacationing in Europe.

Columbia Signs Dietrich

HOLLYWOOD, April 25.—Columbia has signed Marlene Dietrich to star in two productions, one of which will be produced by Frank Capra. Miss Dietrich is now in New York and will sail Wednesday aboard the *Queen Mary* for a vacation in Europe.

Set Designs at M. H.

An exhibit of original sketches of the castle sets used in the film, "The Adventures of Robin Hood," has been installed in the grand foyer of the Radio City Music Hall. They were done by Carl Jules Weyl, one of Hollywood's leading scenic architects.

Herzbrun Opens Office

LOS ANGELES, April 25.—Henry Herzbrun, for many years associated with Paramount, has returned to the general practice of law and has opened an office downtown. Grant B. Cooper and Kenneth N. Chantry are associated with him.

Kentucky Court Tes Seen on Bank Nigh

FRANKFORT, KY., April 25.—If tl expressed intention of the General A sembly is carried out, one of the fir of the 1938 legislative acts to be teste in courts will be the Bank Night bi

Permitted to become law witho Governor Chandler's approval or di approval, the act does not become e fective until early in July.

Specifically, the bill was designed make Bank Nights legal. An torney General's opinion earlier ha held such affairs a violation of tl lottery laws. The Legislature inser ed in the preamble the statement th the subject matter was of "such controversial nature that it might b wise to pass an act and let the cour definitely decide the question."

Allied to Discuss Percentage Demand

PITTSBURGH, April 25.—Demand for 50 per cent percentage deals wi be debated at the annual convention c Allied States Association to be hel here May 17-19.

M. A. Rosenberg, convention chair man, declared today theatres could nc exist on a basis of 50 per cent of th gross for film.

Joseph to "U" Studio

John E. Joseph, Universal directo of advertising and publicity, left yes terday for studio conferences wit Nate Blumberg and Charles R. Rog ers. Matthew Fox, assistant to Blum berg, and Marshall Grant, easter story and talent scout, are now i Hollywood. William Scully, genera sales manager, and J. H. Seidelmar director of foreign activities, will leav for the coast Friday.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Pub lisher; J. M. JERAULD, Managing Editor JAMES A. CRON, Advertising Manager. EDI TORIAL STAFF: Charles S. Aaronson, Jack Ban ner, Al Finestone, Thomas Fitzsimmons, Sherwi A. Kane, Irene Kuhn, Joseph Priore.

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allas Trust ase Returned To Low Court

(*Continued from page* 1)

ile Justices Stone and Black ght that the findings and decree of ower court, while informal, were ncient for purposes of decision and at the case should therefore be de- ed now without further proceedings ow; the more so because of the lic interest involved."

aming a number of the major dis- butors and the Interstate Circuit Texas Consolidated Theatres, the vernment brought the suit for an unction against the carrying out of alleged conspiracy, in restraint of erstate commerce, in the form of ce requirements for subsequent s.

he Government contended that the ributors were parties to a common n constituting a conspiracy in re- aint of commerce and that the re- aints were unreasonable and had the pose or effect of raising and main- ing the level of admission prices. he respondents asserted copyright vileges, contending that the restric- ns were reasonable and were in- ded simply to protect the distribu- s and did not have an injurious ct.

Copyrights Cited

The opinion of the (District) court not a substitute for the required lings," the Supreme Court opinion mented. "A discussion of portions he evidence and the court's reason- in its opinion did not constitute special and formal findings by ch it is the duty of the court ap- priately and specifically to deter- e all the issues which the case pre- s. This is an essential aid to the ellate court in reviewing an equity and compliance with the rule is icularly important in an anti-trust which comes to this court by di- appeal from the trial court."

o Open New Exchange

EW HAVEN, April 25.—United ists will hold a housewarming y tomorrow at its new exchange ters in the former Fox Building Meadow St. A. W. Smith, Jr., eral sales manager; Charles Sterns Thomas Spry, district managers; Wechsler, exchange manager, and ille Kniffen, salesman, will be s.

hift Bridgeport Policy

RIDGEPORT, April 25.—Harry F. w, division manager of Loew-Poli ses, will change the Globe to a -week, partly first run and part- second run policy, effective next day. Vaudeville will be discon- ed. The Lyric will operate week only for the summer months, holdovers of Majestic and Poli ures.

ouse to Open Friday

ARRISBURG, PA., April 25.—The ate Theatre here, owned by Jay nuel as president of the Senate atre Co., Inc., will open on Fri- with "Joy of Living" as the initial action.

Phila. Bank Night Appeal Is Argued

(*Continued from page* 1)

latter course is deemed likely if the decision is against games.

Davis S. Malis, counsel for Morris Somerson, Palm theatre, argued the case from the standpoint of Lucky. This action originated more than a year ago when Somerson sought an injunction against the Mayor and Police Department to prevent interference in the conduct of games at the Palm.

"Subterfuge" Charged

Several of Malis' arguments that the game was not a lottery were termed "subterfuges" by Judges McDevitt and Kun. Malis outlined the procedure of the games, asserting they were conducted not for gain but as advertising mediums to promote good will. He explained the provisions that an admission ticket is not necessary to play and that patrons paid the regular price and secured a regular movie program with games added without cost. He said people outside a theatre could play also.

"That's a mere subterfuge," stated Judge Kun, "and couldn't hold water. Obviously the game is not conducted for benefit of those outside."

Judge McDewitt remarked "If 900 people were outside playing the game and less than that number inside, the game would not be continued."

Publishers to Talk Screen Advertising

The growth of advertising on the screen is scheduled for discussion at the annual meeting of the American Newspaper Publishers Association at the Waldorf-Astoria, which starts today. Figures gathered in a survey indicating the amount of money spent by advertisers on films will be given to the convention.

Opposition Is Expected

It is expected that the publishers will adopt measures to combat screen advertising, on which, it is claimed $10,000,000 was spent last year. The publishers consider this serious competition.

The Loew circuit yesterday isued this statement: "In the past we have been opposed to commercial advertising on our screens and have not accepted it. That is still our policy." It was recalled that when sponsored films appeared in theatres several years ago, Nicholas M. Schenck, president of Loew's took the lead in opposing the practice.

High Court Refuses Appeal in "Ecstasy"

WASHINGTON, April 25.—The U. S. Supreme Court today rejected the appeal of Eureka Productions, Inc., from a decision of the District Court at New York upholding the right of the New York censors to deny a license for the public exhibition of "Ecstasy."

The company contested the state's position on the ground that refusal to grant a license for exhibition after importation of the film had been approved by the Federal authorities constituted an unlawful interference with foreign commerce.

Films Called Important as Public Guide

(*Continued from page* 1)

pointed out that the American University conducts courses in documentary films. For the first time, Mercey said, a complete survey of all U. S. Government films is being made.

The meeting was opened this morning by S. K. Wolf, president of the S.M.P.E., followed by the reports of the convention, membership, papers and progress committees. The progress committee reported to the convention that the outstanding event in film technical development during the year was the high-speed panchromatic emulsions of the Agfa Ansco Corp. Also of importance was the development of two fine grain film stocks by Eastman Kodak, and a sound emulsion by DuPont. In the sound recording field, interesting developments included the introduction of linear decibel volume indicators by the United Artists studio and the introduction by RCA of the modulated high-frequency method of determining optimal processing conditions.

Taylor Treatsie Heard

During the morning session also, considerable interest was shown by the delegates in the paper of R. W. Carter of Taylor-Sloane Corp., New York, on "Motion Picture Projection from Metallic Films," in which the advantages and advances in the development of metallic film were discussed. Another paper was on "Sound Stages and Their Relation to Air Conditioning," by L. L. Lewis and C. M. Wert of the Carrier Corp., Syracuse.

Daniel C. Roper, Secretary of Commerce; William G. McAdoo, Senator from California, and Col. Daniel I. Sultan, Engineer Commissioner for the District of Columbia, were the chief speakers at an informal luncheon held in the hotel's Continental Room today. The general and business sessions of the convention are being conducted in the Little Theatre of the hotel.

Eight Pages Read

The formal papers sessions started this afternoon, the first devoted to the photographic and laboratory session, during which eight papers were read. Of greatest importance were two, one by L. A. Jones of Eastman Kodak on "The Determination of Correct Exposure in Photography," and the other by P. H. Arnold of Agfa Ansco Corp. on "Problems in the Use of Ultra Speed Negative Film." Jones pointed out that there is considerable confusion relative to the correct manner of dealing with the problem, and offered a simplified plan.

Other papers which occupied the attention of the delegates during the afternoon session today included: "Latent-Image Theory and Its Application to Low-Intensity Photographic Exposures," by W. J. Albersheim of Erpi, New York; "Effect of Aeration on the Photographic Properties of Developers," by J. I. Crabtree and C. H. Schwingel, Eastman Kodak; "Solution Agitation by Means of Compressed Air," by C. E. Ives and C. J. Kunz, Eastman Kodak; "Maintenance of a Developer by Continuous Replenishment," by R. M. Evans, Kodak Research Laboratories; "The Effect of pH Upon the Washing of Processed Films," by R. C. Houck, Kodak Research Laboratories, and "A New Densitometer," by H. Neumann of Berlin.

Coaxial Cable Described

The evening session in the Little Theatre, prior to the showing of pictures, was devoted to a lecture by H. E. Ives of the Bell Telephone Laboratories, on "The Transmission of Motion Pictures Over a Coaxial Cable." Ives described the transmission of motion pictures for a television system over the coaxial cable constructed for experimental work between New York and Philadelphia.

A session on color and another on sound will feature the convention's activities tomorrow.

The complete program for tomorrow, the second day of the convention, follows:

9:30 A.M.—Little Theatre. Color Session.
"The Inter-Relationship of the Various Aspects of Color"; L. A. Jones, Eastman Kodak, Rochester.
"The Fundamentals of Color Measurement"; D. L. MacAdam, Eastman Kodak, Rochester. ((*Demonstration*)
"The Theory of Color Reproduction"; A. C. Hardy, Massachusetts Institute of Technology, Cambridge, Mass.
"Screen-Film Negative-Positive Process"; T. T. Baker, Dufaycolor, New York. (*Demonstration*)
"Problems Involved in Full-Color Reproduction of Growing Chick Embryo"; E. S. Phillips, Cornell University, Ithaca, N. Y. (*Demonstration*)
"The Multiplane Camera"; W. E. Garity, Walt Disney Productions, Hollywood. (*Demonstration*)

2 P.M.—Little Theatre. Sound Session.
"An Ultraviolet Push-Pull Recording Optical System for Newsreel Cameras"; G. L. Dimmick and L. T. Sachtleben, RCA Manufacturing Co., Camden, (*Demonstration*)
"Processing of Ultraviolet Recording on Panchromatic Films"; J. O. Baker, RCA Manufacturing Co., Camden. (*Demonstration*)
"A New Sound System"; G. Friedl, Jr., International Projector, New York. (*Demonstration*)
"Specifications for Design of New Theatre Reproducing Equipment"—Report of Standardization Committee of the Research Council of the Academy of Motion Picture Arts and Sciences, Hollywood.
Report of the Standards Committee; E. K. Carver, chairman.
"Design and Operation of Theatre Loud Speakers"; J. F. Blackburn, Lansing Manufacturing Co., Los Angeles.
"Push-Pull Recording with the Light-Valve"; J. G. Frayne and H. C. Silent, Electrical Research Products, Hollywood. (*Demonstration*)
"Multiple-Channel Recording"; H. G. Tasker, Universal Pictures, Universal City. (*Demonstration*)
"Permanent-Magnet Four-Ribbon Light-Valve for Portable Push-Pull Recording"; E. C. Manderfeld, Electrical Research Products. Hollywood.

8 P.M.—Little Theatre; Educational and Industrial Applications of Motion Pictures.
"The Educational Value and Preparation of U. S. Army Training Films"; Capt. R T. Schlosberg, Signal Corps, U. S. Army, Washington. (*Demonstration*)
"New Use for Instructive Motion Pictures"; H. Roger, Rolab Photo-Science Laboratories, Sandy Hook, Conn. (*Demonstration*)
"Producing Industrial Films"; J. A. Norling, Loucks & Norling, New York. (*Demonstration*)
"Photography Effects in the Feature Production 'Topper' "; R. W. Seawright and W. V. Draper, Hal Roach Studios, Culver City. (*Demonstration*)

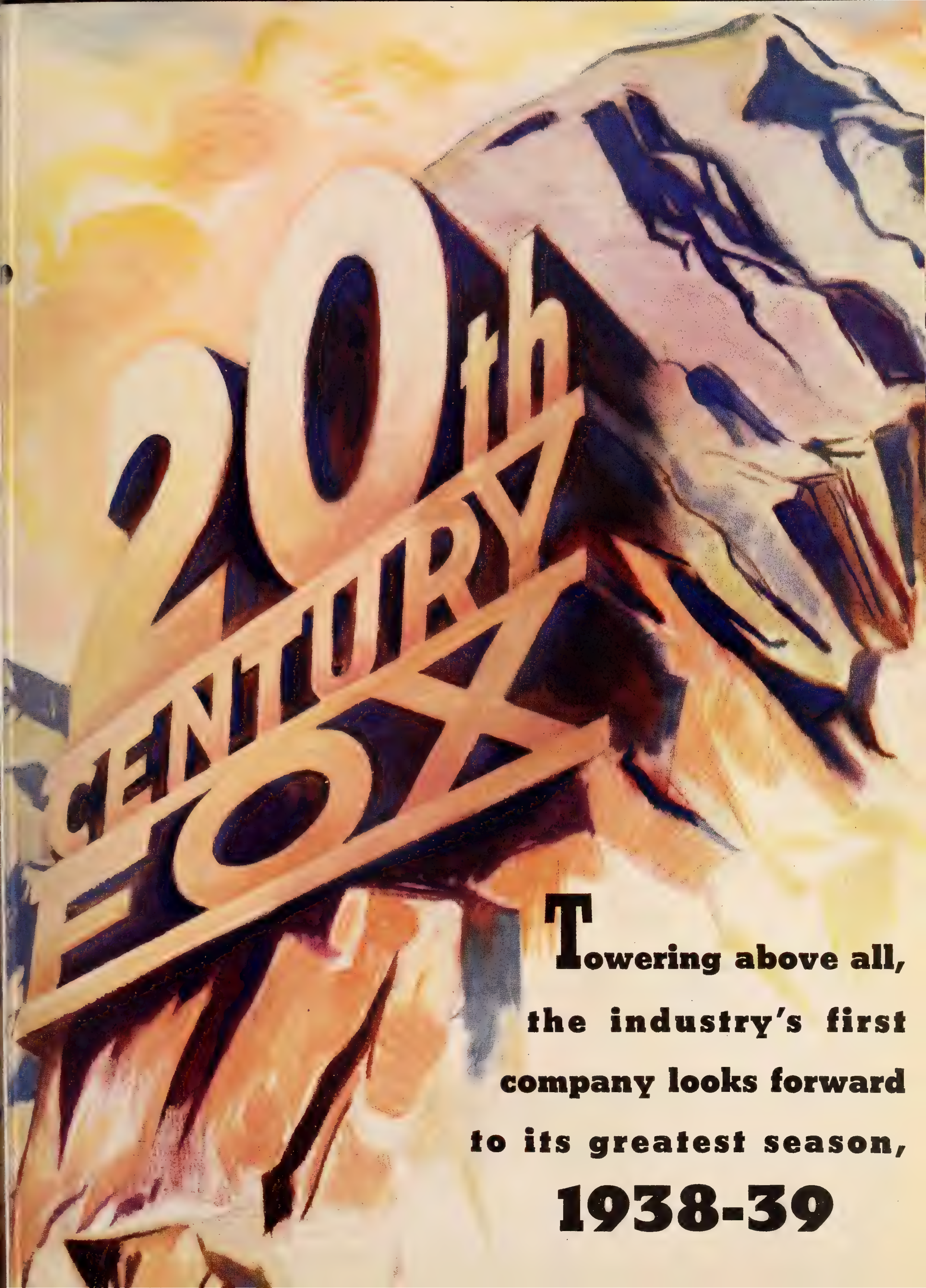
Overman Is Transferred

DENVER, April 25.—Having done away with the city managership in Colorado Springs, Westland Theatres has moved Milton Overman from the Springs to the same position at Pueblo. Don Cottral has been named manager of the Chief in Colorado Springs, having been moved from the Pueblo in Pueblo.

MOTION PICTURE DAILY'S HANDY BOOKING CHART

[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	G. B.	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
April 1	When G-Men Step in (G) (D) *Terry* *Wells*				Tip-Off Girls (G) (D) *Lloyd Nolan* *Carlisle*	Invisible Enemy (G) *Allan Marshal* Feud Maker (O)		Island in The Sky (G) (D) *Stuart* *Whalen*		Goodbye Broadway (G) (C) *Brady* Last Stand (O)	Over the Wall (G) (D) *Foran* *Travis*
April 8	The Overland Express (G) (O) *Buck Jones* *Reynolds*			Land of Fighting Men (O) *Jack Randall*		Call of the Yukon (G) (O) *Roberts* *Arlen*	This Marriage Business (G) (C) *Victor Moore* *Lester*	Rawhide (G) (O) *Gehrig* *Ballew*		Reckless Living (G) (D) *Wilcox* *Grey*	Accidents Will Happen (G) (D) *Reagan* *Gloria Blondell*
April 15	Flight Into Nowhere (G) (O) *Jack Holt* *Wells*			Female Fugitive (D) *Venable* *Reynolds*	Her Jungle Love (G) (C) *Lamour* *Milland*	Outlaws of Sonora (O) *Livingston*	Joy of Living (G) (C) *Dunne* *Fairbanks, Jr.*	In Old Chicago (G) (D) *Power* *Faye*	Divorce of Lady X (A) (C) Marco Polo (A) (D)	Nurse From Brooklyn (G) (D) *Eilers* *Kelly*	Fools for Scandal (G) (C) *Lombard* *Gravet*
April 22	There's Always A Woman (A) (C) *Joan Blondell* Extortion (D)		Test Pilot (G) (D) *Clark Gable* *Myrna Loy* *Spencer Tracy*	Two Gun Justice (O) *McCoy*	Heart of Arizona (G) (O) *Boyd* *Natalie Moorhead*	Under Western Stars (G) (O) *Roy Rogers* *Burnett*	Go Chase Yourself (G) (C) *Ball* *Penner*	Battle of Broadway (G) (C) *McLaglen* *Hovick*		Lady in the Morgue (D) *Preston Foster* *Patricia Ellis*	Women Are Like That (G) (D) *Kay Francis* *Pat O'Brien*
April 29	Call of the Rockies (O) *Starrett*		Swiss Miss (C) *Laurel and Hardy*	Gunsmoke Trail (O) *Jack Randall*	College Swing (G) (C) *Burns & Allen* *Raye*			Four Men and A Prayer (D) *Loretta Young*	Return of Scarlet Pimpernel (G) (D) *Barnes*		Beloved Brat (G) (D) *Granville* *Dolores Costello*
May 6	The Main Event (D) *Paige* *Wells*	F P I Doesn't Answer (Reissue) (D) *Veidt Fenton* *Esmond*	Three Comrades (D) *Robt. Taylor* *Sullavan*	Marines Are Here (D) *June Travis* *Gordon Oliver*	Doctor Rhythm (G) (C) *Crosby* *Carlisle*	Romance on the Run (D) *Donald Woods* *Patricia Ellis*	Law of the Underworld (A) (D) *Chester Morris* *Shirley*	A Trip To Paris (G) (D) *Prouty-Deane* *(Jones Family)*			Torchy Blane in Panama (G) (D) *Paul Kelly*
May 13	Law of the Plains (O) *Starrett* *Iris Meredith*	The Show Goes On (D) *Neagle* *Carminati*	Hold That Kiss (C) *O'Keefe* *O'Sullivan*	Phantom Ranger (O) *McCoy*	Stolen Heaven (G) (D) *Raymond* *Bradna*	Gangs of New York (D) *Bickford* *Dvorak*	Vivacious Lady (C) *Ginger Rogers* *Stewart*	Kentucky Moonshine (C) *Ritz Bros.* *Martin*		Air Devils (C) *Dick Purcell* *Beryl Wallace*	Adventures of Robin Hood (G) (D) *Flynn* *de Havilland*
May 20			Yellow Jack (D) *Montgomery* *Virginia Bruce*	Private Nurse (D) *Sally Blane* *John Arledge*	Cocoanut Grove (M) *MacMurray* *Hilliard*		Blind Alibi (D) *Richard Dix* *Bourne*	Rascals (G) (D) *Jane Withers* *Robt. Wilcox*		Sinners in Paradise (D) *Boles* *Evans*	Men Are Such Fools (G) (D) Mystery House (D) *Purcell Sheridan*
May 27	Holiday (D) *Hepburn* *Cary Grant*		Shopworn Angel (D) *Sullavan* *Stewart*		Hunted Men (D) *Lloyd Nolan* *Carlisle*	Desert Patrol (O) *Bob Steele*	Having Wonderful Time (C) *Ginger Rogers* *Fairbanks, Jr.*	Kidnapped (D) *Warner Baxter* *Bartholomew*	The Rising Tide (D) *Madeleine Carroll* *Fonda*	The Devil's Party (D) *McLaglen*	Crime School (D) *Gale Page* *Bogart*
June 3			The Toy Wife (D) *Rainer* *Douglas*		You and Me (D) *Raft* *Sidney*	Riders of the Black Hills (O) *3 Mesquiteers*		Josette *Simon* *Ameche*		Afraid to Talk (D)	Little Miss Thoroughbred


20th
CENTURY
FOX

Towering above all, the industry's first company looks forward to its greatest season,

1938-39

FOREWORD

Twentieth Century-Fox Film Corporation, because of the high quality of its product and by virtue of its fair dealing with exhibitors, has become the company that exhibitors throughout the world look to as their first source of profit.

We are about to begin a new season. General business conditions are unsettled. In view of this, we could, with justice, trim our sails or even lower the negative investment in our coming pictures.

Instead, we have chosen the other road. To protect our customers in the season 1938-39, we have planned the most ambitious program in the history of this company. We have taken this stand firm in the belief that in these troublous times only the greatest pictures can insure to our customers and ourselves the greatest profit.

These pictures will be made, of course, under the supervision of Mr. Darryl F. Zanuck, vice-president in charge of production. It was no accident that the Academy of Motion Picture Arts and Sciences recently voted to Mr. Zanuck the Irving G. Thalberg Memorial Award for "the most consistent high quality of production achievement." While he has been producing the fine pictures which have carried the trademark of Twentieth Century-Fox to new heights, Mr. Zanuck also has built the finest organization of producers, writers, directors and technicians ever gathered within one studio's walls. All of this is insurance for quality.

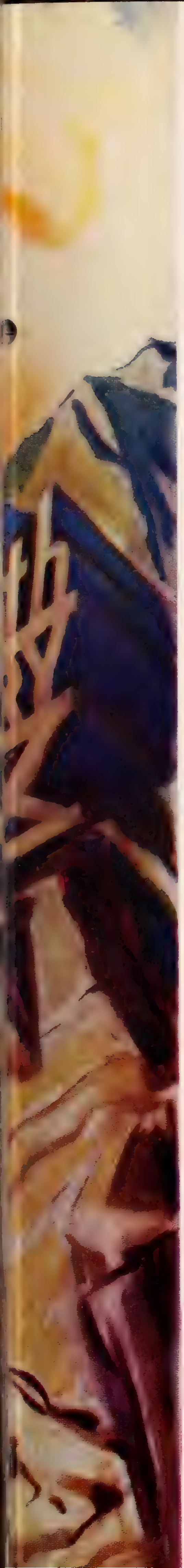
On the following pages we list the pictures which we plan to release next season. Every one of these pictures is scheduled to surpass all previous Twentieth Century-Fox standards; but I wish particularly to call your attention to the large number of virile, dramatic subjects based on important themes.

In listing these pictures, we have purposely refrained from naming the casts. Our accounts know from experience that this company gives to its productions the best acting and the strongest box-office names available in the industry. Therefore, we prefer not to tie the hands of our studio by listing the casts months in advance of production but, on the other hand, to allow our producers every opportunity for putting into each picture the strongest box-office names that can be obtained at the moment of production.

We feel that leadership of an industry brings with it definite responsibility. This responsibility can best be discharged to our customers by offering to them the best line-up of pictures it is within our power to make.

SRKent

President, 20th Century-Fox Film Corp.



HERE ARE THE PICTURES

Irving Berlin's

ALEXANDER'S RAGTIME BAND

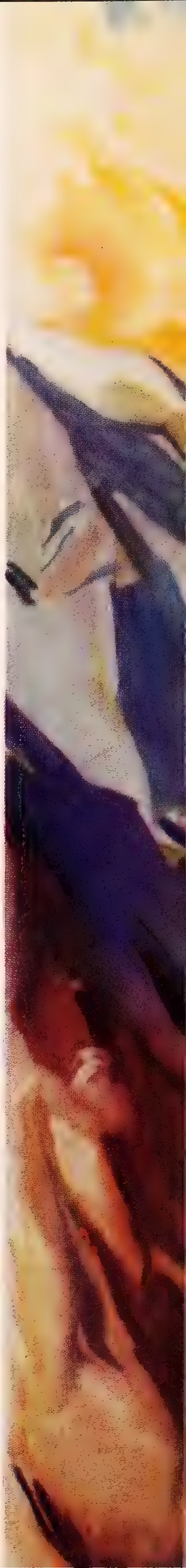
The dramatic cavalcade of a generation. 20th's first spectacular hit of the new season. A deeply stirring story sweeping through 25 exciting years . . . with three new Irving Berlin songs—probably the greatest he ever wrote —and some of his ever-remembered hits of the past. Because the picture already is in the cutting room, we give you the cast: TYRONE POWER, ALICE FAYE, DON AMECHE, Ethel Merman, Jack Haley, Jean Hersholt, Wally Vernon, Helen Westley, John Carradine, Douglas Fowley, Paul Hurst, Eddie Collins, Ruth Terry, Chick Chandler—and thousands of others. Directed by Henry King . . . directorial genius of "In Old Chicago."

SUEZ

The most elaborate, expensive and important picture 20th has ever made—*with no exceptions.* The amazing story of de Lesseps—great lover, great statesman, great engineer—and his struggle to build the Suez Canal, thrilling theme of current headlines. A struggle that pitted the might of nations against one another and created an empire. A picture that sweeps from glittering European courts and bizarre palaces of India's princes to the glaring sands of Africa's desert. A cast equal in importance to that of "Alexander's Ragtime Band."

DRUMS ALONG THE MOHAWK

From Walter Edmond's greatest story . . . first a Saturday Evening Post serial, then a novel that *headed* best-seller lists for over half a year—and sold more than half a million copies! Drama of the upper New York frontier during the Revolution . . . brilliantly alive with vivid, vigorous people caught in the sinister flame of fierce, barbaric war. And threaded through it a great romantic love. Epic in the highest sense of the word!



HUDSON'S BAY COMPANY

Tumultuous, romantic adventure unparalleled in all history. The gripping experiences of a giant French trader . . . cheated by a rascal of his own race . . . who went in revenge to England's king . . . wrested for him an empire in the Canadian wilderness . . . won the love of a noble lady and lost it through a friend's treachery. Every moment a-throb with savage forest conflict and surging emotional impact. Marked for the productional scope of 20th's very biggest!

KING OF THE KHYBER RIFLES

The celebrated novel by Talbot Mundy that sold over a million copies . . . which tells of the unrelenting rivalry in love and war of two officers . . . each determined to prove the superiority of his branch of the service against the hordes of fanatic tribesmen attacking vital Khyber Pass! The majesty of the Himalayas . . . and spectacular scenes of war . . . form a thrilling background for this tale of gallantry and romance.

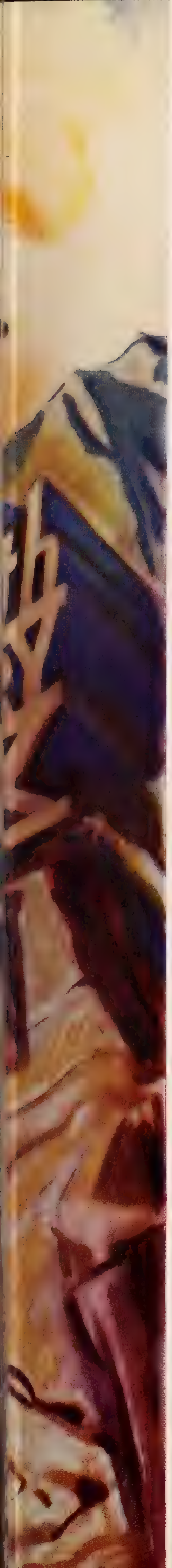
FOOTBALL MUSICAL COMEDY

(as yet untitled)

20th's mastery of that essential showmanship element, surprise, is never better exemplified than in its football pictures. Samples: "Pigskin Parade," "Life Begins in College." This year the lid will be off again. And, additionally, every player on the lot will be in the picture. To be released at the height of the football season. Watch for sensational announcements.

HE MARRIED HIS WIFE

The brightest, fastest-moving and most hilarious marriage-and-divorce comedy ever made. A dizzy whirl of male plots and female counter-plots with ten laughs for every kiss—and the kisses come thick and fast. Remember 20th's "Love Is News"!



STANLEY AND LIVINGSTONE

The absorbing story of the greatest newspaper correspondent that ever lived . . . climaxed by his amazing search in the heart of Africa for his boyhood benefactor, Dr. Livingstone . . . the astonishing and world-famous adventure, so powerful in its truth that fiction pales in comparison. Indicating the vast scope of this production, already more than two years in the making, an expedition of 23 people spent months in Africa filming scenes that will be but one sequence in the completed picture.

SPLINTER FLEET

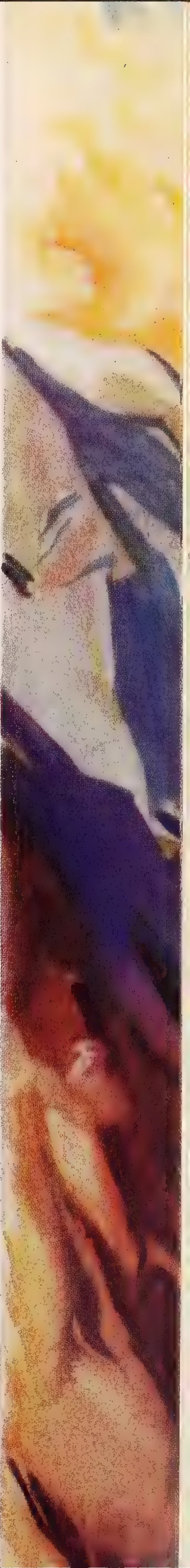
Heroic saga of an extraordinary chapter in the World War . . . told for the first time. Thrilling exploits of the fragile, tiny ships that were laughed to scorn but came to glory through the courage of men who had joined-up as a lark. A magnificent drama of love and duty . . . culminating in the most spectacular and unusual sea battle ever screened.

THE RAINS CAME

Louis Bromfield's sensational Cosmopolitan Magazine serial and new best-selling novel! Compelling drama of an Englishman who sought refuge from a forbidden love in a remote Far Eastern paradise. How his retreat was rudely invaded . . . how tragedy shattered its tropic calm . . . and how the woman who had caused his exile came within his reach . . . all this told with deep sincerity and vital force. 20th's plans call for a cast of top-rank importance!

ELLIS ISLAND

The first great film story of the last Gateway to Freedom —written from the inside. Throbbing drama of varied and colorful characters . . . their loves and schemes . . . hopes and dreams . . . as they await entrance to the Land of Liberty . . . mounting to one of the most emotional and fascinating climaxes!



Twentieth Century-Fox has introduced a new note to the American screen through the creation of the "Series" idea in pictures — a production plan which has been so successful that it is now the envy of the industry. The care and production values that have been built into each of these series have made them one of the surest-fire profit-makers today. Now 20th has decided to give you four additional series. These pictures will, in every way, measure up to the high standards set by Charlie Chan, the Jones Family and Mr. Moto.

3 CHARLIE CHAN PICTURES

with WARNER OLAND

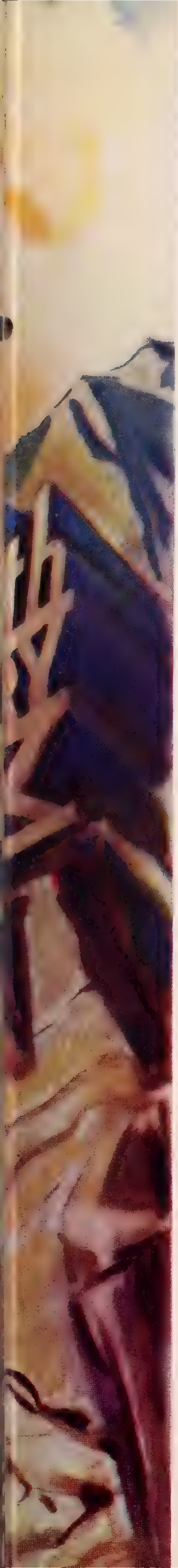
Three more opportunities to cash in on the thrilling adventures of the screen's most celebrated sleuth. A new series of even higher production standards than have marked these outstanding pictures.

4 JONES FAMILY

America's best-loved family becomes bigger boxoffice with every release . . . to such an extent, in fact, that many members of the "family" today have developed sufficient marquee draw to carry a picture individually. 20th plans to protect and enhance this drawing power during 1938-39 by even stronger story material.

3 MR. MOTO

The famous Saturday Evening Post detective, played by Peter Lorre, has already won an enviable and growing screen following. In line with 20th's expansion policy, these pictures will be given more important casts and production strength.



...and these are the new series...

Today, the four following series are just names to you. But 20th Century-Fox has definite and daring plans for each of them. By next year, each series will be as solidly profitable as the three so firmly established in popularity.

3 TRUE STORIES

3 SPORTS DRAMAS

3 MISS MODERN GIRL

4 ROMANTIC ADVENTURES

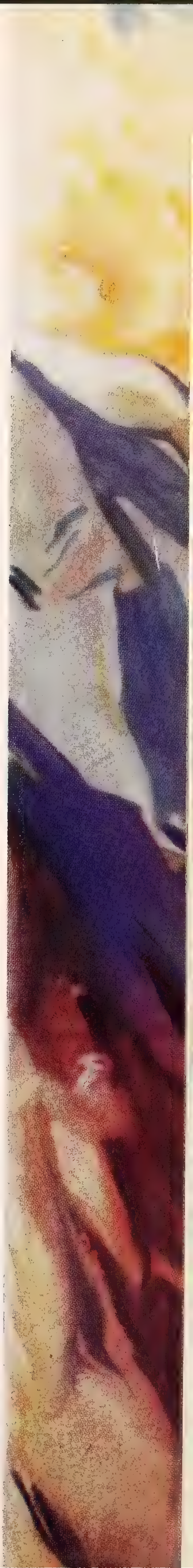
...Based on the life of a newsreel cameraman...

ACCENT ON LOVE

Rapid-fire, down-to-the-minute, comedy romance dramatized from Paul Hervey Fox's most recent novel, "Masterpiece." A hilarious expose of the fake antique racket . . . and a bright young man who decides love, too, can be faked! Richly mounted, happily cast . . . to make it one of the season's boxoffice high-spots!

SONG OF THE ISLANDS

In the land of the South Seas . . . abode of beautiful maidens . . . country of breath-taking moonlight nights and enraptured romance . . . occurs this fascinating drama inspired by the haunting song which is the greeting and farewell to all travelers to Hawaii. Truly an unusual picture . . . with every emotional mood heightened by melodies of the heart!



JESSE JAMES

In TECHNICOLOR. For the first time, the true, breathtaking story of this colorful figure reaches the screen. The law-abiding farmer who turned bandit and train robber because of the rapacity of land agents and the injustice of the law . . . who lost the one love of his life, and was finally betrayed by one of his own band for a bag of gold . . . but who first defied and terrorized a nation by the most daring and spectacular deeds in the annals of American crime. Photographed in the actual historic locales!

THE NIGHT BEFORE THE DIVORCE

What a title! And the story matches it in sock! When a smart young detective discovers that his wife, about to divorce him, is suspected of murder, things happen fast. Reno and smart dude ranches form the locale. What pictures need to get the women this has . . . and spelled SRO!

DANCE HALL

(tentative title)

The turbulent life of an amusement park . . . with its welter of shrewd, blatant, loving, fascinatingly vital people . . . and caught in their restless whirl, a humble piano player who dreams of fame. These, plus a dynamic musical score unique in pictures, mark this a truly exceptional entertainment!

The DIONNE QUINTUPLETS in a musical

FIVE OF A KIND

Your most successful producers of unusual musicals give you something *sensationally* different! What 20th has up its sleeves for the Quins to do—now that they're full-fledged entertainers—is showmanship triple-plus. A typical 20th top-musical cast, of course. We have scheduled it for one of your biggest!

SONJA HENIE

in two of her greatest

THEY MET IN COLLEGE

The incomparable Sonja in a new—an American, down-to-earth—setting, giving her every opportunity to wear a wealth of smart clothes, surrounding her with young collegians . . . as a sub-rosa model for a big department store in a famous co-ed university. Skating? . . . the best! Romance? . . . by the bus-load! Tunes? . . . more than ever! Boxoffice? You tell us!

AND ONE MORE SONJA HENIE HIT

●

EDDIE CANTOR

in one laugh smash

(title to come)

Eddie's most hilarious and by far most original role! . . . Eddie wins a contest as "The Average Man" but in doing so becomes a human guinea pig . . . with spies watching every intimate detail of his life. A screaming situation . . . and what Eddie does with it makes laugh history. Spectacularly produced . . . with a flock of beautiful gals . . . a whopping all-star cast of swingsters, funsters . . . and the grandest songs that ever topped a Hit Parade!

4 JANE WITHERS

Bigger and more important than any Withers pictures ever made, each of these pictures will reflect the increased production values with which 20th Century-Fox will surround this dynamic "First Ten" star. Chosen with the utmost care, the stories are designed to give added impetus to Jane's ever-increasing popularity.

KENTUCKY

In TECHNICOLOR. The sensationally popular story by John Taintor Foote—first a Saturday Evening Post serial . . . currently a novel which has run through more than a dozen editions. *The epic* of the American thoroughbred . . . heart-warming, powerful, thrilling. The bitter rivalry between two great families of horse-breeders . . . that began in the stormy days of '61 and intensified through the years. With a smashing climax that is one of the greatest ever depicted on the screen. Imagine—in glorious color—the world-famed Kentucky Derby . . . and the matchless beauty and glory of the historic Blue Grass country.

THE LIFE OF ALEXANDER GRAHAM BELL

(tentative title)

The astounding, real-life romance of the man who gave the world the telephone and wrote one of history's most stirring chapters. Behind the instrument at your elbow is one of the great human dramas of mankind . . . the story of a scientist beginning in obscurity . . . his discouraging struggles . . . his proud invention of the telephone . . . his battle against public ridicule . . . his hopeless fight against great companies . . . with only the girl he loved to spur him on. Inspiring for its courage and emotional power. One of *the* "greats" of the season. Exploitation possibilities—*limitless!*

FALLING STAR

Written by Richard Sherman, author of "To Mary—With Love," this is the most daring and soul-searing story ever written about Hollywood. The experiences of a Hollywood star who, mistakenly, is believed to have been killed . . . and the things he then learns about himself, his friends, and the women who fawned on him. A role to tax the talents of the most brilliant star. 20th will cast it accordingly.

THE RITZ BROTHERS

. . . in three masterpieces of musical goofery!

STRAIGHT, PLACE AND SHOW

From "Saratoga Chips," the new racing play by Damon Runyon and Irving Caesar. A new high in nonsensicality for the rollicking Ritzes. They back horses, buy horses, rent horses . . . in this mad scramble of horseplay and horse-laughs. A boxoffice sweepstakes for you!

●

MOONSTRUCK

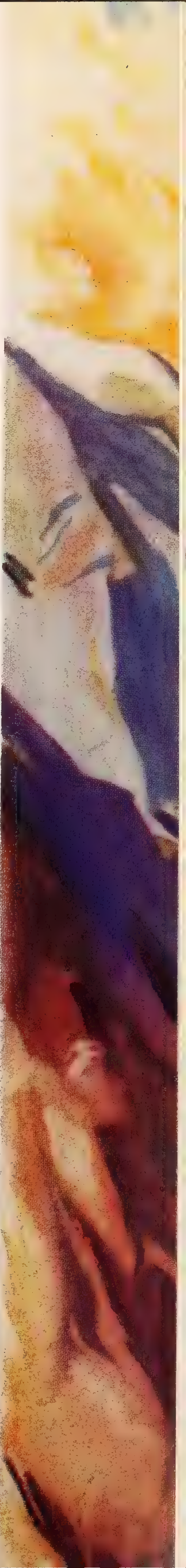
(tentative title)

Frederick Stephani's new story of a European princess seeing America incognito . . . which gets her into a mess of trouble! And then she meets three helpful singing waiters *(Guess who!)* From then on the Ritzes take charge . . . and the lid is off on the roaringest riot of laughs yet!

●

THE THREE MUSKETEERS

When Alexandre Dumas wrote this, Alex wasn't thinking of the Ritz Brothers! But the Ritz Brothers were thinking about him. They're always thinking about their author . . . and matching to see who plays what! But it's your audiences that win! And when these three kings of nit-wittery go to town as Dumas' swashbuckling heroes . . . well, boys, start thinking about hold-overs!



SHIRLEY TEMPLE

in three boxoffice champions—two of them musical, the third dramatic—all with outstanding casts.

LUCKY PENNY

A story of today that makes its heart-aches seem like all the fun in the world . . . when a little girl turns her father's upside-down life right side up . . . just because she thinks the man in the pent-house upstairs is Uncle Sam with the famous chin-whiskers. A picture with joyous lift . . . glorious rhythms . . . sparkling new dance numbers . . . *and the world's No. 1 star!*

SUSANNAH of the MOUNTIES

From Muriel Denison's internationally famous book. The most compellingly thrilling and action-ful story in which Shirley has appeared . . . leavened with fine romance and spiced with delightful comedy. Dancing specialties and musical hits round it out into one of Shirley's most thoroughly entertaining hits.

LITTLE PRINCESS

Frances Hodgson Burnett's immortal story of childhood . . . unforgettable for its pathos, sincerity and understanding. The story of a little American girl, suddenly orphaned in London, and her strange and wonderful experiences. For its ability to capture hearts of all ages, this will be hailed as Shirley's best.

HERE ARE THE MAKERS

DARRYL F. ZANUCK
Vice-President in Charge of Production

WILLIAM GOETZ
Vice-President and Executive Assistant to Darryl F. Zanuck

SOL M. WURTZEL
Executive Producer

HARRY JOE BROWN
Executive Producer

EDWARD EBELE
Production Manager

Associate Producers

Irving Berlin
Sam Engel
Howard J. Green
Raymond Griffith
David Hempstead
Jerry Hoffman
Nunnally Johnson
Edward Kaufman
Kenneth Macgowan
Gene Markey
John Stone

Directors

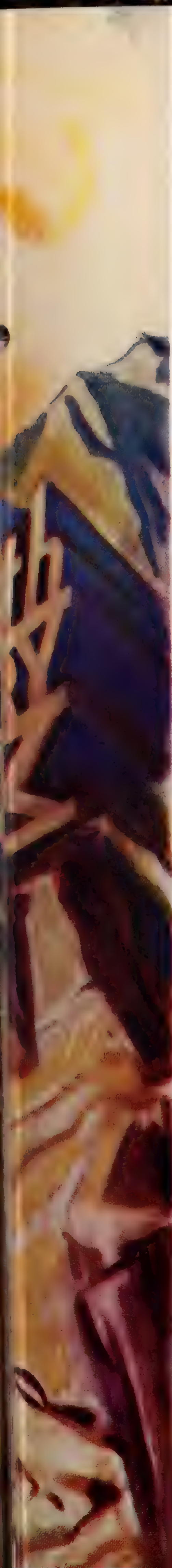
Otto Brower
David Butler
Irving Cummings
Roy Del Ruth
Allan Dwan
John Ford
Eugene J. Forde
Norman Foster
H. Bruce Humberstone
Henry King
Sidney Lanfield
Walter Lang
Herbert I. Leeds
George Marshall
Gregory Ratoff
William A. Seiter
Malcolm St. Clair
Alfred Werker

Writers

Art Arthur
John Balderston
Charles S. Belden
Edward Berkman
Edwin Blum
Lou Breslow
Lew Brown
Jerry Cady
Robert Chapin
Alfred Cohn
Karen de Wolf
S. M. Duncan
Philip Dunne
Kenneth Earl
Walter D. Edmonds
Robert Ellis
Don Ettlinger
Frank Fenton
Walter Ferris
Sheridan Gibney
Ray Golden
Eleanor Harris
Ray Harris
Sam Hellman
Anne Herendeen
Ethel Hill
Joseph Hoffman
Brown Holmes
Frances Hyland
Boris Ingster
Rian James
Julien Josephson
Charles Kenyon
Curtis Kenyon
Sid Kuller
Fidel La Barba
Jack Lait, Jr.
Henry Lehrman
Sonya Levien
Helen Logan
Hal Long
Philip MacDonald
J. P. McEvoy
Betty Meyer
Capt. Harry Lloyd Morris
Jane Murfin
Morris M. Musselman
Comdr. G. O. Noville
Ernest Pascal
John Patrick
Maurice Rapf
Albert Ray
John Reinhardt
Allen Rivkin
Marguerite Roberts
Lynn Root
Kathryn Scola
Richard Sherman
Edith Skouras
Howard Ellis Smith
Milton Sperling
Lamar Trotti
Harry Tugend
Karl Tunberg
Darrell Ware
Comdr. Frank W. Weed
Jack Yellen
Lester Ziffren

Composers and Lyricists

Walter Bullock
Sidney Clare
Mack Gordon
Samuel Pokrass
Lew Pollack
Harry Revel
Harold Spina



HERE ARE THE PLAYERS

The list following—impressive as it is—does not by any means include all the names to appear in our 1938-39 pictures. As in previous years, you can count on 20th's giving you additional established favorites not even hinted at in our pre-season announcement . . . and you know you can count on 20th Century-Fox's establishing new favorites for you!

Annabella
Lynn Bari
Phyllis Brooks
Spring Byington
Jane Darwell
Joan Davis
Alice Faye
Gracie Fields
Sonja Henie
Portland Hoffa
Louise Hovick
June Lang
Myrna Loy
(Courtesy of M-G-M)
Mary Maguire
Ethel Merman
Edna Mae Oliver
Simone Simon
Gloria Stuart
Ruth Terry
Shirley Temple
Claire Trevor
Helen Westley
Arleen Whelan
Jane Withers
Marjorie Weaver
Loretta Young

•

Fred Allen
Don Ameche
George Barbier
Freddie Bartholomew
(Courtesy of M-G-M)
Warner Baxter
Tom Beck
Dick Baldwin
J. Edward Bromberg
John Carradine
Eddie Cantor
Chick Chandler
Brian Donlevy
Ralph Forbes
Richard Greene
Jack Haley
Jean Hersholt
Bert Lahr
Peter Lorre
Tony Martin
Joel McCrea
(Courtesy of Samuel Goldwyn)
Victor McLaglen
George Murphy
Warner Oland
Reginald Owen
Tyrone Power
Gregory Ratoff
William "Bill" Robinson
Cesar Romero
Three Ritz Brothers
George Sanders
Joseph Schildkraut
Randolph Scott
(Courtesy of Paramount)
Raymond Scott & Quintet
Slim Summerville
Arthur Treacher
Michael Whalen
Robert Young
(Courtesy of M-G-M)

HERE IS THE SHORT PRODUCT...

Determined on giving to its shorts the same high quality as its features, 20th Century-Fox will this year produce its own distinctive one-reel subjects under the supervision of Truman Talley. New studios are now being built in New York for the production of these pictures which will be the pride of every theatre that plays them!

6 LOWELL THOMAS' MAGIC CARPET OF MOVIETONE

Retaining all the photographic beauty of former Magic Carpets but, in addition, tied up dramatically with current news. Narrated by Lowell Thomas.

6 ED THORGERSEN'S SPORTS-PREVIEW

To be issued every other month at the beginning of each of the major sports seasons . . . outlining in terse, dynamic terms the highlights of the season to come...as only Ed Thorgersen can do it.

6 LEW LEHR'S KINDERGARTEN

A half-dozen howling subjects in which the screen's No. 1 funnyman comments on screw-ball events in the nation's news.

4 ADVENTURES OF A NEWSREEL CAMERAMAN

One of the most successful short series ever produced. Recognized by all exhibitors for its constantly increasing box-office draw!

4 VYVYAN DONNER'S FASHION FORECASTS

In TECHNICOLOR. One each for Autumn, Winter, Spring and Summer. A subject that will wow the women, fascinate the men!

—and—

26 TERRYTOONS

Paul Terry's famous cartoon organization will this year launch a far more ambitious program. *At least six of the subjects in color!*

MOVIETONE NEWS

The dramatic and complete presentation of the news has never been of more vital importance than today... when practically every hour brings word of events that can entirely overturn life as we know it. That is why it is so important to have a world-wide organization equipped to gather and distribute the news... in which department Movietone News stands unchallenged as first. This organization... which gave you the Panay Films and many other specials *at no extra cost to you*...will continue to give you the best in newsreels twice each week.

TRUMAN TALLEY,
Vice-President and Producer

EDMUND REEK,
General Manager

RUSSELL MUTH,
European Director

HARRY LAWRENSON,
Foreign Editor

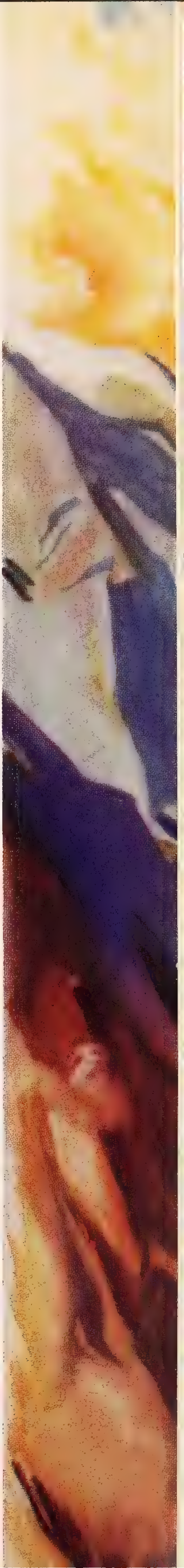
LOWELL THOMAS,
News Commentator

LEW LEHR,
Newsettes

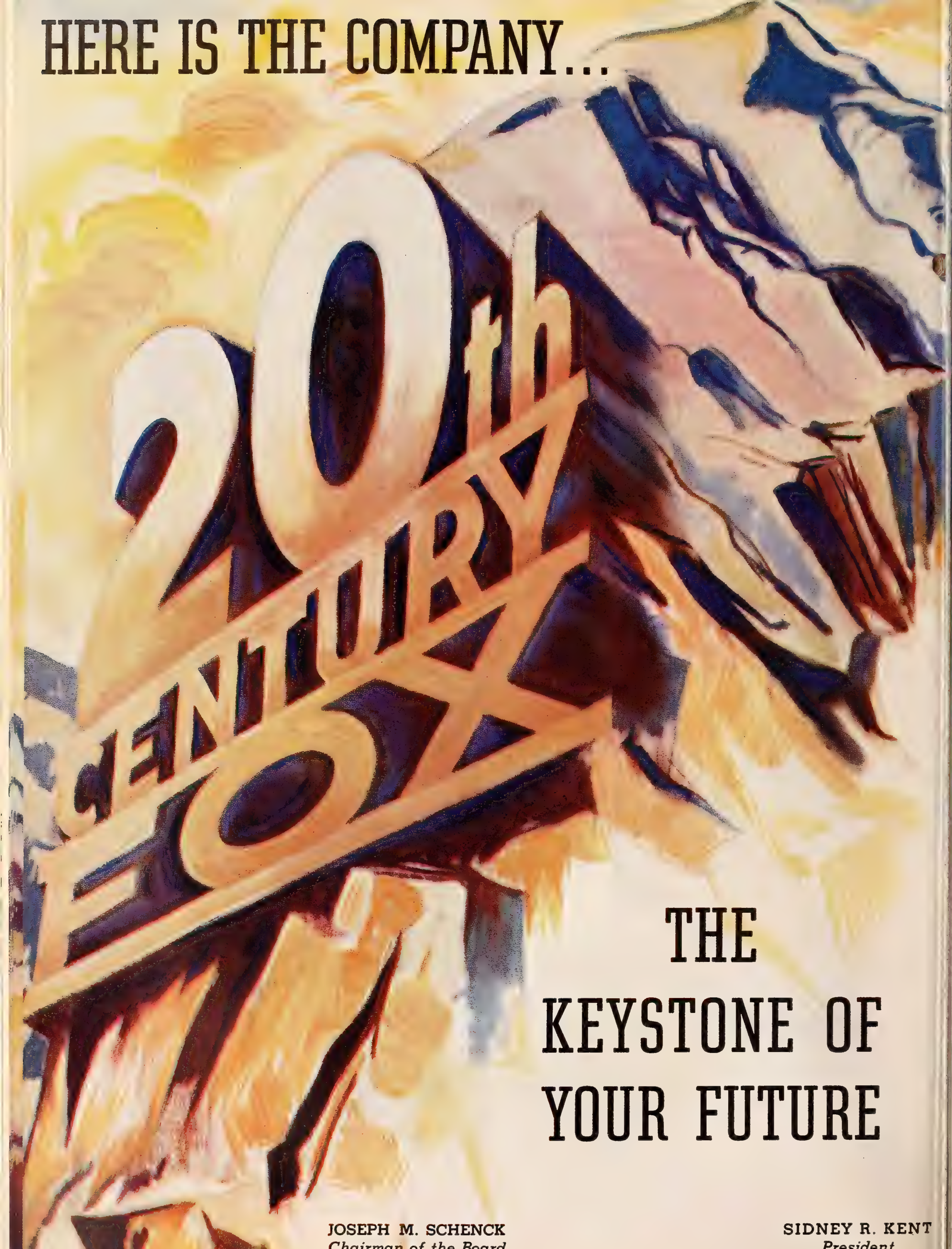
ED THORGERSEN,
Sports Commentator

VYVYAN DONNER,
Feminine World

PRINTED IN U.S.A.



HERE IS THE COMPANY...


20th
CENTURY
FOX

THE KEYSTONE OF YOUR FUTURE

JOSEPH M. SCHENCK
Chairman of the Board

SIDNEY R. KENT
President

Paramount's 1937 Net Is $6,045,103

(Continued from page 1)

he 2,465,900 shares of common stock utstanding on Jan. 1, 1938. Calcu- d on the same basis the combined onsolidated earnings and share of un- ivided earnings of partially owned ubsidiaries would be equal to $2.22 er share on said common shares.

"The above referred to earnings do ot include (a) $1,652,000 which was redited to general reserve account, epresenting the proceeds from the ettlement in 1937 by the reorganiza- ion trustee with the approval of the ederal Court, of litigation instituted uring the period of reorganization eferred to as 'Reserved Actions,' which amount includes notes of $492,- 00 and is after deducting expendi- ures during the year for expenses and llowances to Trustee and attorneys nd certain counter claims offset in he settlement, and (b) $150,000 which as also credited to the general re- erve account representing a realized rofit on the sale of a parcel of real state.

"Consolidated interest expense for he year 1937 aggregated $1,995,430 s compared with $2,745,415 for the ear 1936, a reduction of $749,985. his reduction is due in part to the xchange by holders of 20-year 6% ebentures for 3¼% convertible deb- ntures of the par value of $12,507,- 00 and to refunding of and rate re- uctions on bond and mortgage in- ebtedness of subsidiaries both domes- c and foreign.

$10,153,628 in Cash

"The consolidated balance sheet hows that cash and marketable se- urities on Jan. 1, 1938, amounted to 10,153,628.02, of which $2,680,827.10 epresented balances in Great Britain nd Dominions, and $110,677.86 in ther foreign countries. The total ventory amounted to $22,884,780.02. otal current assets were $37,410,- 88.89 and current liabilities $10,520,- 74.88, leaving a net working capital f $26,890,514.01, an increase during the ear of approximately $3,950,000.

"During the year dividends were aid aggregating $1,669,237.83, rep- esenting dividends for the year 1936 nd 1937 on the second preferred stock nd for the year 1937 on the first pre- rred stock. Dividends for the first uarter 1938 on both issues were paid April 1, 1938.

"During the year additional claims $130,916.91 were allowed in the organization proceedings, involving e issuance of $65,458.46 par value first preferred stock, and $65,458.45 ar value 20-year 6% sinking fund ebentures. The general reserve is nsidered ample for claims still pend- g and for other possible adjustments ffecting the period prior to Jan. 1, 935."

Would Aid Viennese

Plans for bringing to New York embers of the theatrical profession randed in Vienna were discussed at meeting at the Hotel Astor presided ver by Col. A. Ralph Steinberg, airman of the World's Fair Com- ittee of the Broadway Association.

Bulkley Will Seek 50c Tax Exemption

By SHERWIN A. KANE

CINCINNATI, April 25.—U. S. Senator Robert J. Bulkley told the Variety Club banquet last night that he was willing to make another effort to get Congressional approval of an admission tax exemption of 50 cents instead of the present 40 cents.

"I fully understand your problem," he said, "and I was a most sympathetic member of the Senate committee which heard the admission tax exemption plea at this session."

Bulkley is a candidate for renomination in the Ohio primaries next month.

Chief Barker John Harris reported the total of pledges of all tents for charity work during 1937 was $187,000 for charity, and that this sum had increased to $212,000 for 1938. The funds are used to buy milk for underprivileged children, to care for adopted orphans, to entertain shut-ins, to furnish Thanksgiving and Christmas food baskets, and in general to aid needy cases.

Baltimore Tent Cited

Harris mentioned the formation of a new Baltimore tent during the year and said he expected one would be formed in Chicago this year.

Tributes to the work of the organization were paid by U. S. Senator Alben W. Barkley, Kentucky; Gov. Martin L. Davey, former Governor White, Mayor James Stewart of Cincinnati, and former Governor Harold G. Hoffman of New Jersey. Others at the speakers' table were Hugh Herbert, Ned E. Depinet, W. F. Rodgers, U. S. District Judge John Druffle, Councilman Russell Wilson, Sam Dembow and George Dembow, Ed Kuykendall, Rev. Harold J. Weaver, Rev. Letus A. Miller, Major L. E. Thompson, M. R. Clarke and Allan Moritz.

The charter of the Des Moines tent was revoked for arrearages in dues.

Officers Reelected

All national officers were reelected as follows: John H. Harris, Pittsburgh, national chief barker; M. R. "Duke" Clark, Columbus, first assistant; John J. Maloney, Pittsburgh, second assistant; James G. Balmer, national dough guy; Frank Drew, Cleveland, property master. Canvassmen unanimously reelected and the tents they represent are: J. T. McGreevey, Pittsburgh, No. 1; Allan S. Moritz, Cincinnati, Tent No. 3, Ray Colvin, St. Louis, Tent No. 4; H. M. Richey, Detroit, Tent No. 5; M. B. Horwitz, Cleveland, Tent No. 6; Jacob Lavene, Buffalo, Tent No. 7; R. R. Biechele, Kansas City, Tent No. 8; J. Louis Rome, Baltimore, Tent No. 9; Marc J. Wolf, Indianapolis Tent No. 10; A. J. Brylawski, Washington, Tent No. 11; W. A. Steffes, Minneapolis, Tent No. 12; Earle W. Sweigert, Philadelphia, Tent No. 13; Charles W. Trampe, Milwaukee, Tent No. 14; Harry J. Shunow, Omaha, Tent No. 15; R. J. O'Donnell, Dallas, Tent No. 16; Roy Wells, Dayton, Tent No. 17. Columbus will not be represented on the board, because M. R. Clark has been the only chief barker of that tent, and now is serving as a national officer.

Detroit was selected for the 1939 national convention, winning over Cleveland.

Buys Own Passes

Cincinnati, April 25.—One of the big laughs of the national Variety Club convention was provided by Harry J. Shumow, delegate from Omaha, Tent No. 16, in his story of raising funds for charity through solicitation of prizes from local businessmen, which donations subsequently were auctioned off "blind." One exhibitor, whose name was not disclosed, bought a package at his bid of $11, which he found contained 20 passes to his own theatre.

New Haven Film Row In Tribute to Byrne

(Continued from page 1)

guest received a group gift in cash. Harry F. Shaw was toastmaster. Barney Pitkin was chairman of arrangements.

Among the visitors were William Scully, Universal sales manager, and Ted O'Shea, new M-G-M district manager, and the following Boston contingent: Maurice N. Wolf, Henry Wolper, Charles Repec and Morrey Goldstein, M-G-M; Nat Furst, Warners; Tom Spry, United Artists; William Erbb, Al Kane, John Moore, Paramount; Herman Rifkin, Republic; Ted Fleischer, Interstate.

Speakers included Scully, O'Shea, David Levy, Hi Fine and Arthur Lockwood, vice-president of the MPTO.

Guest List Lengthy

Among those in attendance were: Arthur Lockwood, Judge Ray Devlin, Sid Wiener, Lou Anger, Ben Simon, H. G. Prakas, Morris Hadelman, Abe Fishman, Ted Jacocks, Leo Ricci, Ted Harris, I. J. Hoffman, B. E. Hoffman, Maxwell Hoffman, Edward Ruff, John Pavone, Lou Wechsler, Robert Cobe, William Brown, Edward Batter, John Evers, Henry Germaine, Benjamin Lourie, Tim O'Toole, Sam Rosen, Robert Russell, Jack Post, Milton Hyams, Jack Schwartz, H. Fitzsimmons, G. M. McPhee, Morris Joseph, Charles W. Leach, Carmen Mascoli, Bert Sanford, Jr., Frank Mullen, M. J. Mullen, Ray Curran, Larry Orkins, F. E. Endriss, Stephen Martin, Nick Del Rosso, Harold Eskin, Sam Weiss, Arthur Smith, Leo Bonoff, William Pine, Harry Lavietes, M. T. Anderson, Sam Weber, George Weber, George F. Moran, Michael Eagan, Michael Stone, Morton Katz, Charles Lazarus, Phil Gravitz, Michael Tomasino, William Canelli, Reville Kniffen, I. Levine, Adolph Johnson, Sam Badamo, John Hesse, Lou Schaefer, Barney Calechman, Max Tabackman.

RKO May Shift at K. C.

KANSAS CITY, April 25.—That RKO might use the Orpheum, which has been closed two years, and close the Mainstreet is considered a possibility unless the theatre circuit and owners of the ground beneath the Mainstreet can get together on the former's request for a reduced ground rental. The Mainstreet has not been profitable for RKO for several years. The Orpheum, almost 25 years old, originally was a vaudeville house, but has been used for pictures.

RKO Hearing Again Postponed to May 16

(Continued from page 1)

proval of the continued delay and asked "for some kind of plan which I can approve." Richard Jones of Simpson, Thacher and Bartlett, attorneys for Atlas Corp., proponent of the plan, reported that "progress was being made" but refused to fix a definite date when an amended plan would be ready. When pressed by the court to reveal details of the conferences, Jones stated that creditors were nearer agreement than at the last hearing, "but it is very difficult to say how much closer."

In the interests of speed, Jones revealed, only the larger creditor interests are being consulted at present. Stockholders and smaller creditors have not been invited to conferences. Nathan Rosenberg, attorned for H. Cassell & Co., stockholders who hold $200,000 in bonds, objected to the delay. Judge Bondy, however, pointed out that Rosenberg had promised to submit a brief favoring immediate liquidation of the debtor's assets but had failed to do so. Rosenberg stated that he had been waiting for a new plan to be submitted and promised to submit the brief within the next two weeks.

Committee Called "Dormant"

He attacked the present bondholders' committee as dormant and asked for leave to intervene in the proceedings. His petition was denied, but Judge Bondy ordered that notice of all proceedings in the litigation be given him.

A motion on behalf of Ernest W. Stirn of Milwaukee, a Class A stockholder, for permission to inspect voting proxies used at the 1931 reorganization meeting was withdrawn after extended argument. The motion will be renewed at a later hearing.

William Saltiel, Stirn's attorney, charged that the reorganization which reclassified RKO common stock was illegal because the required two-thirds vote was lacking. Jones contended, however, that seven years had elapsed since the vote and that Stirn had delayed too long.

To Open New Theatre

DENVER, April 25.—Claude Graves, who formerly owned and operated the State in Boulder, Col., will open the Kota, Hot Springs, S. D., soon.

Wall Street

Stocks Generally Drop

	Open	High	Low	Close	Net Change
Col.	12	12	12	12	—1
Col. pfd. ..	32½	32½	32½	32½	— ½
E. K.	150⅞	151½	150⅞	151½	— ½
Loew	41¾	41¾	41	41½	— ½
Para.	8	8	7¾	7⅞	— ⅜
Para. 2.....	9	9⅛	8¾	9⅛	— ⅜
Pathe	5⅝	5⅝	5¼	5⅜	— ⅛
RKO	3	3	2⅞	2⅞	— ⅛
20th Fox ..	22	22	21¾	21¾	— ¼
W. B.	5¼	5¼	5	5⅛	— ⅜

Technicolor Holds Curb Rise

	Open	High	Low	Close	Net Change
G. N.	⅜	7/16	⅜	7/16	.....
Tech.	19½	20	19½	20	+ ½
Univ. Corp.	1⅞	1⅞	1⅞	1⅞	— ⅛

Loew Bonds Increase

	High	Low	Close	Net Change
Loew 3½s '46	98⅞	98½	98⅞	+ ⅛

(Quotations at close of April 25)

Silverstone Is Slated as UA General M'gr.

(*Continued from page* 1)

by the five stock-owning partners equally, it was said by Samuel Goldwyn and Mary Pickford on their arrival yesterday from London on the *Queen Mary.*

Distribution costs charged by the company against the producers will remain 25 per cent in the United States but will be reduced from 30 to 25 per cent for Great Britain, Goldwyn said.

Those are the chief points of the agreement reached by the stockholders in the recent conferences in London, as disclosed by the returning principals. The 50 per cent "kick back" to the active producers as well as the lowered distribution charge for British distribution were declared as having overcome the dissatisfaction felt by Korda and Goldwyn and as having obtained the approval of everyone concerned.

Retroactive to Jan. 1

The new arrangement is retroactive to the first of this year and will be put into contract form by the company's directors, who include the stockholders, among others. A board meeting is scheduled for today.

In the party arriving from London were Maurice Silverstone, head of United Artists in Britain; David Rose, vice-president of Samuel Goldwyn, Inc., and Goldwyn's financial adviser, and Edward Raftery, attorney for U.A. They attended the meetings with Goldwyn, Miss Pickford, Douglas Fairbanks, Alexander Korda and his financial representatives, at which details of the reorganized setup were agreed upon.

The A.U. directors are to decide on phases of management, according to Korda, who said yesterday that there are "many problems of management" to be ironed out in order to maintain successful executive operation of the company. He hinted that these problems are an outgrowth of the "strife within the company," a matter of concern for several months.

The differences among the partners have been composed, however, Korda declared. Similar declarations were made by Goldwyn and Miss Pickford.

"United Artists is now definitely united," was the way Goldwyn put it.

He said that under the new setup the company would "make more money" and that independent production would be given a decided stimulus.

Seek New Producers

Goldwyn indicated that the revised profit-sharing arrangement—referred to by the partners as "the kick back" —was intended to attract additional producers to the U.A. fold and that this, plus the lowered distribution costs in the United Kingdom, were designed to "encourage British production," intimating that Korda's contributions to the company's program would be more important than in the past.

"We in America have to depend on the British market," he said. "In the case of my own pictures, England represents 40 per cent of the total revenue."

Under the new arrangement, the company plans expansion of production, even to the extent of financing new producers, Silverstone said. This would be similar to the backing given Walter Wanger. Miss Pickford said U.A. has a 50 per cent interest in Wanger's unit. With this one exception, the company heretofore has not financed its producers, as a matter of policy.

Miss Pickford said that the reorganization was intended to bring about a larger number of films for U.A. release, which would eliminate the periodic slack experienced during previous seasons. "We might as well have more pictures since the overhead goes on just the same," she said.

A. H. Giannini, president of U.A., has been negotiating with prospective additional producers, she said, and indicated that several prominent ones are eager to join the company. She was unwilling to name any specifically. Dr. Giannini will remain on the coast while meetings are in progress here.

Asked whether Ernst Lubitsch may affiliate with U.A., she said that "he has had his eye on U.A. for a long time and would like to join us." Lubitsch has terminated his affiliation with Paramount.

Goldwyn plans to leave for the coast on Thursday, and the necessary papers probably will be signed before his departure. Miss Pickford said she would remain here until May 15.

Goldwyn Sees Big Market

Referring to the company's expanded "open door" arrangement, Goldwyn said that the next year will see "more independent production and a greater market for it than ever before." He qualified that assertion by saying that the market will be available for "the better product."

Goldwyn said that the stockholders gave a formal vote of confidence to Oscar Deutsch for his management of the Odeon circuit, which comprises 340 theatres and in which U.A. has a 50 per cent interest.

He refused to discuss prospects for a continued affiliation with U.A. by David O. Selznick beyond his present contract, indicating that nothing has been agreed upon. It was said, however, that in view of the new arrangements, Selznick may increase his present commitment and that this may be from two to four more pictures than he delivered to U.A. last year. Apart from this possible increase, Selznick will fulfill his existing contract by delivering two films.

Getting Better

Samuel Goldwyn is convinced that a European film invasion is something to guard against. During a discussion yesterday of the strides made by the British studios, he said: "Hollywood had better make good pictures, for the British are coming. Also the French."

U. A. Buys Interest In Italian Company

Expansion of United Artists on the continent was disclosed by Maurice Silverstone, the company's managing director in London, when he arrived yesterday on the *Queen Mary.* He said U. A. had purchased a substantial interest in Artisti Associati of Rome which will make three Italian films and two in French at a cost of $100,000 each.

The films will be distributed in countries where those languages are understood and are not intended for the United States.

U. A. distributed 30 films in Great Britain during last year, Silverstone said, these including 17 made in England and 13 in America. The company's European program also included four French films, and Belgian, one Czechoslovakian and one Dutch.

Associated British Seeking Films Here

Associated British Film Distributors is in the market for additional American product for release overseas, it was said yesterday by Ben Henry, general manager of the company, on his arrival on the *Queen Mary.* The company distributes Grand National product. Henry said G. N. is delivering 30 films for Great Britain during the current season.

He said he would remain here 10 days for conferences with Jack Barnstyn, G. N. foreign head, and may go to Hollywood to discuss matters with Edward Alperson and Ed. Peskay, G. N. executives.

Another arrival was Gerald Savery, playwright, who is scheduled to leave for Hollywood today. He is under contract to M-G-M. M. A. Schlesinger, president of General Talking Pictures, returned from several weeks of conferences in London.

Korda Here Since Thursday, He Say

(*Continued from page* 1)

making a statement in advance of t arrival of Samuel Goldwyn, Ma Pickford and the others. That deta of his departure were kept secret, w indicated by the fact that in a co versation with Goldwyn over t hotel's house phone, he informed that he took a plane from Lon to Gibraltar and there boarded t *Roma.*

Korda said he came over to atter the directors' meetings at which t new profit participation plan and di tribution arrangement will be ratifie He said the trip also was in the n ture of a vacation. When he w here early last winter, he said, h time was taken up by continuous co ferences and he had no time to res On that trip he was here almost thre months, returning early in January.

The revised U.A. charges, he sai will amount to about 25 per cent f worldwide distribution. He said h probably would make eight pictur for the coming season for releas here, at a total cost of $8,000,00 All the pictures, he said, definitel would be in the "A" class and woul get his own attention.

Korda was distressed about the r duced box-office grosses in this cour try and said that British film attend ance has increased from 10 to 12 pe cent over last year. He estimate U.A's revenue in England as 35 pe cent of the total.

Compliments British

The industry in England is becom ing more substantial, with the "ad venturers" eliminated, he said. I would be a "rash thing" to try t bury the British industry, he said, an gave the opinion that the new quot law will be a "good thing" inasmuc as it can be expected to improve th quality of films made there.

He said that Miss Pickford plan to make "The Bat" at the Denhan studios this summer, although thi was not definite. Miss Pickford tol reporters at the pier that she plan to make a film in England that woul star Buddy Rogers, her husband.

Korda said he plans to discuss possible deal with Irving Asher, for mer British production head for War ners, before the latter returns t England. "I would like to hav Asher," he said.

Asher returned yesterday from th coast where he discussed possibl affiliations with British studios o American companies. He said he ha planned to sail tomorrow on the *Il de France* but probably would defe his return. He talked with Kord about an affiliation before leaving England recently, he said, but nothing had shaped up definitely.

THRILL YOUR CUSTOMERS WITH TODAY'S NEWS...

Here's how: Hundreds of exhibitors in 48 states now feature spot news releases daily—farthest overnight, nearest in two hours—by specifying AIR EXPRESS, straight to their door. Cost? A trifle more—but it's a box-office wow! Ship all your films by the "natural" route. Nation-wide service, also to Canada, Latin America, Honolulu, and Far East. Phone the nearest RAILWAY EXPRESS office and merely say "AIR EXPRESS Division".

3roadcast Hearing Schedule Arranged

\Washington, April 25.—Hearings n broadcasting applications for the ırrent week has been assigned by the ederal Communications Commission s follows:

April 27, before an examiner: Aplication of WNLC, New London, for crease of time from day to unlim-

April 28, before the commission: pplications of Kanawha Valley roadcasting Co. for a 1,500-kilocycle, 100-watt station at Charleston, /. Va.; Young People's Association r the Propagation of the Gospel for 1,220-kilocycle, 1,000-watt station at hiladelphia; Cumberland Broadcastg Co. for a 1,340-kilocycle, 250-watt ıytime station at Fayetteville, N. C.; MLB, Monroe, La., for change of equency from 1,200 to 620 kilocycles ıd increase of power from 100 watts ght, 250 watts day, to 500 watts, and ntesting applications for a 1,240-locycle station of Citizens Broadsting Corp., Schenectady, asking 000 watts night, 5,000 watts day; homas J. Watson, Endicott, N. Y., king 1,000 watts, and the Hampdenampshire Corp., Holyoke, Mass., king 500 watts night, 1,000 watts y.

To Hear Louisiana Plea

April 29, before an examiner: Apcations of State Broadcasting Corp. a 1,370-kilocycle station at Gretna, ., with 100 watts night, 250 watts y; Chester Howarth and Clarence rger for a 1,420-kilocycle station Wallace, Idaho, with 100 watts ight, 250 watts day, and WHBF, ock Island, Ill., for change of freency from 1,210 to 1,240 kilocycles d increase of power from 100 watts ght, 250 watts day, to 1,000 watts.

Dismiss WOR Suit

The infringement suit brought by illiam A. Brady against Bamberger oadcasting Co., Inc., operators of OR, Mutual Broadcasting System ., Charles M. Phillips Chemical ., Inc., and Blackett, Sample & mmert, advertising agency, was missed after trial in the N. Y. Sume Court yesterday by Justice Isoe Wasservogel. Brady charged ringement of the title, "Way Down st," in a series of weekly broadts.

WQXR Closes Deals

VQXR, New York's high fidelity ion, has obtained the following mercial accounts in the past k: R. H. Macy Co., one hour week, classical music programs of ordings, starting May 5; Max ling, Inc., florists, daily spot anncements, and American Union Democracy, Inc., half-hour period week, dramatic and speakers, inning May 3.

cquire "Ziegfeld" Title

I-G-M has acquired film, radio and vision rights to the title, "Ziegfeld lies." The deal was arranged with Shubert, theatrical producer, and ie Burke, widow of Ziegfeld, who the stage rights to the title. G-M probably will produce an anfilm version of "The Ziegfeld ies."

Approve Transfer of Station in Oklahoma

Oklahoma City, April 25.—The Federal Communications Commission has authorized the transfer of KFXR here from the Exchange Ave. Baptist Church to the Plaza Court Broadcasting Co. The commission also granted an application for renewal of the station's license.

The church has operated the station since 1927. The contract for its sale calls for $50,000 cash, and a 7½ year agreement for the broadcast of Sunday morning services of the church. M. S. McEldowney, Oklahoma City, owns $60,000 of the $90,000 outstanding capital stock of the Plaza Court Broadcasting Co. John D. Thomas and Charles T. Johnson own $15,000 each.

B. C. Thomason, manager of KFXR, said the station was bought by Johnson and Thomas about two years ago but that a dispute with some members of the Exchange church over the sale caused the delay in the final authorization.

WCCO Artists Unit Made Separate Firm

Minneapolis, April 25. — The WCCO artists' bureau, formerly a department of WCCO, has been organized as a separate corporation. Al Sheehan, who has conducted the affairs of the bureau for several years, has been named general manger of the new corporation.

Earl H. Gammons, general manager of WCCO, and director of District No. 11 of the National Association of Broadcasters, attended a special meeting of the N.A.B. committee on associate membership in Omaha over the weekend. Others at the meeting were Gene O'Fallon, KFEL, Denver, director of District No. 14, and John J. Gillin, Jr., WOW, Omaha, director of District No. 10.

Expand Mutual Show

"Headlines," Mutual cooperative show, will add WNBF, Binghamton, N. Y., for the Hamlin Drug Stores, effective this week. The program is broadcast Tuesdays and Thursdays from 7:30 to 7:45 P. M. "The Good Will Hour," sponsored by Tastyeast Candy Co., will add WGR, Buffalo, on May 8.

Hearn's Renews on WHN

Starting its seventh year on the air, Hearn's Department Store has just renewed its contract with WHN for the company's "Kiddie Hour." The contract is for one year. Hearn's also renewed its "Woman's World" program over the same station, for 13 weeks.

Hill-Billy Union

Pittsburgh, April 25.—Charging the musicians' union was keeping them out of work because they had no cards, the hill-billy entertainers in the Pittsburgh district, led by a radio group, have organized their own union under the presidency of Tex Harrison. More than 167 joined at the first meeting and a drive is now on to recruit the remainder of the estimated 450 in this area. They expect to negotiate their own contracts with radio stations.

Harris, Sidney Aide Killed in Car Crash

Hollywood, April 25.—Mort Harris, assistant to Louis K. Sidney in the production of the M-G-M-Maxwell House Coffee radio series, was killed in an automobile accident here yesterday. Mrs. Harris was critically injured and is in a hospital.

Mort Harris is well known in radio circles here. Prior to departing for Hollywood with Sidney he was production manager of WHN.

John Schwarting Dies

John Henry Schwarting, vice-president of the J. Walter Thompson agency, died suddenly of heart disease yesterday. He was 50 years old.

Sponsor Jessel Program

Pittsburgh, April 25.—The Independent Wall Paper Co. has become the new local sponsor of the George Jessel-Norma Talmadge radio show every Sunday night over WWSW, signing up for 13 weeks. The program originally was under the Pittsburgh auspices of the Palace Credit Clothing Co. which failed to pick up its option.

WMFF to NBC Net

WMFF, Plattsburg, N. Y., will become NBC's 151st station on May 1, when it will be added to the network as a bonus station for users of WABY, Albany. WMFF is owned by the Plattsburg Broadcasting Corp., and has a day power of 250 watts, a night power of 100 watts.

WKY Program Starts

Oklahoma City, April 25.—"The Boner Court," with Earl C. Hull, WKY chief engineer, as judge, started on the air today at 3 P.M. over WKY. The program will be heard at that time each Monday for 15 minutes.

Dark Horse Takes to Air

Oklahoma City, April 25.—KTOK has been deluged by telephone calls from persons wanting to know who the "mysterious candidate" is, since the announcement of the purchase of radio time by friends of "a candidate who is going to file for the governorship on the last day of filings," May 7.

Friends of the "dark horse" have purchased 15 minutes of radio time daily over Oklahoma City and Tulsa stations KTOK and KTUL from May 7 to July 12, according to Joseph W. Lee, KTOK manager. Three times each week the candidate will talk over the entire Oklahoma Network of seven stations and KASA, Elk City, under present plans. The time cost was put at $8,700.

Station Plugs Web Hookup on Screens

Oklahoma City, April 25.—KTOK, key station of the Oklahoma Network of eight stations, is using advertising on the screens of Standard Theatres' suburban houses in Oklahoma City to plug the announcement of the acquisition of the Blue network of NBC beginning May 1 over KTOK, according to Joseph W. Lee, station manager and director of the local network.

After May 1 WKY here, the present NBC outlet will have the Red network only. For the past several years WKY has had its choice of Red or Blue network programs of the NBC system.

To Dramatize Metro Shorts in Air Plug

Beginning on WHN next week, M-G-M short subjects will be dramatized on WHN, with the possibility that the dramatizations, if successful on WHN, will be offered to other stations as a means of exploiting the short subjects.

The starting date for the series, to be titled "M-G-M Selected Shorts," has not been set as yet. WHN stock company players will participate in the series under the direction of Gene Ford.

Atlantic Signs Smith

Pittsburgh, April 25.—Chester Smith, sports editor of the *Pittsburgh Press* and author of that paper's daily "Village Smith" column, has been signed by the Atlantic Refining Co. for a daily 15-minute sports survey on WJAS during the summer season. The program will go on at 5:45 every evening during the week except Sunday. It's Smith's first long-run commercial. He's been on frequently in the past but only for short periods.

To Carry Hoover Speech

Oklahoma City, April 25.—The Oklahoma Network will carry the address of J. Edgar Hoover, chief of the Federal Bureau of Investigation, when he makes the commencement address at the Oklahoma Baptist University in Shawnee, Okla., the first week in May, according to Joseph W. Lee, network director.

Take Added WIL Time

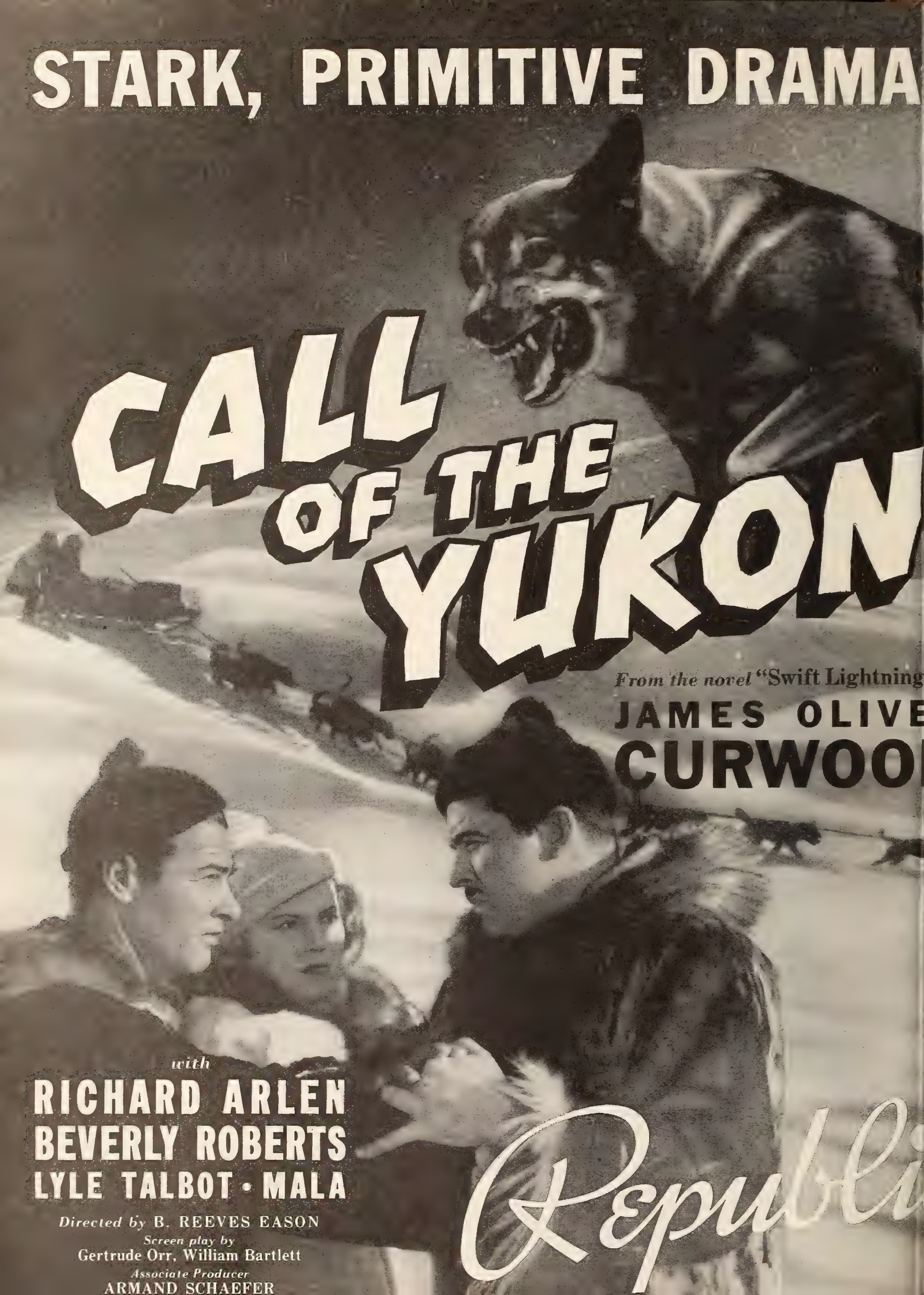
St. Louis, April 25.—Hyde Park Breweries, Inc., are taking additional time on WIL with the beginning of the baseball season. The contract includes five five-minute afternoon spots for scores. The same sponsor also has "Today's Winners," half-hour daily on the same station.

Charter Va. Radio Firm

Suffolk, Va., April 25.—Suffolk Broadcasting Corporation, with maximum capital of $50,000, has received a charter from the State Corporation Commission. Fred L. Hart is president.

Quits CBS on Coast

Hollywood, April 25.—C. A. Clarson has resigned as auditor of the CBS Pacific Network after six years and will be succeeded by C. D. Ryder, formerly accountant at KNX.



STARK, PRIMITIVE DRAMA

CALL OF THE YUKON

From the novel "Swift Lightning

JAMES OLIVE
CURWOO

with
RICHARD ARLEN
BEVERLY ROBERTS
LYLE TALBOT · MALA

Directed by B. REEVES EASON
Screen play by
Gertrude Orr, William Bartlett
Associate Producer
ARMAND SCHAEFER

Republi

DO NOT REMOV

lert.
ntelligent
nd
ndispensable
o the Motion
icture
ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 43. NO. 97 NEW YORK, WEDNESDAY, APRIL 27, 1938 TEN CENTS

ublic Should Intervene" in ilms—Myers

ells Bostonians There Is "Definite Need"

oston, April 26.—"Intervention
ndustry affairs by interested mem-
s of the public" was urged by
ram F. Myers, general counsel of
ied States, at a luncheon of the
entieth Century Association here
ay.

yers said there is "definite need
justification" for such interven-
and that is as it should be to the
nt that "the public's interests as
sumers or otherwise are jeop-
ized by existing conditions," in
v of the "stubborn refusal of the
Eight to yield any part of the
er and advantage they have gained
following a dictatorial policy."

embers of the Independent Ex-
tors, Inc., New England Allied
, and of the Motion Picture Re-
ch Council attended the luncheon.
ight Myers was the chief speaker

(Continued on page 8)

athe Picks Loach As Vice-President

he post of vice-president of Pathe
n Corp. was filled yesterday by the
tion of T. P. Loach by the direc-
. The office has been vacant.

oach formerly was secretary and
treasurer. He was reelected to
latter post and is succeeded by M
Malone as secretary. O. Henry
ggs was reelected president and A.
Schwarz assistant secretary.

ouis Philips of the law firm of

(Continued on page 9)

olor Feature of SMPE Discussion

ashington, April 26.—A discus-
of recent progress in the de-
pment of color featured the sec-
day's meeting today of the Soci-
of Motion Picture Engineers at
Wardman Park Hotel here to-

number of papers were read, all
hing on technical advance in
r work, led by L. A. Jones of
tman Kodak, who spoke on "The

(Continued on page 10)

adio News—P. 10

Tripp Calls on Publishers To Fight Film Advertising

Frank E. Tripp, one-time showman, now general manager for the powerful chain of 18 Gannett newspapers, called upon 250 fellow publishers yesterday for concerted action against threatened invasion of the screen by advertising agencies.

Half the attendance of the American Newspaper Publishers Association was present in the Waldorf-Astoria when Tripp characterized publishers as "suckers" who had been permitting advertising to be diverted from natural publishing media to the screen whose function, he said, is selling entertainment, not advertising or propaganda.

He cited figures to show that 21 national advertising agencies bought $5,000,000 worth of advertising on the screen in 1937, and quoted futures when he said agencies were planinng to spend $10,000,000 in 1938 and $15,000,000 in 1939 for film advertising.

"The question the press must decide might better be entirely apart from the competitive angle involved, considering first the newspaper's duty

(Continued on page 9)

Name Jerry Mayer M-G-M Studio Head

Hollywood, April 26.—Jerry G. Mayer, brother of Louis B. Mayer, has been named by E. J. Mannix as studio manager at M-G-M. Mayer supplants William Koenig, whose contract with the company is still in force.

Mayer in the past has been head of the studio purchasing department and he will continue to direct that division.

G. N. Will Deliver 75% of List: Peskay

Hollywood, April 26. — Grand National will deliver approximately 75 per cent of the pictures sold during the current season, Edward J. Peskay, vice-president in charge of distribution, said on his arrival here today. Fifty salesmen are to be employed immediately to sell 36 features for the new season, he added.

Peskay will confer with Edward Alperson and Loyd Wright, co-

(Continued on page 8)

Kusell Takes Over New Para. District

Milton Kusell

Milton S. Kusell, Paramount district manager for New York State and New Jersey, yesterday was also placed in charge of the Philadelphia and Washington district by J. J. Unger, eastern and southern division manager.

The consolidation of the Philadelphia and Washington district with Kusell's former district, comprising the territories of New York, Brooklyn, New Jersey, Albany and Buffalo, follows upon the recent resignation of Percy A. Bloch from the Philadelphia-Washington post. Kusell will continued to make his headquarters in New York.

"The Adventures of Robin Hood"

[***Warners***]

A dashing, spectacular romance of high adventure in the England of long ago, sweepingly imaginative and combining beautiful color effects with production values of the highest order, "The Adventures of Robin Hood" offers a rare showmanship opportunity.

Perhaps the most impressive factor of the picture is its "bigness." It is, strictly speaking, a physical "bigness." The story is essentially simple, familiar to every school child in the world, that of the beloved brigand, who defends the poor against oppression, makes himself an outlaw to bring right from wrong, robs from the brutal rich to succor the starving and beaten poor. In that sense, the story itself has all the elements which go to inspire the sympathy of audiences.

Much credit must go to Norman Reilly Raine and Seton I. Miller for the manner in which they have woven a richly adventurous yarn about the memorable legends of Robin Hood in Sherwood Forest, and to

(Continue on page 2)

Silverstone Is Named to New UA Post

Chairman of Executive Committee Is Title

Maurice Silverstone, managing director of the United Artists British organization, was appointed chairman of the executive committee of United Artists Corp., the parent company, at a meeting of the board of directors here yesterday.

The formation of an executive committee of the company—none has existed before, according to a United Artists official—presages the establishment in New York of the executive functions of the company, the suspension of the Hollywood executive offices and the ultimate retirement of Dr. A. H. Giannini, now president of the parent company, who maintains headquarters on the west coast. These developments were predicted by Motion Picture Daily yesterday.

Giannini is not attending the meetings here and was not made a member of the newly formed executive committee. Silverstone will leave for Hollywood within the next day or two to confer with Giannini, whose con-

(Continued on page 9)

Tasker Resigns in 'U' Studio Shakeup

Hollywood, April 26. — In the course of general changes in the Universal studio setup commencing with the Hollywood arrival of Nate J. Blumberg, new president, 10 weeks ago for the purpose of gearing the production machinery to the rapidly fluctuating box-office requirements Homer G. Tasker, head of the sound department, has resigned and his post has been taken by Bernard B. Brown,

(Continued on page 9)

Dallas Case Moves Go Over to Autumn

The Dallas Interstate Circuit case will not be finally decided by the U. S. Supreme Court until next fall as a result of the high court's action on Monday in directing Federal Judge William H. Atwell of Dallas to prepare findings of fact in the case for submission to the Supreme Court.

To comply with the high court's instructions, Judge Atwell will be

(Continued on page 8)

◂ Purely Personal ▸

FRANCES FAYE, MORRIS GEST and LEON S. SNIDER, joint managing director of the Snider-Dean circuit in Australia, are booked to sail on the *Ile de France* today. Others sailing are JAN KIEPURA and his wife, MARTA EGGERT; LOTTE LEHMANN and her husband, OTTO KRAUSE, and JOHN E. ABBOTT, director of the New York Museum of Modern Art, and MRS. ABBOTT.

•

ROBERT E. SHERWOOD, playwright; MRS. ERNO RAPEE, wife of the Music Hall's music director; EDWARD KLAUBER, vice-president of Columbia Broadcasting; LADY HARDWICKE, wife of SIR CEDRIC HARDWICKE, and PAUL VINCENT CARROLL, author of "Shadow and Substance," are due to sail on the *Queen Mary* today.

•

SAM DEMBOW, JR., Fanchon & Marco vice-president, went from the Variety Club doings in Cincinnati to St. Louis for a survey of the circuit's theatres and conferences with HARRY ARTHUR. He is expected back next week.

•

WILLIAM F. RODGERS, M-G-M general sales manager, returned yesterday morning from Cincinnati where he attended the Variety Club banquet and in the afternoon went to Boston to attend the Allied unit's banquet last night.

•

FRED SCOTT, star of Spectrum musical westerns, now on a personal appearance tour, has completed engagements in the Kansas City area and will go on to Cincinnati.

•

WILLIAM G. KING, music editor of the *Sun*, will leave for the coast via American Airlines May 1 to write a series of articles on music and musicians in films.

•

LEW LEHR, in collaboration with WALTER BISHOP, has had a new song published by Mills Music Co. It's called "Monkeys is the Cwaziest People."

•

Oklahoma Gets It

Altoona, Pa., April 26.—En route east from the Variety Club dinner at Cincinnati Ed Kuykendall said that it was definite that the M.P.T.O.A. convention would be held at Oklahoma City early in October.

A mail poll of the directors is to be taken to confirm the decision officially.

WESTBROOK VAN VOORHIS, the "voice" of March of Time, has returned from Manchester, N. H., where he has purchased land for a summer home.

•

VYVYAN DONNER, Movietone News fashion editor, will sail Saturday on the *Conte Di Savoia* to make a survey of fashions in Paris.

•

HELEN CLAIRE, Movietone News fashion commentator, has completed a series of transcriptions for a southern network.

•

STUART IRWIN and his wife, JUNE COLLYER, together with their two children, will arrive today aboard the Century.

•

LOLA WILSON HAYES, singer, will sail on the *President Roosevelt* today to appear in a Drury Lane production.

•

A. MONTAGUE and RUBE JACKTER of Columbia attended the dinner for JACK H. DURKEE in Baltimore last night.

•

FANCHON ROYER, producer, is in town with a print of "Religious Racketeer."

•

HARRY DIXON of Buffalo is in town for conference with HARRY THOMAS.

•

WILL H. HAYS will arrive from the coast today.

AMERICAN
FLAGSHIPS
TO LOS ANGELES

MERCURY SKYSLEEPER
OVERNIGHT—3 STOPS ONLY
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AMERICAN
AIRLINES INC.

Garner to Open House

HARRISBURG, PA., April 26.—The Senate here, new Jay Emanuel theatre, will be opened here next Friday evening by John Nance Garner, Vice-President, who will press a button in Washington to unlock the ticket machine at the theatre.

Regional RFC Men Will Handle Loans

Applications for loans for theatre rehabilitation under the plan being worked out with the Reconstruction Finance Corp. by Harry Brandt, president of the I.T.O.A., will be made by exhibitors to R.F.C. regional branch offices and not to the R.F.C. headquarters in Washington, it was said yesterday at the I.T.O.A.

Exhibitors throughout the country have shown interest in the negotiations Brandt is conducting, according to the organization, and a number of applications have been received by the I.T.O.A. Under the plan, exhibitors will be able to borrow up to $25,000 for five-year terms at a nominal interest rate.

Applications should show specifically what improvements are to be made and the amount of the mortgage on the property should be indicated, or the length of the lease, the I.T.O.A. said.

R.F.C. branches are located in key cities throughout the country.

Four Firms Will Get Ampa Plaques Today

Representatives of Warners, Columbia, United Artists and Amkino will receive plaques at the Ampa meeting at the International Casino tomorrow for prize-winning posters in the recent Transit Advertisers' exhibition.

F. LeMoyne Page, vice-president in charge of sales, will make the presentations. In the legitimate theatre division awards will be made to the Center Theatre, the World's Fair, Gilbert Miller, Alfred de Liagre and Max Gordon.

Derrick de Marney, British film player, is scheduled to appear at the luncheon, which will be the final regular get together until the fall. A special meeting will be held in May for the presentation of the Ampa advertising awards.

Manager Is Candidate

TULSA, April 26.—Jack Flannigan, manager of the Majestic here, has filed as a candidate for state representative from the Tulsa district.

May 5 Hearing for Guild-Playwright

HOLLYWOOD, April 26.—New e dence in the film writers jurisdiction battle between the Screen Playwrigh Guild and Screen Playwrights, In will be presented at Los Angeles May 5 before a trial examiner of t National Labor Relations Board.

The case has been reopened Leonard Janofsky, attorney for t guild, who seeks to introduce a tional data concerning the recent corporation of the guild as a Ca fornia corporation and also to testi that the guild has been given auto omy by the Authors' League of Ame ica, of which it is still an affiliate.

The hearing has been made nece sary by the refusal of Neil McCarth attorney for Screen Playwright which holds an agreement with t producers, to make any stipulati concerning the introduction of e dence. Janofsky today said that h presentation at the hearing would la only half a day. William R. Wal will continue as attorney for the R gional Labor Relations Board in t case.

Ritchey Survives Crash

Norton V. Ritchey, manager Monogram's export department, w among the survivors of the pla which was forced down and sank the Caribbean on Monday, he cabl the home office from Kingston yeste day. He is expected here Saturda

Premiere to Hear Crosb

HOLLYWOOD, April 26.—Bing Cro by, speaking from his home here, Thursday night will address the aud ence attending the premiere of "D Rhythm" at the Paramount, Kans City.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Pu lisher; J. M. JERAULD, Managing Edit JAMES A. CRON, Advertising Manager. ED TORIAL STAFF: Charles S. Aaronson, Jack B ner, Al Finestone, Thomas Fitzsimmons, Sher A. Kane, Irene Kuhn, Joseph Priore.

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"The Adventures of Robin Hood"

(*Continued from page 1*)

Michael Curtiz and William Keighley for direction which has served to combine the elements of which the story is made and the technical facilities at their command, with full advantage taken of the color technique, to present a powerful piece of box-office merchandise.

The cast is strong in name value, and each one performs admirably, wholly in keeping with the characters as they long have been known. Errol Flynn has captured ably the dashing recklessness of Robin Hood, who gave up a noble's place to fight for his absent King Richard the Lion Hearted, with a warm feeling for those he is protecting. Basil Rathbone is more than properly sinister as the leading henchman of the treacherous Prince John, played by Claude Rains, who would ursurp the throne of his brother, while Olivia De Havilland is excellent as Marion, with whom Robin Hood is in love. Alan Hale as Little John, Eugene Pallette as Friar Tuck, Ian Hunter as King Richard, Una O'Connor as Marion's maid, and Herbert Mundin as the willing aide of Robin Hood all offer fine characterizations.

The outdoor sets in many cases will stir audiences to murmurs of admiration, and the picture is highlighted by such examples as the archery contest, the scenes in the great castle halls, the ambushes in the forest, the rescue of Robin from the gallows, and the restoration of King Richard.

Running time, 100 minutes. "G."

ramatists — Play Bureau Make Peace

he Bureau of New Plays, an gency for the discovery and assis nce of new playwriting talent, which as formed under the sponsorship of ajor film companies following their jection of the Dramatists Guild con act three years ago and their andonment of Broadway play fi ncing, made peace yesterday with Dramatists Guild.

he truce does not signify a return stage play financing or stage pro cing by the motion picture com nies, however, it was stated on good thority. The guild last fall let it known that playwrights discovered the Bureau of New Plays would barred from full membership in the ild if they permitted their plays to produced under any form of drama sts' contract other than the guild's. nder the peace terms between the ild and bureau, the latter agrees to andon its options and contracts for e services of the new playwrighting lent, thus leaving the way open for ch playwrights to make contracts ith producers who will use the ild's form.

As a result of the agreement, film mpanies sponsoring the bureau ap rently will have no direct tie-in th the plays created or discovered rough its activities. Those plays ll be produced in the usual manner, art from motion picture company onsorship, and, in order to obtain e film rights to such plays, motion cture companies will be obliged to d for them in the open market as ey would for any other Broadway oduction.

ew Cinema Club Is Organized in K. C.

KANSAS CITY, April 26.—The Cine a Club of Kansas City has been ganized by younger workers in the dustry here as a fraternal organiza n. Variety Club is cooperating in nating its clubroom facilities two ghts each month, and has helped ith the organization of the club. ims of the Cinema Club will be very milar to those of Variety.

Seventeen charter members form e nucleus of the new group. They e Al Adler of M-G-M, M. E. An rson of Paramount, Harry Beder an of the Isis, Nelson Burrus of aramount, Chet Borg of Warners, harles Crawford of 20th Century- ox, Charles Decker of 20th Cen ry-Fox, Harlan Everett of M-G-M, eorge Friedel of 20th Century-Fox, anley Goldberg of Monogram, Dale avelone of the Madrid, Walter Kirk m of Commonwealth Theatres, Luke ritchett of Film Delivery, Johnny cott of Republic Midwest, Charles ebenthaler of Independent Poster xchange, Harry Wheeler of Para ount and H. C. Vogelpohl.

Officers are: Stanley Goldberg, esident; Harry Wheeler, first vice- esident; George Friedel, second vice- esident; Johnny Scott, treasurer, d Walter Kirkham, secretary.

Larsen Is Acquitted

Roy E. Larsen, publisher of *Life*, as acquitted yesterday in the Court Special Sessions in the Bronx of fering for sale obscene matter in the agazine, in connection with the pub ation of stills from the film, "The irth of a Baby."

New York Previews

"The Patient in Room 18"

(*First National*)

Bobby Connolly of dance fame had a hand in the direction of this film. Assisted by Crane Wilbur, he fashioned a clever and entertaining mystery yarn that should give expectant audiences what they desire in the way of gasps, romance and laughs. The performers were drawn from the younger roster of Warner players for the most part and they refreshingly do right by their roles.

Patric Knowles, a private sleuth, is recovering from the disappointment of haphazard deductions when the story gets going. But another series of problems is dumped into his lap a short while after he checks into a sanitarium for a rest. During a stormy night a patient is murdered and radium worth $100,000 is stolen. Later a watchman is killed and a few others are done away with. Clues point at various suspects. Divergent affairs are brought to light. The police come in and begin to get annoyed with Knowles and his ideas. Later, with his career at stake, Knowles arranges a meeting with all the suspects present. The culprit is drawn out and later finished off in proper style when he pulls a gun. Knowles goes back to bed under the ministrations of Nurse Ann Sheridan.

The story moves smartly and has all the necessary mystery angles. The cast includes Eric Stanley, John Ridgely, Rosella Towne, Jean Benedict, Harland Tucker, Cliff Clark and Edward McWade.

Running time, 60 minutes. "G."

"Moonlight Sonata"

(*Malmar*)

This picture was made a year or more ago by Lothar Mendes in England for Pall Mall Productions, Ltd. It has been taken over for distribution by Malmar Pictures. Somebody should have taken it over sooner, because exhibitors have been missing a production of exceptional beauty and wide appeal.

It stars Ignace Jan Paderewski. That may be a handicap in the minds of some exhibitors, because he is an old man, but if they see it they will discover that this extraordinary, musician-statesman is also an excellent actor whose personality and talents have been blended into a love story that will stir the emotions of two types of audiences—that general section of the public which craves romance on the screen and devotees of high class music.

The story opens with a concert in which Paderewski plays Chopin's A Flat Major—Opus 53 and Frank Liszt's Second Hungarian Rhapsody. By intermingling shots of the audience, closeups of Paderewski's hands and his facial emotions new interest is lent to his artistry. From there on the story is well-knit and sumptuously staged, with Charles Farrell, Marie Tempest and Barbara Green carrying the principal interest. In its development Paderewski plays his Minuet in G Major and Beethoven's Moonlight Sonata. This last, with the incidental action, brought tears to a projection room audience.

Running time, 80 minutes. "G."

20th-Fox Division Managers in Field

Division managers of 20th Century-Fox are discussing the windup of this season's sales and the new season's campaign with branch managers and sales staffs in the field.

William Sussman, eastern division manager, will return today from Cleveland, where he held a meeting with the Cleveland and Detroit staffs. W. J. Kupper, western division manager, is en route to Kansas City, and William Gehring, central division head, returned yesterday from Chicago.

James P. O'Loughlin, Canadian district manager and Kent Drive leader, conferred at the home office yesterday and left last night for Toronto.

Plans New Program

HOLLYWOOD, April 26. — Twentieth Century-Fox has purchased "Salvation," magazine story by John Tainter Foote.

Kansas City Police Stop "Baby Is Born"

KANSAS CITY, April 26.—On orders of City Manager H. F. McElroy police yesterday closed the Empress which was showing "A Baby Is Born."

The action followed a protest by City Censor Eleanor Walton that the film had not been approved by herself or City Censor Guy Holmes, who has been ill, and had not been offered for approval.

Doctors interested in "The Birth of a Baby" protested the Empress showings.

Plans New Type Show

LOS ANGELES, April 26.—The Horoscope Publishing Co. here has in preparation a new type of theatre program with which is coupled a birthday greeting to theatre patrons, and which is to be mailed directly to them from the coast. It will contain horoscopes and birth stones. It is planned to service theatres throughout the country.

Short Subjects

"Billy Rose's Casa Manana Revue"

(*M-G-M*)

This is a large scale filming of the impresario's Texas Centennial show with a few acts from the New York restaurant. The whole is strung along the frame of a slight plot that involves two performers and their marital squabbles. Harriet Hoctor dances. Big sets and much movement by trained dancers and some fine ensemble numbers make up most of the activity. The individual turns are generally above the general run. It should be put over easily. Running time, 21 mins. "G."

'Beautiful But Dummies'

(*Educational*)

Another Tom Patricola-Buster West opus that depends for its laughs on a series of standard comedy forms. However, they are not lacking in a certain brand of humor that has its devotees. The boys make merry with a clothes dummy in a gown shop and ultimately wind up in the jug. Running time, 17 mins. "G."

"Dear Old Dad"

(*Vitaphone*)

Floyd Gibbons offers sentimental melodrama in his latest "True Adventure" subject. This story concerns an old man who loses his memory. His children just about give up the search for him but at the dramatic last moment the situation is cleared. It is particularly well acted. Running time, 12 mins. "G."

"Stranger Than Fiction No. 48"

(*Universal*)

More oddities that should serve the dual purpose of entertaining and enlightening. The material is well-scattered geographically and is equally diversified. Running time, 9 mins "G."

Neely Bill Analysis Made by Hays Office

An analysis of the Neely Bill, presenting the opposition to the measure of the member companies of the M.P.P.D.A., was completed yesterday and forwarded to members of the Senate and other interested officials.

The printed brief is in 34 pages and covers the field of objections, publicized earlier in the trade press, which have been advanced from time to time within the industry. Among the points in opposition to the measure which are discussed at length in the brief are those involving exhibitor liability under the measure, the practical difficulties of solving the blind buying problem, fallacies of definitions in the Neely Bill itself, the burdens it would impose on American distributors in their commerce with foreign countries, the measure's inclusion of a voided Federal Trade Commission order and phases of the bill which may be unconstitutional.

The brief also urges the incompleteness of the original public hearings on the bill and the necessity for new public hearings before Congressional action is taken on the measure.

Furber's Salary Up, SEC Report States

WASHINGTON, April 26.—Salary of Percival E. Furber, president of Trans-Lux Corp., elected Jan. 1, 1937, at a salary of $15,000 a year, was increased to $20,000 by vote of the board of directors, as of Jan. 1, it was disclosed by the annual report of the company filed with the Securities and Exchange Commission today.

With his directors' fees, Furber received $15,400 during the year, it was reported. Other salaries reported were $16,320 to Percy N. Furber, chairman of the board, and $13,158 to Leslie E. Thompson, president of a subsidiary.

The report showed that there were outstanding options on 10,000 shares of common stock to George H. Robinson and 10,000 shares to Harold P. Farrington, at $4 per share, "for valuable services," good during the period of their service with the company, but not for more than two years from June 25, 1936.

The financial statement of the company, previously made public, showed it had a net income in 1937 of $211,909.66.

Senate-House Agree On Tax Compromises

WASHINGTON, April 26.—The tax conference committee today completed its work on the Administration's tax revision bill and will submit it to the Senate tomorrow in the hope that the measure may be finally enacted and sent to the White House before the end of the week.

In compromising the differences between the House and Senate, the committee retained in the bill the Senate amendment providing that the admission tax on legitimate theatre tickets should be based upon the actual selling price rather than the price as printed thereon as at present.

Para. Has Chemical Dept.

HOLLYWOOD, April 26.—Paramount has inaugurated a chemical research laboratory. It is said to be the first time any studio took a step in this direction. Harland Baumback, chemical engineer, has been named chief of the testing bureau by James R. Wilkinson, laboratory head. Complete microscope and microscope projection equipment is included in the new department.

Set New 20th-Fox Series

HOLLYWOOD, April 26. — Michael Whalen and Chick Chandler will be featured in a new 20th Century-Fox series dealing with newspaper life. The first film is titled "Meridian 7-1212." Jerry Cady is writing the original screen play. Frances Hyland and Albert Ray will prepare the script on the second, "While New York Sleeps." Sol Wurtzel will produce.

Several Open in Indiana

INDIANAPOLIS, April 26.—New houses opened in the Indianapolis area include the Princess at Newburg, Castle at Gosport, Brownie at Brownsburg and Kent at Kentland, all Indiana. L. E. Richardson, publisher of *Elnora Tribune,* has acquired the Owl in Elnora, and Robert Dafler has acquired the Pastime in Richmond. R. Levine is building a new house in Delphi.

The Newsreel Parade

Movietone News
Vol. 20, No. 65
(*20th Century-Fox*)

This issue stands out as varied and interesting. Many famous figures are seen. Much geographical ground is covered and the balance of sport, international affairs, dramatic pictorial news, religion and Lew Lehr is kept on a diverting level.

The British freighter *City of Salisbury* is seen broken in two in Boston harbor. Lord Perth and Count Ciano sign the Anglo-Italian friendship treaty. Saugus, Cal., contributes scenes of a rodeo that are novel. The King and Queen of England observe army maneuvers at Aldershot. Pope Pius XI presides at benediction services in Rome. Backgrounded by interesting cypress trees at Del Monte, Cal., girls of the Douglas School give a display of horsemanship and fencing. A religious observance in Jerusalem ends in a riot.

Francis Warren Pershing and his bride are seen at St. Thomas Church and departing on a globe-circling flying trip. Lew Lehr has excellent material with a cageful of monkeys who go in for swimming. Sport offers Kentucky Derby entrants and a track meet at Lawrence, Kan. Running time, 9 mins. P.

News of the Day
Vol. 9, No. 263
(*M-G-M*)

The page one news of the past few days still holds interest in pictorial form. This issue interestingly combines a series of events which do not suffer much due to their dated quality. Included is a standby thriller—an automobile race in which a car crashes off the track. There are also some new ideas in hill-climbing with motorcycles, more successful than the ordinary attempts.

The *City of Salisbury* breaking up on Graves Reef off Boston opens the reel. Pope Pius makes a rare appearance at St. Peter's Church. England and Italy sign their Mediterranean agreement. King George and Queen Elizabeth watch military maneuvers at Aldershot. Rescue work and tearful families are seen at Keen Mount, Va., where a mine blast took 45 lives. Michel Doret stunts a glider over Pau, France. Vice-President Garner gives unrestrained vent to his delight when Miss Charleston of 1938 kisses him. General Pershing's son, Francis Warren, is married to Muriel Bache Richards at St. Thomas' Church. A ballet rehearses on the site of the World's Fair with much "art." Sporting life, in addition to auto-racing and motorcycle hill-climbing, offers Archie San Romani beating Glenn Cunningham, and other kindred activities in a track meet at Lawrence, Kan. Running time, 9 mins. P.

Paramount News
No. 76
(*Paramount*)

Here is an assemblage of news events on a par with the general run of midweek news. The material is diversified and interesting.

A British freighter with a cargo of animals goes aground and breaks up off Boston. Vice-President Garner visits an azalea festival at Charleston, S. C. Mint officials in Washington pick the new design for the nickel. Felix Schlag is seen in Chicago with the $1,000 prize-winning model. General Pershing attends the nuptials of his son at St. Thomas Church. In Grundy, W. Va., 45 men die in a mine blast. A French airman puts a glider through a number of spectacular stunts at Pau, France. The baseball season makes its debut and Joe Di Maggio signs with Col. Ruppert. Dizzy Dean pitches a shut-out in Chicago and, in another vein, San Romano noses out Glenn Cunningham in a Kansas track meet. Running time, 9 mins. A.

RKO Pathe News
Vol. 9, No. 80
(*RKO*)

An interesting combination of action and human interest material makes up this issue. The two action numbers are a rowing race between Columbia and the Navy on the Harlem and the Kansas track meet. Both are high class jobs of photography and commenting.

Closeups of waiting relatives and friends as bodies are brought to the surface in the southern mine disaster which cost 45 lives convey a strong impression of tragedy and suffering. To take advantage of Oliva Dionne's latest suit against the quintuplets' guardians shots of Dr. Dafoe, the home of the children, and the guardians' ledger are presented.

General Pershing's arrival at St. Thomas Church for the wedding of his son is a highlight. A baseball game played by blind men with board walks along the base lines and a bell in the ball is exceptionally interesting.

Three other subjects including the dynamiting of hundreds of tree stumps to make an airport in the state of Washington, the signing of the British-Italian pact, and the new Jefferson nickel model. Running time, 9 mins. J.

Universal Newsreel
Vol. 10, No. 661
(*Universal*)

By crowding 13 subjects into nine minutes of running time, the editors achieved a conciseness that is frequently lacking in newsreels. This issue moves at a fast clip, which is always a virtue.

Outstanding are the shenanigans by Mayor LaGuardia, who plays cowboy for a day at Guthrie, Okla.; the clip of the huge throng in Rome gathered to receive the Pope's Easter Day benediction; Vice-President Garner cutting up at Charleston's Azalea festival, and, as a novelty, a blind men's baseball game.

The balance contains items of current interest, including the West Point dress parade, General Pershing amid the fanfare of his son's wedding, the signing of the Anglo-Italian pact in Rome, the disastrous mine explosion at Hangar, Va., British freighter aground at Boston, the new nickel design, Joe DiMaggio's signing of his new contract, fencing tricks by riders on horseback, and the running of the Chesapeake Stakes. Running time, 9 mins. F.

Films Included in 'Freedom' Measures

ALBANY, April 26.—Among 15 proposals introduced at the Constitutional Convention today on behalf of the American Federation of Labor was a measure submitted by Senator John J. Dunnigan of the Bronx intended to insure freedom not only for the press but also for the stage, screen and radio. It is the second proposal of its kind submitted to the convention [illegible]ing the past 24 hours.

The proposal goes even further than the one introduced by District Attorney Henry A. Hirschberg of Orange, which also asked for the extension of the privilege to films, radio, stage and press and "any writings or medium for the dessemination of ideas." The proposal was referred to the Bill of Rights committee, as was a resolution by Delegate Chauncey M. Hooper of New York preventing the discrimination against Negroes in film theatres or elsewhere. It follows along the lines of bills introduced in the Legislature this year which would make it illegal to ban Negroes from orchestra sections.

Banford to Chicago Post

CHICAGO, April 26.—W. E. Banford, formerly M-G-M branch manager at St. Louis, has been named to replace S. A. Shirley as resident manager here. Shirley, who has been ill, will remain on the job for several weeks to acquaint Banford with his new duties. John Quinn, salesman in St. Louis, will succeed Banford as manager of that office.

John L. Kelly, Pittsburgh salesman, will transfer to this territory, replacing David Ross, who has joined the Milwaukee office.

Scenery Firm Bankrupt

LOS ANGELES, April 26. — Los Angeles Scenic Studios, Inc., headed by Charles S. Thompson, today filed a voluntary bankruptcy petition in U. S. District Court. The company, which manufactures and rents scenery to studios, was given 10 days in which to file a schedule of assets and liabilities.

Wall Street

"U.," Warner Board Gains

	Open	High	Low	Close	Net Change
Col.	12	12	12	12	.....
Col. pfd.	31⅝	31⅝	31⅝	31⅝	— ⅞
Cons.	1¼	1¼	1¼	1¼	.....
E. K.	150¼	150¼	148	148	—3½
G. T. E.	11½	11½	11¼	11¼	— ¼
Loew	41½	41¾	41¼	41⅜	— ⅛
Para.	8	8	7⅝	7⅝	— ¼
Para. 1	80⅜	80⅜	79	79	—2½
Para. 2	9¼	9¼	8¾	8¾	— ⅜
Pathe	5	5⅛	4⅞	5⅛	— ¼
RKO	2⅞	2⅞	2¾	2¾	— ⅛
20th Fox	21½	21⅞	21½	21½	— ¼
Univ. pfd.	35⅛	35⅛	35⅛	35⅛	+2⅜
W. B.	5⅛	5⅛	5	5	— ⅛
W. B. pfd.	28½	28½	28½	28½	+ ¼

Light Curb Movement

	Open	High	Low	Close	Net Change
Tech.	20	20½	19¼	19¾	— ¼
Univ. Corp.	1⅞	1⅞	1⅞	1⅞	.....

Warner Bonds Up 2 Points

	Open	High	Low	Close	Net Change
Loew 3½s '46	99	99	99		.....
Para. B'way 3s '55	58	58	58		+ ½
W. B. 6s '39	72½	72½	72½		+2

(Quotations at close of April 26)

COMPOSITE

PICTURE
of a
FORTUNE!

Take them apart and put them in your box-office! It's the new national pastime and it's called . . .

"TEST PILOT"

BIGGEST WEEK-END *(Non-Holiday)* BUSINESS IN THE ENTIRE HISTORY OF LOEW's CIRCUIT!

Held Over in Every One of 25 Opening Loew Cities!
Cracking Records in all other spots!
Did *You* arrange for Extra Time?
Double it!
Oh, Clark Gable!
Ah, Myrna Loy!
Ooh, Spencer Tracy!
Yeah, M-G-M!

CLARK GABLE • MYRNA LOY SPENCER TRACY in Victor Fleming's Production of "TEST PILOT" with Lionel Barrymore • Screen Play by Vincent Lawrence and Waldemar Young • Original Story by Frank Wead • Directed by Victor Fleming Produced by Louis D. Lighton

TEST PILOT
BOX-OFFICE

“Chicago” Is One of Three Hits in Loop

CHICAGO, April 26.—“In Old Chicago,” “Mad About Music” and “[illegible]now White” were the outstanding [illegible]actions in the Loop last week, each grossing about $6,000 above average.

“In Old Chicago” at the Roosevelt hit $23,000 which was $12,000 above average and was excellent for the first Loop showing at popular prices. “Mad About Music” grossed $25,000 at the Palace and “Snow White” in its seventh Loop week grossed a record for the 900-seat Garrick with $12,600 which was double the house average. “Snow White” played six weeks at the Palace.

The State-Lake with “International House” and Chester Morris in person was over average slightly at $13,300.

Total first run business was $117,900. Average is $121,000.

Estimated takings:

Week Ending April 21:

“JUDGE HARDY'S CHILDREN” (M-G-M)
APOLLO—(1,400), 35c-55c-65c, 7 days, 4th Loop Week. **Gross:** $4,600. (Average, $6,500)

“HER JUNGLE LOVE” (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Easter Revue. **Gross:** $20,200. (Average, $32,000)

“SNOW WHITE AND THE SEVEN DWARFS” (RKO)
GARRICK—(900), 35c-55c-65c, 7 days, 7th Loop Week. **Gross:** $12,600. (Average, $6,500)

“COLLEGE SWING” (Para.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: ‘Frisco Follies” Revue. **Gross:** $16,400. (Average, $18,000)

“MAD ABOUT MUSIC” (Univ.)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Jane Pickens and revue. **Gross:** $25,000. (Average, $19,000)

“INTERNATIONAL SETTLEMENT” (20th-Fox)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Chester Morris and Revue. **Gross:** $13,300. (Average, $13,000)

Week Ending April 22:

“IN OLD CHICAGO” (20th-Fox)
ROOSEVELT—(1,300), 35c-55c-75c, 7 days. $23,000. (Average, $11,000)

“ADVENTURES OF TOM SAWYER” (U. A.)
UNITED ARTISTS—(1,700), 35c-55c-75c, days, 3rd week. **Gross:** $8,000. (Average, $15,000)

Change Des Moines Time

DES MOINES, April 26.—With the shifting to daylight saving time in some eastern cities, the program schedule of local stations has been changed. The network programs will be heard one hour earlier. The change has made it necessary to revise local programs, with some of them going on entirely new periods.

I. T. O. Plans Outing

ELDORADO, Ia., April 26.—The Allied Independent Theatre Owners of owa and Nebraska will hold their annual picnic here at Pine Lake early in June. The committee on arrangements for the picnic are W. B. Franke, chairman; E. O. Ellsworth, M. R. Blair and Wesley Mansfield.

Closed After 25 Years

KANSAS CITY, April 26. — The Mainstreet, formerly the Elite, Orick, Mo., has closed after being oprated for 25 years.

Out Hollywood Way

HOLLYWOOD, April 26.—Something new and complex in the way of title changes, by Universal. The picture that was to be called “Western Trails” will be called “Pony Express Days” and the title, “Western Trails,” will be affixed to the picture that was to be called “Wheels of Destiny.” That title will be scrapped. Marjorie Reynolds will play the feminine lead in both.

M-G-M will use its sepia platinum toning process in the short subject division beginning with PETE SMITH'S “Modeling for Money.” . . . Last year's newsstand hit, “The First Rebel,” will be produced by P. J. WOLFSON for RKO as “The Frontiersman.” . . . Columbia is inviting press writers to suggest a male lead for “Golden Boy,” the CLIFFORD ODETS stage play.

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Writers—FRANK BUTLER to write “Paris Honeymoon,” Paramount film for BING CROSBY. . . . GEORGE SESSIONS PERRY to collaborate with VIOLA BROTHERS SHORE on “Arkansas Traveler” for same company. Other Paramount writing assignments are KEN ENGLUND to the script of “Artists and Models of 1938,” JACK BENNY'S next, and FERDINAND REYHER to “Air Raid.”

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Directors—GEORGE STEVENS will direct “Gunga Din” for RKO. . . . NOEL SMITH to direct “Campus Cinderella” for Warners. . . . MICHAEL CURTIZ will do “Desert Song” for same company after completing “Because of a Man.” . . . WILLIAM SEITER, “Room Service,” M-G-M. . . . LES GOODWINS, “Fortuneers,” RKO.

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Casting—Signing of ROBERT GRIEG and LEONID KINSKY completes the casting of principals in WALTER WANGER'S “Algiers,” U. A. . . . CARY GRANT will play lead in “Gunga Din,” RKO, with JACK OAKIE also in cast. . . . ELEANOR LYNN and FRANK ALBERTSON, leads in “The Magician's Daughter,” M-G-M short. . . . MORGAN WALLACE, GEORGE OVEY and HOWARD HICKMAN to “Enemy Territory,” M-G-M feature. . . . RALPH BELLAMY, borrowed from Columbia, for major role in “Carefree,” RKO. . . . CLAY PUETT, Tanforan starter, and seven name jockeys for “Sing You Sinners,” BING CROSBY Paramount film. . . . GLORIA DICKSON, lead in “Racket Busters”; JOHN PAINE, featured role, “Wings Over the Navy”; WADE BOTELER and HELEN MACKELLAR, “Valley of the Giants”; HUMPHREY BOGART, “Chalked Out,” for Warners.

FANNY BRICE in “Honolulu,” M-G-M ELEANOR POWELL production, GILBERT EMERY and DORIS LLOYD, “Tracking the Sleeping Death,” short; MORGAN WALLACE, TULLY MARSHALL, EVELYN BERESFORD, TOM RUTHERFORD, FORBES MURRAY and DAVID HORLSEY “Hold That Kiss,” all for Leo. . . . COLLETTE LYONS in “Celluloid,” RUPERT HUGHES story SOL LESSER will produce. . . . DOUGLAS FAIRBANKS, JR., lead in “Right Angles,” GREGORY LACAVA production for RKO. . . . IRENE DARE, five-year-old skating star, in “Easy Street,” SOL LESSER, BOBBY BREEN vehicle.

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Miscellany—CECIL B. DEMILLE is out of the hospital and conferring with his writers on “Union Pacific.” . . . RALPH GOLDSTEIN has been signed by M-G-M as film editor for shorts. . . . W. C. FIELDS' next picture, announced as “Behind the Eight Ball,” will be known as “Mr. Bumpus Goes to London.” . . . MERRIL PYE will be art director on HUNT STROMBERG'S “Sweethearts” unit, M-G-M. . . . RKO has bought “The Inside Room,” original by EDWIN OLMSTEAD.

Griffith Filming Towns

VINITA, Okla., April 26.—Scenes here have been filmed by Tom Blair of the Griffith Amusement Co. showing the Grand River dam, schools, business district and many citizens of the town. The reel will be shown in the Griffith houses. Blair said he planned to take similar pictures in Ketchum, Disney and other nearby towns.

Oregon Legion Film Out

PORTLAND, Ore., April 26.—Department headquarters of the American Legion is advising all posts in the state that the films taken at the Albany, Ore., convention are available for showing. They are sound pictures and were made possible through the Portland Electric Power Co. post.

Two Join N. T. S. Sales

F. B. Ostman, former RCA Manufacturing service manager in Camden and district sales manager in Texas, and C. Tappan, formerly in charge of sound engineering for General Talking Pictures, have been named to the sales staff of National Theatre Supply Co. by E. M. Hartley.

Take Canada Company

TORONTO, April 26.—Theatre Operating Service, Ltd., established two years ago as a supply and equipment unit for Associated Theatres, Ltd., has been absorbed by Canadian Theatres & Electrical Supplies, Ltd., a subsidiary of Famous Players Canadian Corp. E. V. Armstrong, formerly general manager of Theatre Operating Service, has become a supervisor of Hanson Theatres.

Baker Succeeds Zipper

DETROIT, April 26.—Clark S. Baker has succeeded Carl Zipper as office manager of the local Columbia exchange. He came here from the company's Omaha office. Mabel Reid, formerly assistant to Rose Arnold, cashier, has succeeded the latter to that position.

Lynn Gets Flynn Role

HOLLYWOOD, April 26.—Jeffrey Lynn has been assigned to the Errol Flynn role in “Sister Act” opposite Rosemary Lane. The studio said that Flynn was yachting off Florida and “not able to return in time to work in the picture.”

“Chicago” and “Jezebel” Big Seattle Draws

SEATTLE, April 26.—“In Old Chicago” and “Jezebel” were outstanding and both were held. The former, at the Fifth Avenue, took $9,800, up by $2,800. The latter, on a dual with “The First 100 Years” at the Orpheum, reached $8,650, over the line by $2,650.

“Snow White and the Seven Dwarfs” held up to $3,350 at the Music Box in the sixth week of an extended run from the Fifth Avenue.

Total first run business was $39,150. Average is $36,500.

Estimated takings for the week ending April 22:

“REBECCA OF SUNNYBROOK FARM” (20th-Fox)
“A TRIP TO PARIS” (20th-Fox)
BLUE MOUSE — (950), 30c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $3,100. (Average, $4,000)

“IN OLD CHICAGO” (20th-Fox)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $9,800. (Average, $7,000)

“DIVORCE OF LADY X” (U.A.)
LIBERTY—(1,800), 30c-40c-55c, 7 days, 2nd week. **Gross:** $3,900. (Average, $5,000)

“SNOW WHITE AND THE SEVEN DWARFS” (RKO)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 6th week, extended run from Fifth Avenue. **Gross:** $3,350. (Average, $4,000)

“JEZEBEL” (W.B.)
“THE FIRST 100 YEARS” (M-G-M)
ORPHEUM — (2,450), 30c-40c, 7 days. **Gross:** $8,650. (Average, $6,000)

“MY OLD KENTUCKY HOME” (Monogram)
“THE PATIENT IN ROOM 18” (S.R.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville headed by Brown & Lavelle. **Gross:** $3,950. (Average, $4,500)

“ADVENTURES OF TOM SAWYER” (U.A.)
“MR. MOTO'S GAMBLE” (20th-Fox)
PARAMOUNT—(3,050), 30c-40c, 7 days, 2nd week. **Gross:** $6,400. (Average, $6,000)

“Marco Polo” Hits $7,800, New Haven

NEW HAVEN, April 26.—“Adventures of Marco Polo” and “Accidents Will Happen” topped the town's business with $7,800, over the usual Roger Sherman week by $3,100. The bill was held for a second week.

The Paramount, with “Her Jungle Love” and “Checkers,” also outdistanced normal business, taking $6,000, over the line by $1,300.

Total first run business was $22,400. Average is $20,200.

Estimated takings for the week ending April 22:

“WIDE OPEN FACES” (Col.)
“ARSENE LUPIN RETURNS” (M-G-M
COLLEGE — (1,499), 25c-35c, 7 days. **Gross:** $2,100. (Average, $2,800)

“REBECCA OF SUNNYBROOK FARM” (20th-Fox)
“LOVE ON A BUDGET” (20th-Fox)
LOEW-POLI—(3,040), 35c-50c, 7 days. **Gross:** $6,500. (Average, $8,000)

“HER JUNGLE LOVE” (Para.)
“CHECKERS” (20th-Fox)
PARAMOUNT—(2,348), 35c-50c, 7 days. **Gross:** $6,000. (Average, $4,700)

“ADVENTURES OF MARCO POLO” (U.A.)
“ACCIDENTS WILL HAPPEN” (W.B.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $7,800. (Average, $4,700)

Joins Artcinema Firm

Beulah Livingston has joined Artcinema Associates. The appointment was made by Emil C. Jensen, president. She will handle the publicity department and head the story department.

Public Should "Intervene" in Films—Myers

(*Continued from page* 1)

at a banquet in his honor given by the Allied group at the Hotel Statler. William F. Rodgers, general sales manager for M-G-M, asked conciliation boards as a substitute for Governmental intervention.

The Twentieth Century Association, which is friendly to the aims of the Motion Picture Research Council, has, like the council, been campaigning for Federal regulation of the industry, including passage of the Neely bill. The association is sponsoring petitions called a "Declaration of Independence" (for exhibitors) as "an expression of public indignation" against industry practices. The petititions are being sent to Congressmen and Senators with the request that they be forwarded to the Attorney General.

The campaign was furthered at the luncheon today by Myers' address and a talk by Irving A. Isaacs of Boston, vice-president of the association and an independent exhibitor, who spoke on the group's plans "to bring about restoration of community freedom in the choice of films."

Recounts Grievances

Myers gave what he described as "a lengthy recital of exhibitor grievances," citing "monopolistic" practices which, he said, are "unparalleled in the economic history of the United States."

He urged support for Allied's drive to get the Neely bill passed in the Senate, and grouped this measure with legislation to "divorce" exhibition from production and distribution as well as enforcement of the anti-trust laws as a means of destroying the alleged "motion picture trust."

"It is hazardous to attempt to define legitimate interests of the public in a business which concerns the public in so many ways," Myers said. "Many people think that pictures should be censored not merely by the states in which they are exhibited but by the Federal Government at the studios where they are made. I do not agree with this point of view, but I am not privileged to write a definition which would exclude it from consideration."

G.N. Will Deliver 75% of List: Peskay

(*Continued from page* 1)

trustees in the reorganization of G.N. He stated that reorganization of the company under section 77B of the bankruptcy act was proceeding smoothly and a series of meetings are scheduled this week at which plans to be submitted to the U. S. District Court will be formulated. A possible sales convention to be held here next month is also under consideration.

Hold Levi Rites Today

Funeral services for Mrs. Carl Levi, widow of the late Loew Theatres executive, will be held this morning at the Riverside Chapel. Mrs. Levi died Sunday of a heart attack.

America's Film History to Feature French Exhibition

The American motion picture, come of artistic age at 44, goes abroad today at the invitation of the French Government. Included as an art for the first time, with painting, sculpture and architecture, stills and movies representing a pictorial biography of the American motion picture will be shown for several weeks in the Exhibition of American Art opening May 24 at the Musee de Jeu de Paume in Paris.

Beginning with the 1894 Kinetoscope "Execution of Mary, Queen of Scots," through silent, silent with sound sequences, and all-talkie periods of development to "A Day at the Races" and "The River," the history of the American film in carefully chosen excerpts, with French titles, sound tracks and explanations, will be shown.

John Abbott and Allen Porter of the Museum are taking the show abroad. They will pick up French, German and English films to add to the historical and educational collection in New York.

Complete History Possible

Through the efforts of an interested group including Edward M. Warburg, Mrs. John D. Rockefeller, Jr., John Hay Whitney, who financed the project, and the cooperation of various film companies and individuals, a complete continuing history of the art is now possible.

The original plans of Iris Barry and John Abbott of the Museum Film Library to preserve the best examples of American films in their various classifications have had interesting off shoots in three years. Originally, the thought was merely to make pictures and the history of them available to colleges, educational groups and an interested public. From this have arisen courses in universities in the technique of film making, and the artistic and the critical sides. David Selznick has lectured on the production of films, King Vidor on the directorial aspects, James Cagney on acting, and various other experts in their fields have given their services.

Today, according to Abbott and Miss Barry, there is an increasing demand for these courses by young people.

Within a short time the present headquarters of the Film Library will be moved to the Museum's new midtown building. Meantime, the acquisition and organization of material go on and there are now 4,000,000 feet of film in the vaults. Attics, closets and warehouses were combed for the old stills and records.

Ziegfeldiana

Bernard Sobel of M-G-M's publicity department, Florenz Ziegfeld's former press agent, started something when he organized a Ziegfeld Girls' Club in connection with "The Great Ziegfeld" a couple of years ago. Today the club has 150 members, with branches in Hollywood and Chicago.

The members will throw their third annual party in the grand ballroom of the Plaza Saturday night. Billie Burke, Ziegfeld's widow, and Anne Morgan will be there.

In the material selected to go abroad are stills, records and movies to make three separate shows. About 250 stills will trace the history of stills from the "Black Maria" of 1894 down to the present day. The names of the pictures have been put into French to conform with whatever title was released in France. There, "The Covered Wagon" was "The Caravan of the West."

The second show is a technical exhibit—"What Goes Into Making a Film." "The Adventures of Tom Sawyer" was chosen for this.

These two "still" shows will occupy the right and left sides of a room, opening through an arch into a small theatre where films will be screened in a 45-minute show. This record begins with Charley Chaplin in "The Emigrant," and includes "The Four Horsemen of the Apocalypse," "The Covered Wagon," "Greed," Buster Keaton in "The General" and "Plane Crazy," a silent Mickey Mouse which was never released.

Includes Sound Films

This is the silent section of the film. The progress of the picture takes up "The Jazz Singer," in 1927, still silent, but with singing sequences by Al Jolson. There is the first of the Silly Symphonies, "The Skeleton Dance." And 1929 is represented by "Anna Christie" in which Garbo spoke for the first time on the screen. Then there are "Little Caesar," "She Done Him Wrong," "Swingtime," with one of the best of the Fred Astaire dance sequences, the surgery sequence from "A Day at the Races," and the flood shots from "The River."

Offers Child Actor Bill

WASHINGTON, April 26.—A bill which would put all child actors under the protection of guardians to be appointed by the Federal courts until the child shall have reached his maturity has been introduced in Congress by Representative Raymond J. Cannon.

Hear Bogus Money Talk

Cashiers, treasurers and managers of RKO theatres this morning will be addressed by Special Agent Allan Murphy of the U. S. Secret Service on the practice of detecting counterfeit money.

"Hood" Stills in Book

Warners, through arrangement with Conklin Publishing Co., has issued a 32-page booklet containing 175 stills from "Adventures of Robin Hood," each picture captioned and arranged to give a complete running story of the film. The publication will be distributed by five-and-10-cent stores.

Keough at Dartmouth

Austin C. Keough, head of Paramount's legal department, will discuss legal problems involved in writing for the screen before the film class of Dartmouth at Hanover tonight.

Dallas Case Moves Go Over to Autum

(*Continued from page* 1)

obliged to enter a new decree in
case, either on the basis of his
findings or with the aid of findi
of attorneys for the Government
defendants, which could be submit
at Judge Atwell's invitation. W
the new decree has been entered in
Dallas Federal court, attorneys
the defendants must bring a new
peal to the Supreme Court for he
ing. As the high court is schedu
to adjourn for the current term
about four weeks, industry attorn
are agreed that there is no possibil
of getting the new hearing until af
the Supreme Court reconvenes.

Although it is highly unlik
there is a possibility, even, that Ju
Atwell, on the basis of the findi
of fact to be made hereafter, co
enter a decree in favor of the
tributors and Interstate Circuit, t
reversing himself. Such an eventual
is possible because the Supre
Court's action in returning the c
to the Dallas District Court is
itself a technical reversal of Jud
Atwell's original decision, and
made by a six to two decision of
high court. It eliminates the lo
court's original decree and, in so
ing, removes for the time being
Government's injunction against
tributors and exhibitors entering i
the type of contracts which are
issue in the Dallas case.

Affects Philadelphia Case

A simple interpretation of
Supreme Court's action is that
justices, on the basis of Judge
well's incomplete decision, would
decide whether the distributors c
spired among themselves or with
terstate, as charged.

As a result of the court's acti
distributors may appeal the Philad
phia Circuit Court of Appeals decisi
against anti-double feature clauses
contracts to the Supreme Court.
outright victory in the Dallas ca
would have encouraged an appeal
the Philadelphia case. However,
time alotted for an appeal of
Philadelphia case will have expir
long before the Dallas case aga
reaches the Supreme Court, thus m
terially lessening the chances of
appeal of the former.

Para. Midwest Meet Se

KANSAS CITY, April 26.—N
product and sales policies will be
subject of discussion by some 30 re
resentatives of Paramount in a d
trict sales meeting at Excelsi
Springs, Mo., April 29 and 30. R.
LiBeau, district manager, will cond
the meeting, which will be attend
by branch managers, salesmen, he
bookers, and ad sales managers fr
Kansas City, St. Louis, Des Moin
and Omaha.

M-G-M Sets Hockey Stor

HOLLYWOOD, April 26.—M-G-M
first Technicolor feature under
recently completed deal for six w
be "Hands Across the Border," st
ring Robert Taylor. It will follo
"Give and Take," now in work. T
story is about hockey rivalry betwe
the U. S. Military Academy and t
Royal Military College of Cana
Louis B. Mayer is credited with t
story idea.

›ilverstone Is Named to New UA Post

(Continued from page 1)

ct with the company has three years un.

he appointment of Silverstone was de the first order of business by the ited Artists directors when they nt into session at 11 A. M. yester- y. His appointment was publicly nounced an hour later. Yesterday rning's session of the directors was ceded by a night meeting in Mary kford's suite at the Sherry-Nether- ds on Monday. The meeting con- ued throughout the day yesterday d further sessions are scheduled for lay.

n addition to Silverstone, those ap- nted to the executive committee are orge J. Schaefer, vice-president and eral manager of domestic distribu- n; Arthur W. Kelly, vice-president charge of foreign distribution; rry D. Buckley, vice-president in rge of exchange operation, and rry J. Muller, treasurer of the cor- ation. All the members of the cutive committee will have their dquarters here.

British Importance Seen

An official of the company stated t Silverstone's duties would involve coordination of the company's do- stic and foreign activities, in both duction and distribution. His ap- ntment, it was said, is in line with increasing importance of the com- y's British operations, which also lude exhibition. Informed quarters, vever, regard the Silverstone ap- ntment as of vastly more signifi- ce than that. It was stated that he y spend several months of every r in England and that no successor uld be named for his vacated Lon- n post.

Goldwyn may accompany Silver- ne to the coast tomorrow if the ectors' meetings have been com- ted by then. Alexander Korda ns to remain until May 4 when he y sail on the *Normandie* accompan- by Morris Helprin, who will view London Films production plans advertising and publicity purposes. ry Pickford plans to remain here il about the middle of May.

sher Talking with Korda on New Post

rving Asher, former head of tish production for Warners, is otiating with Alexander Korda a berth at Denham studios. He ted discussions in England with head of London Films, follow- his resignation from Warners, and eal may be set this week.

sher said he had negotiations on h other companies for a British duction post but said there was truth to the report that he would d Pinewood Studios and that he had no negotiations with the ners. Korda has expressed him- as willing to sign Asher.

sher had planned to sail on the *de France* today, but canceled his to talk with Korda and plans to with him on the *Normandie* next dnesday.

Tripp Calls on Publishers To Fight Film Advertising

(Continued from page 1)

to a readership which pays an admission fee to be entertained, not to be sold or propagandized. If the motion picture industry is counting on enjoying the attitude of the press toward radio," he warned, "it has failed to reckon that sponsored radio programs charge no admission and at any time may be tuned out. The movie industry may not appreciate nor even desire the more generous newspaper treatment of the theatre as compared with radio.

"The cinema industry, now quite peacefully policed, will have to decide if the income from screen advertising would be large enough to offset the public ill will, newspaper indifference, perhaps antagonism, to the propaganda plague which is a second cousin to high-powered specialty advertising and which invariably trails closely behind."

Tripp recalled that a previous attempt a few years ago to put advertising over on the screen was defeated when the newspapers began to neglect motion picture publicity.

After quoting figures from the Motion Picture Daily and reading Will Hays' recent pronouncement against screen advertising, he ended by asking if the industry wanted to make sandwich men of Garbo and Gable.

The A.N.P.A. session yesterday was for "small newspapers," those with a circulation of approximately 50,000 which constitute 90 per cent of the nation's press and influence.

No action was taken by the convention yesterday, but the matter will be noticed officially, in all probability, before the session closes on Thursday.

Florida Appeals on Ascap Law Decision

Tallahassee, Fla., April 26.—The state of Florida today appealed to the U.S. Supreme Court, from a three-judge Federal court ruling recently issued in New Orleans holding unconstitutional this state's law prohibiting Ascap from collecting fees for use of controlled musical numbers by radio stations, theatres and others. The Federal court temporarily enjoined enforcement of the Florida law.

Technical grounds mainly involving jurisdiction were cited by Assistant Attorney General T. A. Norwood of Florida in asking the Supreme tribunal to overturn the ruling of the New Orleans court.

RKO to Handle "Years"

London, April 26.—RKO here disclosed that it would handle world distribution of "Sixty Glorious Years," which will have its world premiere at the Empire Exhibition in Glasgow, followed by simultaneous openings in London and New York. It is reported here that the world gross on "Victoria the Great" already has reached $1,800,000.

Set Ostrer Hearing

London, April 26.—The high court hearing of the action of John Maxwell, head of Associated British Pictures against the Ostrer Brothers, has been set for July 4.

Re-importation Fee

London, April 26.—Speaking on the British budget today, Sir John Simon disclosed that he will propose a resolution calling for a duty on the re-importation of films which had been exported after being printed in England from foreign negatives.

It is claimed the move would assist the dubbing of foreign films by permitting the work to be done under bond, but will provide that the positive shall not be reimported unless the fee is paid.

Extend Production For School Shorts

Continuance for another year of the production of class room shorts by the film project of the Progressive Education Association has been assured by a grant of $69,000 from the General Education Board of the Rockefeller Foundation. The work has now been in progress for two years on the basis of a grant of $75,000 from the Foundation in 1936.

Classroom films are produced by means of editing selected portions of commercial films. The work is under the direction of Joseph Losey, as production director, assisted by Helen Van Dongen, film editor; Margaret Kneerim and Irving Lerner. The staff has the full cooperation of the Hays organization.

A number of the shorts thus far produced will be screened this afternoon at 1600 Broadway.

Pathe Picks Loach As Vice-President

(Continued from page 1)

Philips & Nizer was elected a member of the board at the annual stockholders' meeting preceding the directors' session. Philips, whose law firm is counsel for Pathe, is an addition to the directorate, which will now have eight members. Gurdon W. Wattles was elected a director to replace Charles B. Wiggin. Wattles is associated with White Weld & Co., investment bankers.

Directors reelected were Henry J. Guild, Robert M. McKinney, Charles A. Stone, Frank F. Kolbe, Robert R. Young and Briggs.

Tasker Resigns in 'U' Studio Shakeup

(Continued from page 1)

pre-recording department head, who will consolidate both departments.

Harry Zehner, holding the censorship contact position, and Gil Kurland, business manager of the music department, have both left the lot. John Steinberg, operating the studio commissary, will leave to devote his entire time to the management of the Victor Hugo Cafe.

Where to . . . . ? ?

LOS ANGELES—SAN FRANCISCO

TWA
FLY
TWA
THE LINDBERGH LINE

Free Meals Served Aloft
Delicious complimentary meals are served aloft by charming hostesses. You pay "nothing extra" for TWA's Traditional luxury. Fly TWA your next trip to Calif.

When you travel to California FLY . . . and FLY TWA—the Lindbergh route . . . shortest, fastest, coast-to-coast. New and faster schedules are now in effect. Fly the TWA Sky Chief to Los Angeles! Leave New York this afternoon at 5:30; arrive Los Angeles 7:56 tomorrow morning. Overnight Skysleeper luxury, or if you prefer a daylight scenic trip, leave New York at 7:30 tomorrow morning on the Sun Racer which arrives in Los Angeles at 11:43 tomorrow night.

CALL TWA, MUrray Hill 6-1640 or PEnnsylvania 6-6000 for reservations.

SHORTEST . . . FASTEST . . . COAST TO COAST

A.N.P.A. Talks Radio's Effect On Newspaper

Arguments both for and against radio were heard at the 52nd annual meeting of the American Newspaper Publishers' Association which opened yesterday at the Waldorf-Astoria. The opening session was limited to publishers of papers having circulation of 50,000 or less.

Frank E. Tripp, general manager of the Gannett newspapers, and J. M. Bunting, general manager of the *Daily Pantograph,* Bloomington, were heard in statements opposing radio competition, while Orrin Thurston of the Honolulu *Daily Advocate* and A. L. Miller of the Battle Creek *Inquirer and News* defended radio in its relation to the newspaper field. Both Thurston and Miller are owners of radio stations.

Sees Advertising Decreased

Tripp charged that radio competition has resulted in a trend by advertisers away from the small newspaper and added that responsibility for this development should be laid at the door of the publishers themselves who have sponsored a form of news presentation which seems faulty when compared with the "showier" presentation offered over the air waves. He added that newspapers are building circulation for radio by printing programs and feature publicity. He urged that publishers form a united front against radio through the A.N.P.A.

Bunting substantiated the opinions of Tripp, saying that the publisher who opens his columns to radio publicity is wielding a razor on his own throat. His paper, he stated, hasn't carried a line on radio in six years.

Radio Called "Protection"

Thurston in rebuttal said that he owned a radio station as a means of reinforcing his paper's circulation by giving him a closer contact with the community.

Miller maintained that his station was a form of protection in that it permitted him to preempt the field and so control the dissemination of news in his section.

Radio will again be discussed at today's meeting by publishers of papers of large circulation.

At Friday's session Edward S. Friendly of the *New York Sun* will deliver the report of the A.N.P.A. committee on radio.

Set New WQXR Show

WQXR on May 3 will inaugurate a new program called "The American Dinner Hour." The American Union for Democracy sponsors. The broadcast will go on at 8 P.M. and will offer Fredric March, Florence Eldridge, Newbold Morris, Dorothy Dunbar Bromley and Alice Duer Miller.

Change Steele's Time

John Steele, foreign correspondent and Mutual representative in London, will be heard in comment on the situation abroad on alternate Sundays beginning May 1, from 3 to 3:15 P.M., E.D.S.T. He was formerly heard on Saturdays at 9 P.M.

FCC Seeks Program, Personnel Details

WASHINGTON, April 26.—Details of program service and personnel are asked of all broadcasting stations in the 550-1,600 kilocycle band in questionnaires which have been sent out by the Federal Communications Commission, it was stated today. The information is desired in connection with the commission's super-power investigation and is to be filed by May 18.

Questionnaires sent out to broadcasters ask information as to the number of persons engaged in various categories during the week beginning March 6, last, and the remuneration paid, as well as a complete summary of the programs broadcast during the week, commercial and sustaining by types and sources of origin, showing the amount of time devoted to each.

CBS Planning Seven Broadcasts on Derby

CBS have seven broadcasts covering events leading up to and following the Kentucky Derby, which will be held at Churchill Downs on May 7. The last session will report the annual Kentucky Colonels dinner at the Kentucky Hotel.

Ted Husing will be at the microphone for many of the events. Bob Trout will be on hand to assist him. A feature of the program will be the inaugural airing of Ferde Grofe's "Kentucky Derby Suite." The big race will be described from 6:15 to 7 P. M., E.D.S.T.

Radio Editors Off To KNX Dedication

Luther Reid, acting publicity director of CBS, left for Hollywood yesterday accompanied by six local radio editors, to cover the dedication of the new KNX studios which open Saturday. The editors are Aaron Stein of the *Post,* Nick Kenny, *Mirror;* E. L. Bragdon, *Sun;* "Dinty" Doyle, *Journal-American;* Jo Ranson, *Brooklyn Eagle,* and Tom Burke of Hearst magazines.

William S. Paley, president of the network, will leave for Hollywood tonight. He will speak on a special program Saturday.

Radio Singers Signed

HOLLYWOOD, April 26.—Paramount has signed five radio singers to appear in a forthcoming short, "Queens of the Air." Vincent Lopez will supply the musical background. The vocal talent includes Betty Hutton, Jean Ellington, Hollace Shaw, Nan Wynn and Benay Venuta.

Plan New NBC Series

Charles H. Phillips Co. will sponsor a dramatic series, "Stellas Dallas," on NBC, replacing "How to Be Charming" with the new program. "Stella Dallas" will be presented Mondays through Fridays from 4:15 to 4:30 P. M., starting June 6. Blackett-Sample-Hummert is the agency.

Carlson Quits CBS

HOLLYWOOD, April 26.—C. A. Carlson, auditor at Hollywood headquarters of the Columbia Pacific network, has resigned. C. D. Ryder, Jr., accountant at KNX, will assume Carlson's duties.

▸ Radio Personals ◂

HERB PETTEY, general manager of WHN has returned from a vacation. Gene Ford, producer, is also back at the office following an illness. . . . Roland Young will do a guest spot on Bing Crosby's Kraft Music Hall, Thursday. George Barrere, flute virtuoso, also will appear. . . . David O. Alber has moved his Canadian office from the Mt. Royal Hotel to a location on Victoria St. in Montreal. Jack Hirschberg continues in charge.

✚

Marjorie Weaver will be a guest on the Woodbury program next Sunday night. She'll appear opposite Tyrone Power in "Swing Your Partner.". . . Block and Sully and Francis T. Hunter, the latter a former member of the U. S. Davis Cup team, will appear on "The Monday Night Show" May 2. . . . Will Osborne has received Patent No. 2,059,898 for his "Slide Rhythm" from Washington. . . . Ezra Stone, Vaughan Glaser, Arthur Pierson, William Mendrek, Ruth Matteson and James Corner of the stage play, "What a Life," will do scenes from their vehicle on Rudy Vallee's program tomorrow night. . . . Robert Young and Max Baer will appear in guest spots on the "Good News of 1938" airing tomorrow evening. . . . Dr. Charles M. Courboin is in Philadelphia making recordings.

KMA Will Join NBC Blue Web on May 1

KMA, Shenandoah, Ia., will join NBC as an affiliate of the Blue network May 1.

The May Seed & Nursery Co. operates the station, which has a day power of 5,000 watts, and a night power of 1,000 watts. J. C. Rapp is the station manager.

Fair Program Arranged

WHN will broadcast for three days the festivities of the World's Fair Prevue, beginning April 30 and continuing until May 1. The events will start with a Junior League ball and conclude with a concert by the Philharmonic Orchestra.

Honor CBS Officials

HOLLYWOOD, April 26.—The Junior Chamber of Commerce here will tender a luncheon tomorrow to CBS officials in honor of the dedication of the new CBS building on Columbia Square, April 30. Speeches will be recorded and later broadcast over KNX.

Roper on KNX Salute

Secretary of Commerce Daniel C. Roper will participate in the salute to KNX, new CBS spot on the coast, April 30 from 10:45 to 11 P.M., E.D.S.T. He will talk on "Honest Advertising, an Instrument of Confidence" from WJSV, Washington.

Bradley on CBS Games

CHICAGO, April 26.—With Pat Flanagan off the air for six weeks due to illness, Truman Bradley will do the baseball games for WBBM-CBS, starting today.

Color Feature of SMPE Discussio

(*Continued from page* 1)

Inter-Relationship of the Variou Aspects of Color." Color measurement, the theory of color reproductio a screen-film negative-positive proces the problems of full color reproduction and a discussion of the multiplan camera were considered at length b various experts in the technical [illegible] color, in papers read to the delegate during the morning session, devote entirely to color.

The afternoon meeting was occupied with a sound session, the first c two on the subject. One of the mos important talks of the session wa that on "A New Sound System," b G. Friedl, Jr., of International Pr jector Corp. Also of interest was th report of the specifications for new theatre reproducing equipment b the standardization committee of th Research Council of the Academy and the report of the S.M.P.E. standards committee, of which E. K. Carver is chairman.

The evening session was devoted t the educational and industrial applications of motion pictures.

To Defer Action on Oklahoma Fees Bil

OKLAHOMA CITY, April 26.—W. A Quinn, City Manager, has recommended that the City Council defe action on a proposed city ordinanc which would double city license fee from the city's major film theaters Quinn's recommendation came afte W. B. Shuttee, general manager o Standard Theatres, Inc., said he wa planning to protest against the measure. He claimed that if the bill wer passed the Warner here, seating 1,87 persons, the largest in the city, woul be forced to close. Quinn said neithe he nor the council members have ha time in which to study the effects o the measure.

"Jungle Love" Gets $39,000 in Holdove

The Paramount grossed $39,000 fo the second week of "Her Jungle Love" with Tommy Dorsey and his band on the stage. The first week's take was $47,000.

"Beloved Brat" will start at the Strand on Saturday. "To the Victor" started a third week at the Continental yesterday and is scheduled to be held longer. The G. B. film is reported to have grossed $6,000 in its first week, building to $8,500 in the second.

Chicago Garrick to Be Newsreel House

CHICAGO, April 26.—This city will get a newsreel theatre within two weeks. John Balaban says the 900-seat Garrick will show only newsreels and shorts. This will take one first run from the Loop and will make changes necessary in the releasing system.

The Garrick has been having a hard time of late.

"Godfrey" to Be Aired

William Powell and Carole Lombard will do a radio version of "M Man Godfrey" on the "Lux Radio Theatre" program May 9.

DO NOT REMOVE

Alert.
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nd
ndispensable
o the Motion
Picture
ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 43. NO. 98 — NEW YORK, THURSDAY, APRIL 28, 1938 — TEN CENTS

eldes Warns gainst Flood of Propaganda

ocumentary' Films Are Threat, He Asserts

Vhile hailing "The River" as a movie, Gilbert Seldes, author, rnalist, critic, warned the Book Author Luncheon audience at Es- House yesterday that this new d of film, the "documentary," may d theatres with propaganda pic- es. It was the second gathering of kind given by the American Book- ers Association.

This movie, a study of the subject, ed on fact, is definitely a propa- da picture, a defense of and plea TVA. That may be entirely per. However, the movie-going lic may soon find itself propa- dized right out of the theatres. ere are several of these 'docu- ntaries' around now, and the names he producers are not always given, the pictures are mainly concealed paganda."

He said that the film patron who s theatre admission is going to

(Continued on page 9)

nider Hopes for Australian Gains

mprovement of distributor-exhib- relations in Australia was fore- by Leon S. Snider, joint director he Snider-Dean circuit there, be- sailing for England yesterday on *Ile de France.*

nider said he had conferred with foreign department heads of most he major companies since arriving six weeks ago and it was his ef that the distributors will adopt ore conciliatory attitude in dealing their Australian customers. ile he was here in connection with

(Continued on page 9)

ovietone News Sets hree Foreign Meets

wentieth Century-Fox plans to three foreign meetings for repre- tatives of Movietone News, in is, London and Sydney, in the er named.

he Paris meeting, which will fol- the regular 20th Century-Fox

(Continued on page 5)

Radio News—P. 10

U.A. to Offer Financing Aid For Selznick

Negotiations Expected on Whitney's Return

United Artists is prepared to negotiate with Selznick International for the financing of David O. Selznick's new season's product as part of a new distribution deal, a high official of United Artists stated yesterday.

Indications are that the negotiations will be opened on the return of John Hay Whitney, Selznick International chairman, from a European vacation. The discussions are expected to be held on the coast with Selznick, Dr. A. H. Giannini, United Artists president, and Maurice Silverstone, chairman of the executive committee, participating. If satisfactory financing

(Continued on page 9)

Production Falls To 26 as 7 Finish

HOLLYWOOD, April 27.—With seven pictures finished and six starting, production sank to 26 features in work this week one less than the total last week. Sixteen are being prepared, and 57 are being edited.

Starting were: "Beneath Western Skies" and "Give Me a Sailor," Para-

(Continued on page 9)

They Tell 'Em

Lincoln, Neb., April 27.—H. S. Conroy, exhibitor at Shelton, Neb., has the best setup for word of mouth advertising in Nebraska. He runs the village barber shop and his wife operates a beauty shop.

Wm. LeBaron Is Re-Signed By Paramount

HOLLYWOOD, April 27. — William LeBaron has signed a new three-year contract as managing director of Paramount production, it was stated here today by Adolph Zukor. The signing of the pact was the first business transaction at the conferences between Zukor, Barney Balaban and Stanton Griffis. LeBaron has held the posi-

(Continued on page 8)

Blumberg East for "U" Product Talks

Nate J. Blumberg, Universal president, and Marshall Grant, story editor, arrived in New York from the coast by plane yesterday to complete the company's new season product

(Continued on page 8)

Pending Deals May Put Ad Films in Half U.S. Houses

By IRENE KUHN

[*Editor's Note—This is the second and concluding article on advertising films.*]

While the policy of the industry continues firm against any general use of the screen for advertising purposes, there is no question about the determination of certain groups to invade the theatre screen for advertising. The Hays office admits that in some places, as an element of support for small theatre operation, "custom has developed a reasonable use of trailers, or local advertising which may not detract from the main entertainment."

The Alexander Film Co., Jam Handy and others, make these shorts and trailers for commercial advertisers. Alexander pays the theatres using them on the basis of so much for so many seats per week. This company, controlling General Screen Advertising, has exclusive contracts with 7,000 theatres and is negotiating a deal with 29 affiliated groups in the Paramount circuit to show films distributed by G. S. A. The circuit has 1,200 theatres throughout the country. One-third of these are showing "minute movies." Should the deal go through, more than half of the 16,000 theatres operating in the country today would be committed to screen advertising of shorts up to 500 feet. G. S. A. contracts have no control over longer films. Three thousand other theatres sell advertising space on the screen.

Recently, 20 national advertisers reported their experience with motion picture advertising shorts or trailers

(Continued on page 5)

ITO Planning Jersey Drive For Members

Called Retaliation for Allied N. Y. Invasion

In retaliation for Allied's attempted invasion of New York, the I.T.O.A. at a meeting yesterday voted to wage a membership campaign in New Jersey, which, by mutual agreement, has been Allied territory.

A statement by the I.T.O.A. yesterday said: "Following its success in helping to defeat 21 bills in New York State inimical to the industry, including the veto of the dog racing bill, the I.T.O.A. at its meeting at the Hotel Astor unanimously decided to aid the small exhibitor in New Jersey by throwing its forces against the dog racing act now being considered in that state's legislature.

"In line with this decision, the I.T.O.A. also decided to wage a membership campaign in New Jersey. The association already includes a number of Jersey exhibitors and New York exhibitors who own Jersey theatres. The membership feels that

(Continued on page 9)

Republic Men Leave Tonight for Coast

Republic delegations from the home office, the New York exchange, Boston, Philadelphia and Canada will leave tonight for the company's national sales convention which will start on Monday in Hollywood. The group, in two special cars, is scheduled to leave at 9 P.M. from Grand Central Terminal.

En route, representatives will be picked up at Albany, Buffalo, Cleveland, Cincinnati and Pittsburgh, the two cars hooking on to the convention special at St. Louis tomorrow night.

The train will arrive in Los Angeles Monday morning. Delegates will stay at the Roosevelt Hotel. Convention sessions will be held at the studio in North Hollywood.

CEA to Make Protest To All Distributors

LONDON, April 27.—Official protest will be made this week to the motion picture producers of America by the Cinematograph Exhibitors Association of Great Britain and Ireland concerning distribution policies for the coming season. Charges of a secret and

(Continued on page 9)

◂ Purely Personal ▸

BERNARD SOBEL of M-G-M was on the pier yesterday to say goodbye to **JEAN TENNYSON**, singer, who sailed on the *Ile de France* with her husband, **DR. CAMILLE DREYFUSS**. **ARNOLD VAN LEER** bid bon voyage to **MORRIS GEST**.

•

CAPT. HAROLD AUTEN sailed yesterday from the coast for Sydney, Australia, for conferences with executives of Greater Union Theatres and associated companies, which he represents here. He is expected back in June.

•

ROBERT RITCHIE, M-G-M production executive in England, returned on the *Ile de France* yesterday after several weeks here and in Hollywood.

•

PAUL BENJAMIN of National Screen Service is suffering from laryngitis and will be confined to his home the rest of this week.

•

JOHN R. WOOD, JR., business manager of the March of Time, is the father of a six-pound girl. This is his second daughter.

•

ROSALIND RUSSELL arrived from the coast by train yesterday. She is en route to London.

•

CHESTER MORRIS, having completed a personal appearance tour, is in New York for a short vacation.

•

WILLIAM WHITE, general manager of Skouras Theatres, has returned from Pinehurst.

•

WILL H. HAYS arrived from Hollywood yesterday on the Century.

Michael Selwyn Passes

Michael Selwyn, 66, former stage manager for Oscar Hammerstein, died yesterday in a hospital in New Rochelle after an illness of a year. Services will be held this morning from the Riverside Memorial Chapel here and burial will be in Mount Ararat Cemetery, Farmingdale, L. I.

Keating at Capital

John M. Keating, attorney for Affiliated Enterprises, arrived in Washington yesterday to file an application for a rehearing of the Bank Night case in which the copyright owners in Denver were denied use of the mails.

Students Honor Goldwyn

Samuel Goldwyn was voted the outstanding producer of the year as part of a motion picture symposium participated in by 600 undergraduate students of New York University.

EXHIBITORS

Increase your box office receipts 5% per month by joining Birthday Month. For particulars address Horoscope Publishing Co., 1633 Cordova Street, Los Angeles, Calif.

WANTED

Representatives in each exchange territory. Must have theatre contacts.

No Fight

Marta Eggerth, European film star, wore a bandage over one eye when she sailed with Jan Kiepura, her husband, on the *Ile de France* yesterday. Jocularly, reporters asked if Kiepura had hit her.

"There was no fight," he explained. "If there had been, I'd be wearing the bandages, not she."

Believe Film Units Not in Reich Decree

A German decree issued yesterday requiring registration of Jewish owned wealth in the Reich and Austria, whether of native or foreign residents, is believed here to have no application to motion picture company properties.

According to information available in New York the decree applies only to personal and not corporate property, inasmuch as stockholders are the owners of corporate property and it could not be assumed that all such stockholders are Jewish. So far as is known, only Paramount and Loew's are still operating in the Reich and their properties consist only of film stocks, office furniture and supplies.

As the German decree is aimed at ultimate confiscation of Jewish owned wealth, it was pointed out that if it were to embrace the property of foreign corporations the move would have far-reaching international repercussions which, it is believed, the Reich would not deliberately invite.

Kolbe Retires from Pathe's Directorate

Frank F. Kolbe, former president of Pathe Film Corp., has retired from the board. With Robert R. Young, his former associate, and Stuart W. Webb, he figured in the reorganization of the company and was its president from August, 1935, to July, 1936, when he was succeeded by O. H. Briggs.

His retirement was explained by the press of other interests. He was a member of a group which bought control of the Van Sweringen railroad system last year. Young, who heads the system, remains on the board. The brokerage firm of Young & Kolbe, now dissolved, was active in trading Pathe stock.

"Polo" Three-Week Gross Is $263,800

"The Adventures of Marco Polo" grossed $263,800 in its three weeks at the Music Hall which ended last night. The first week's take, during Holy Week, was $92,000; Easter week gave the house $100,800, and the final stanza took $71,000. The "Glory of Easter" pageant on the stage contributed to the business volume.

"Condemned Women" did $6,000 at the Rialto.

WANTED

ASSISTANT to foreign sales manager; with home office training in supervision and servicing of foreign branches; state age, experience, salary; reply confidential.

Box 803,
MOTION PICTURE DAILY

Fox Theatres Loses $12,014 in 6 Months

Consolidated operations of Fox Theatres Corp. and subsidiaries for the six-month period ending Dec. 31 resulted in a loss of $12,014, according to the report of Milton C. Weisman, equity receiver, filed in the U. S. District Court here yesterday. The six-month loss brought total losses from operations since the commencement of the receivership on June 22, 1932, to $513,209.

Weisman placed a valuation of $8,207,414 on present assets, although the book value is only $4,400,863. Weisman's estimate included a claim against William Fox which is still in litigation, and which he valued at $7,500,000, but declined to pass on the collectibility of the claim. A total $40,333,209 is the book deficit. Weisman placed liabilities at $7,620,474, exclusive of a $7,186,627 claim by William Fox against the company.

Several Claims Filed

Creditors have received $559,622 in dividends. Claims totaling $29,951,574 had been filed against the estate up to Dec. 31, these have been settled for $6,988,294. Additional claims of $1,411,427, exclusive of the Fox claim, have not yet been determined.

Liquidation and realization of assets has resulted in a $13,952,810 loss. A total of $28,693,671 in investment as advances to subsidiaries were declared to be worthless by Weisman.

Subsidiaries included in the consolidated operations were Broadway & 165th Street Realty Co., Fox Elizabeth Theatre Co., Fox Varieties Co., Trepark Realty Co., Inc., William Fox Isis Investment Co. and the William Fox Play Co.

Depinet to Attend Harrisburg Opening

Ned E. Depinet, vice-president in charge of distribution for RKO; E. L. McEvoy, eastern division sales manager, and S. Barret McCormick, head of RKO advertising and publicity, will attend the opening of the new Senate, Jay Emanuel house, in Harrisburg, tomorrow night. They will leave today, returning over the weekend.

Playing host with Emanuel will be William H. Lee, theatre architect, who designed the Senate, his 150th theatre. The opening performance, with "Joy of Living" as the attraction, will be followed by a buffet supper at the Penn Harris Hotel, which will be attended by about 300. Mayor John Hall of Harrisburg and Gov. George H. Earle of Pennsylvania are scheduled to attend. Lewis P. Carroll, manager of the State in Hartford, has been named manager of the Senate.

Issues Film Law Digest

LOS ANGELES, April 27.—The *Motion Picture Law Digest* has been published here, with Dennis Hartman, an attorney, as editor. The volume is a compilation of all cases decided in the United States involving the film industry. The service includes a bound volume of all cases to date, and a continuation service, in loose-leaf form, to be issued monthly.

Retitle Racing Picture

"Racing Blood," 20th Century-Fox race track story, has been retitled. It is now "Speed to Burn."

Quigley Award to B Presented on May 1

The presentation of the Quigl Grand Awards for 1937 will be ma in Hollywood for the third consec tive year on May 10. The winner Ted Kirkmeyer and Jules Seltze will be honored at a luncheon at t Hotel Roosevelt, to which stud heads, stars and directors have a cepted invitations.

The winners will travel to the c via United Airlines and will ar on May 9. They will be guests *Motion Picture Herald,* sponsors the Quigley Awards through t Managers Round Table, and w spend a week on the coast. Kirl meyer, manager of the Rio in Helen Mont., was voted the Silver Gra Award, and Seltzer of the Boy Philadelphia, the Bronze Gra Award.

Speaker Hits Films; Exhibitors Walk Ou

BALTIMORE, April 27.—More th one-third of the guests attending t testimonial dinner to Frank Durke theatre circuit owner, at the Hot Belvedere last night left the roo when Judge Eugene O'Dunne, in o of the scheduled speeches of the eve ing, condemned the industry for wh he charged to be its low standard predicted a public uprising again films and advocated picketing of th atres in protest.

Judge O'Dunne's diatribe sound the only discordant note of the affa which was featured by a number talks which did honor to Durke Among the speakers were Gov. Harr W. Nice, Mayor Jackson of Balt more, Senator Millard Tydings an Judge E. Dickerson. Durkee wa presented a gift of fishing tackle.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and P lisher; J. M. JERAULD, Managing Edit JAMES A. CRON, Advertising Manager. E TORIAL STAFF: Charles S. Aaronson, Jack B ner, Al Finestone, Thomas Fitzsimmons, Sher A. Kane, Irene Kuhn, Joseph Priore.

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HOLLYWOOD: Postal Union Life Buildi Vine and Yucca Sts.; Boone Mancall, manag William R. Weaver, editor. WASHINGTO Albee Building, Bertram F. Linz, representati CHICAGO: 624 S. Michigan Ave.; C. B. O'Nei manager. AMSTERDAM: 37 Waalstraat; Phi de Schaap, representative. BERLIN: Steul strasse 2, Berlin W. 35; Joachim K. Rutenbe representative. BUDAPEST: 3 Káplár-u, Bud pest II; Endre Hevesi, representative. BUEN AIRES: Avallaneda 3949; N. Bruski, represen tive. COPENHAGEN: Vesterbrogada 20; K Winther, representative. HELSINKI: Frederi gatan 19C; Charlotte Laszio, representati LONDON: 4 Golden Square, W. 1; cable addre Quigpubco, London; Hope Williams, manag MELBOURNE: Regent Theatre Buildings, Collins St.; Cliff Holt, representative. MEXI CITY: Apartado 269, James Lockhart, represen tive. MONTEVIDEO: P. O. Box 664; Paul Bo representative. MOSCOW: Petrovski Per Beatrice Stern, representative. PARIS: 29 Marsoulan; Pierre Autre, representative. PRAGU Uhelny trh 2, Prague 1; Harry Knopf, represen tive. RIO DE JANEIRO: Caixa Postal 3 L. S. Marinho, representative. ROME: 54 Della Mercede; Joseph D. Ravotto, representat SANTIAGO de CHILE: Casilla 13300; A. Wei mann, representative. SHANGHAI: Rooms 3 Capital Theatre Building, 142 Museum Road; J. Koehler, representative. STOCKHOLM: Kung gatan 36; Ragnar Allberg, representative. TOKY 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. To naga, representative. VIENNA: Neustiftg 54 Vienna VII; Hans Lorant, representative.

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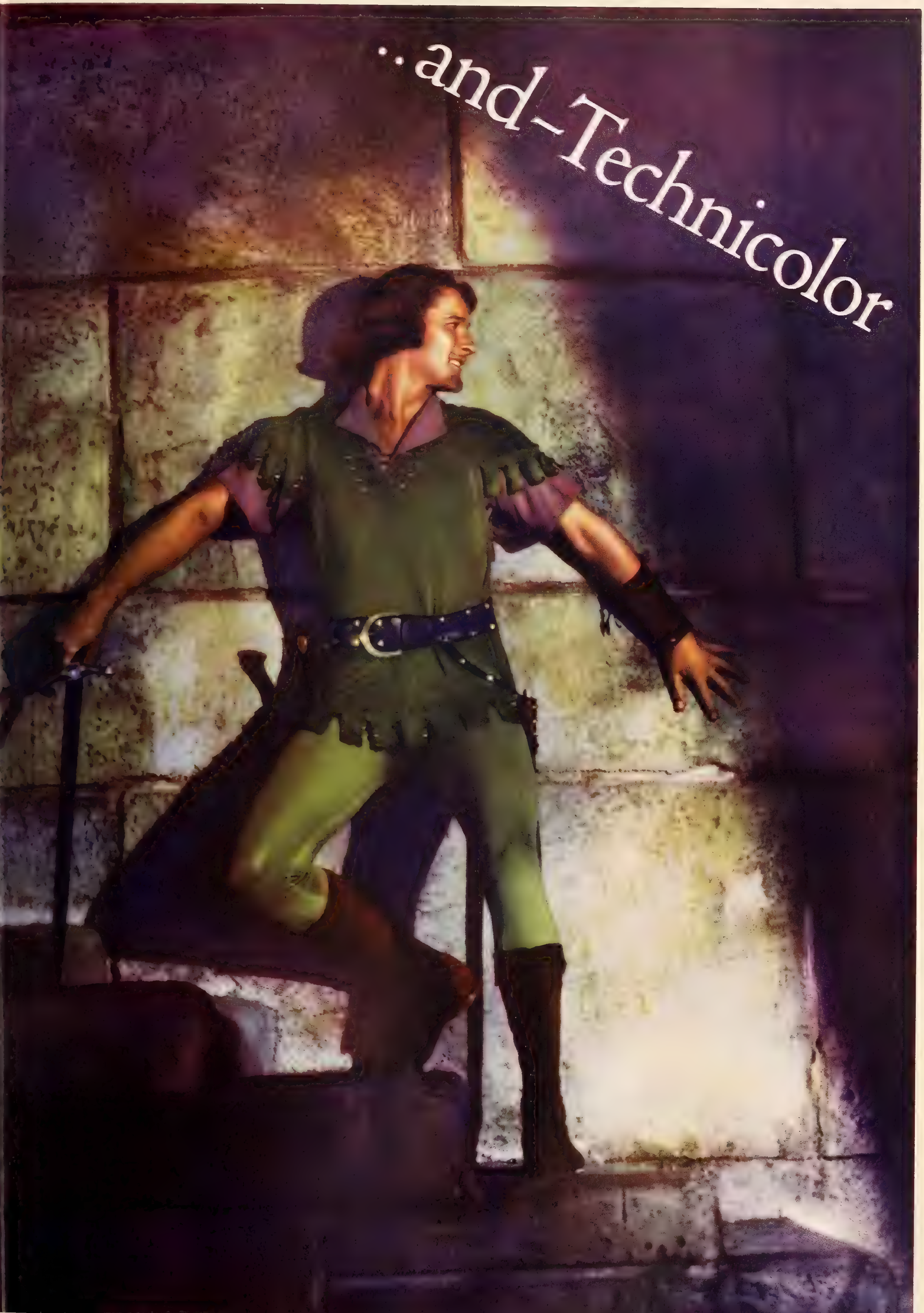


..and-Technicolor

ROBIN HOOD
is all in
Technicolor!

ROBIN HOOD
has Flynn and
De Havilland of
'Captain Blood'!

ROBIN HOOD
has 1180 other
players!

ROBIN HOOD
is the best-loved
adventure story
ever told!

ROBIN HOOD
is a greater
picture than
'Anthony
Adverse'!

ROBIN HOOD
was made by
WARNER BROS.
and

ROBIN HOOD
will open at
RADIO CITY
early in May and
at national
de luxe first-run
theatres
immediately
thereafter!

The Adventures of
Robin Hood

with

ERROL FLYNN

OLIVIA De HAVILLAND
BASIL RATHBONE
CLAUDE RAINS
PATRIC KNOWLES • EUGENE PALLETTE
ALAN HALE • MELVILLE COOPER
IAN HUNTER • UNA O'CONNOR
Directed by MICHAEL CURTIZ and WILLIAM KEIGHLEY

Original Screen Play by Norman Reilly Raine and Seton I. Mille
Based Upon Ancient Robin Hood Legends
Music by Erich Wolfgang Korngold • A First National Picture

Projection Topic Of SMPE Session

WASHINGTON, April 27.—Problems of theatre projection were discussed at length during today's meeting of the semi-annual convention of the Society of Motion Picture Engineers. Tomorrow will be held the final sessions of the four-day meeting at the Ward- n Park Hotel.

The three sessions of the day's program were devoted to optics and projection, during the morning; a 16mm. symposium, during the early part of the afternoon, followed by the apparatus symposium and manufacturers' announcements, later in the day.

This evening the semi-annual banquet was held in the Continental Room of the hotel, with the major address by Dr. C. E. Kenneth Mees, vice-president in charge of research and development of Eastman Kodak. Entertainment and dancing followed the banquet. There will be no evening session tomorrow, the convention concluding following the afternoon session.

Both morning and afternoon discussions tomorrow will be devoted to a discussion of sound, with numerous papers scheduled to be delivered on various phases of the subject.

Richardson Paper Read

Among the papers read today during the projection session was one on Theory vs. Practice," by F. H. Richardson of Quigley Publications, who made the point that apparatus must be in charge of competent projectionists in order to insure best results from such equipment and to avoid the public condemnation of equipment which often follows inefficient operation rather than faulty apparatus. Other papers of the morning session were by F. E. Carlson of General Electric, . B. Noel and R. E. Farnham of General Electric, H. Griffin of International Projector Corp., J. R. Prater of the Congress Theatre, Palouse, Wash., and W. C. Miller of the Paramount studio.

The 16mm. discussion included talks on various uses of that type of material and equipment by J. L. Boon of Eastman Kodak, H. C. Wellman of Eastman Kodak, J. A. Mauer and W. ach of the Berndt-Maurer Corp., and M. G. Townsley of Bell & Howell.

Details of new equipment of various types were explained to the delegates during the afternoon apparatus symposium and manufacturers' announcements. Among the new developments are a new camera timer, a framing device for 35mm. projectors, an indicator for sound-level measurements, a new projector mechanism, and a new background projector for process photography.

Exhibitor Wounded

HAMILTON, Ohio, April 27.—John . Schwalm, manager of the Rialto, Southio unit, today was struck in the side by a bullet when a negro in front of the theatre fired at a woman. The bullet ricocheted from the sidewalk. Schwalm was not seriously injured.

Preparing 3 Comedies

Three Educational two-reel comedies, one starring Willie Howard, the second featuring Tom Patricola and Buster West, and the third with cast still unset are in preparation at the Astoria studio.

Pending Deals May Put Ad Films in Half U.S. Houses

(Continued from page 1)

for the benefit of other inquiring members of A. N. A.

The survey reveals that while a few advertisers' films were shown in theatres from 1930 on, it was not until 1933 that bookings of sponsored shorts running a minute were attempted again on a national scale, after an unsuccessful attempt prior to 1930. The trend since 1933 has been away from local advertising and toward national. The success of the "minute movies" as an advertising medium, revealed by the survey, is undoubtedly responsible for the national coverage ambitions which encompass bigger, better and *longer* advertising shorts.

A.N.P.A. Treated Subject

With this development there is now arising an echo in type and kind of the opposition which received emphatic expression in 1933. The three-day meeting of the A.N.P.A. closing today at the Waldorf-Astoria considered screen advertising in several sessions. Principal speaker against it was Frank E. Tripp, general manager of the 18 Gannet papers, whose demand for concerted action by publishers to combat it was published here yesterday.

In New York, some of the principal advertising agencies made the following reports on their plans. Theatre and motion picture executives likewise expressed their views. The symposium follows:

Advertising Agencies

J. Walter Thompson—No regular motion picture department set up as yet. Probability there will be one soon. One man in charge now of motion picture accounts. Planning to make some pictures for general "consumer" release, i. e., theatre showing.

Lord & Thomas—Has considered the matter and experimented with sponsored shorts, but has not come to any decision about branching out into this phase of advertising. Spokesman said: "If commercial shorts are going into the theatres they'll have to be very short and very good. If national advertisers are going on the screen to sell their wares they'll have to clean out a lot of junk that's flashing around now in the name of screen advertising. A total of two shorts, two minutes each, about all any program can stand. Motion picture appeal is primarily to women. Shorts can't be technical of they'll miss with the women."

Arthur Kudner, Inc.—Screen advertising a matter of current discussion here. No motion picture department set up, but radio department collating material. Haven't made any commercial shorts yet except for sales meetings. Big fear is non-acceptance by audience. One film made for American Baseball League shown to district colleges and clubs, some theatres, but not under any perfected system of distribution.

Industry Executives Reply

Harry Royster, Paramount—Paramount has no individual policy. Showing of sponsored shorts is up to the individual exhibitors. They are being used only in the "B" and "C" houses.

Lionel Toll, I. T. O. A.—Independent exhibitors are not averse to showing commercially sponsored films if they are educational or entertaining provided the advertising is indirect and the exhibitors are paid for showing them.

Jack Cohn, president of Columbia—I believe we should keep our screens free for entertainment. Audiences do not go to the theatre to look at advertisements, but to be amused.

Charles Moskowitz, Loew's—We are against sponsored films. That has been our attitude in the past and we have not changed.

Friendly Gesture

Kansas City, April 27.—Fox Midwest Theatres, Inc., has presented Friends University, Wichita, the pipe organ at the Palace there. The organ, one of the finest in the state, was installed in 1916.

Roy Burford, city manager at Wichita, and H. E. Jameyson, district manager for Fox Midwest, made the presentation to Dr. David M. Edwards, president of the university.

Credit Keeps Customers

Kansas City, April 27.—Times weren't good for residents of the northeast section of the city last winter. Automobile plants and other factories were closed or operating part time. Many of the regular patrons of Bill Parsons' Aladdin failed to appear.

One night in December Bill put on his screen a trailer that read something like this: "During the past 10 years we have appreciated your patronage. Now that some of you are unemployed, we want you to know that we still appreciate that patronage. A good show is like a good meal; it gives you new spirit. See the manager as to how you can see the show now and pay when you go back to work."

He issued about 75 cards, each of which was good for $4 worth of credit at the box-office. Each admission called for a punch of the card. Some of the money is beginning to filter back in now, and about 10 per cent have repaid. Parsons expects 50 per cent eventually will pay, but even if he gets no more, he will be entirely satisfied.

Variety Club

Des Moines

DES MOINES, April 27.—The Variety Club members here plan to give up their club rooms May 1 and store the furniture until Sept. 1, when they will resume their business meetings. The recent stag party was a big success, and on April 29 they will hold a party with their wives and sweethearts as guests. They are beginning to practice for their annual golf tournament to be held early in July.

Hines Predicts Gain For G. T. E. on Sound

The sale of sound equipment manufactured by International Projector under Erpi and RCA licenses is expected to increase earnings of General Theatres Equipment Corp., the parent company, substantially, according to Earle G. Hines, president.

In the first quarter of 1938, G.T.E. earned $120,264 net income, equal to 20 cents a share on 601,092 capital shares, compared with $291,464, or 54 cents a share on 541,161 shares, in the same 1937 quarter.

Hines said that the decline in net profit was due in part to the expense of developing and introducing the new sound equipment.

Movietone News Sets Three Foreign Meets

(Continued from page 1)

convention there, will be presided over by Truman Talley, who will outline plans for the new year. These plans include two expeditions, one to Africa under Ettore Billani and the other to South America under Eric Mayell. Forty delegates, including Russell Muth, European manager, are expected at the Paris session.

The London meeting will be held May 14 and 15 under the supervision of Talley, Gerald Sanger and Sir Gordon Craig.

The date for the convention in Sydney has not been definitely set but it will be held early in June and will be directed by Harry McGuinness, supervisor for Australasia. Delegates from the Far Eastern territories will attend.

20th-Fox to Resume English Films Soon

LONDON, April 27. — Arrangements have been completed here for Robert Kane to resume production here for 20th Century-Fox at the Pinewood studio.

He will make six pictures, placing the first in work on May 23. It will be "Piccadilly Circus," the Gracie Fields starring vehicle, which will be directed by Monty Banks. The production personnel has taken over a block of offices and a sound stage at the studio.

Nebraskans Like "Birth"

LINCOLN, April 27.—The Nebraska State Medical Association's Maternal and Child Health Committee today approved officially the public showing of "The Birth of a Baby." The picture was shown before doctors assembled for the 70th annual convention. The endorsement declared the picture was "in good taste."

Futter Sails to Do 2 Films in England

Walter A. Futter, producer, sailed yesterday on the *Ile de France* and said he planned to make one or two pictures at Pinewood studios near London. He refused to name the company for which they will be produced.

He said that he arranged for Monogram to handle physical distribution on "Jericho," which he made abroad last year. The film stars Paul Robeson. He said sales would be handled by his own representatives.

Jan Kiepura, Polish tenor, and his wife, Marta Eggerth, also sailed. He said he would be featured in a film, "Carnival in Rome," to be made in Italy and that he would also make a picture in Paris before returning here for the Metropolitan Opera season.

Morris Gest sailed for a vacation and also to make arrangements for a show which he said he would stage on Broadway in the fall.

Union Cinemas Shows 1937 Profit of £8,739

London, April 27.—Union Cinemas has reported a profit, after payment of preference dividends, of £8,739, for the year ended Dec. 31, 1937. The disclosure of the financial statement follows an investigation by the board of directors of Associated British Cinemas, Ltd., of which John Maxwell is the head.

A total of £3,192,629 has been placed in the suspense account. This is unrepresented by available assets, according to the report. Properties of the circuit now are valued at £2,024,645.

Paroles Bingo Prisoners

Five men arrested Tuesday in a raid on a Bingo game at Arcadia Hall, Brooklyn, were paroled yesterday by Magistrate Sylvester Sabbatino pending an investigation as to whether the proceeds were intended for charity. The game was being conducted by the James McKenna Post, V.F.W.

Bingo was banned recently in the Bronx by District Attorney Foley.

Wall Street

Board Revives; Many Increase

	Open	High	Low	Close	Net Change
Col.	11½	11½	11½	11½	½
Cons.	1⅜	1⅜	1⅜	1⅜	+ ⅛
Cons. pfd ..	5½	5½	5½	5½	½
E. K.	150½	150½	150½	150½	+2½
Loew	41⅜	41¾	41⅜	41¾	+ ¾
Loew, pfd..	106½	106½	106½	106½	+4½
Para.	8	8¼	8	8	+ ⅜
Para. 2.....	9⅛	9⅛	9	9	+ ¼
Pathe	5⅛	5⅜	5⅛	5⅜	+ ⅜
RKO	2⅞	2⅞	2¾	2¾	.....
20th Fox ..	21¾	21⅞	21¾	21⅞	+ ⅜
Univ., pfd..	37	37¼	37	37¼	+2⅛
W. B.	5⅛	5⅛	5⅛	5⅛	+ ⅛

Monogram Rises on Curb

	Open	High	Low	Close	Net Change
Monogram	1¾	1¾	1¾	1¾	+ ⅛
Sentry	5/16	5/16	¼	¼	—1/16
Sonotone ...	1½	1½	1½	1½	.....
Tech.	20	20¼	19⅝	19⅝	— ⅛
Trans-Lux	2⅛	2⅛	2⅛	2⅛	.....

Para. Bond Gain a Point

	High	Low	Close	Net Change
Loew 3½s '46.....	99	99	99	.....
Para. B'way 3s '55	58	58	58	.....
Para. Pict. '47....	69	69	69	+1

(Quotations at close of April 27)

Hollywood Previews

"Little Miss Thoroughbred"

(*Warners*)

Hollywood, April 27.—"Little Miss Thoroughbred" contains a lot of mass-appeal entertainment. Though the materials of which it is made are familiar, it tells a story that blends human interest, comedy and action in an oddly conceived romance. Its outstanding feature, one which has much future commercial importance, is five-year-old Janet Chapman, who has the poise and seems to possess the talents presaging future popularity. With all due respect to the contributions made by the other players, she is the star who holds the piece together and gives it punch and zip.

Straying from an orphanage, the little girl is injured in a traffic accident. The car in which she is rushed to a hospital clears a path for John Litel and Frank McHugh, gamblers en route to a racetrack. They are chased by Robert Homans, a policeman, and, when caught, Litel claims the child is his. In the hospital Janet calls him "daddy." Homans, taking the trio to Litel's apartment, meets Ann Sheridan, whom he thinks is Litel's wife, but, though she is in love with him, her affections are not returned. When Homans realizes the situation he makes the pair marry if for no other reason than so that the child shall be cared for.

With McHugh, Litel, Miss Sheridan and Janet fly to Los Angeles for a race meet. The child is a lucky charm, and the gamblers' fortune soars. Meanwhile news of the child's disappearance is broadcast, and other gamblers, suspicious, try to cut in, but Homans arrives to take the group back to New York. There, with Miss Chapman doing fine work, the jury renders a not guilty verdict and the little family looks forward to happy days.

Produced by Brian Foy and directed by John Farrow from a screenplay by Albert DeMond and George Bricker, "Little Miss Thoroughbred" may prove a surprise.

Running time, 65 minutes. "G."

"Knights of the Plains"

(*Spectrum-Stan Laurel*)

Hollywood, April 26.—Composed of those elements that give outdoor action pictures wide appeal to youngsters, not without plenty that are interesting to grownups, "Knights of the Plains" stacks up as one of those desirable Saturday afternoon attractions. In many cases it may serve to round out the regular weekly program.

The dual menace of land grabbers and cattle rustlers makes the settlers' future outlook dark. Then Fred Scott and Al. St. John take the trail. As St. John provides refreshing comedy, Scott rescues Marion Weldon from John Merton's unwanted attentions. Wounded in a skirmish, Scott is befriended by Lafe McKee and Emma Tansey. While recovering, Scott becomes suspicious of Frank LaRue, who, he feels, is trying to fleece the girl's father, Dick Cramer, out of his lands. Preceded by musical interludes which accentuate the romantic content, Scott and St. John are galvanized into action by rustler depredations. Picking up the trail, they round up the thieves and prevent the land-grabbing plot to the tune of much exciting riding and shooting.

Scott's stature as a western actor increases with succeeding films, St. John's comedy is a highlight and the work of Miss Weldon, McKee, Cramer, Merton, LaRue and Emma Tansey is of the expected standard. Sam Newfield's direction, which concentrates on action, is sharp and consistent and takes full advantage of the materials provided in Fred Myton's screenplay. Producer Jed Buell gave the production good mounting and used the Hal Tobis, Wolfe Gilbert and Lew Porter music numbers intelligently.

Running time, 57 minutes. "G."

Harlan Suffers Stroke

Hollywood, April 27.—Otis Harlan, 73, veteran actor, was stricken with paralysis today while rehearsing for a radio skit with Al Jolson. His latest screen role was as the voice of the dwarf "Happy" in "Snow White and the Seven Dwarfs."

Re-Sign Mankiewicz

Hollywood, April 27.—M-G-M has signed new contracts with Joseph Mankiewicz, producer, and Robert Sinclair and J. Walter Ruben, directors.

Form Columbia Unit

Dover, April 27.—Columbia Pictures of West Indies, Ltd., has been formed here. Incorporators are Max Seligman, Mortimer Wormser and Richard Philpott.

Derby Nights Films, Inc., has been formed by L. H. Herman, Walter Lenz and L. E. Gray of Wilmington.

Retitle "Territory"

Hollywood, April 27. — "One Woman's Answer" has been chosen by M-G-M as the title for its film formerly called "Enemy Territory."

Short Subjects

"Poultry Pirates"

(*M-G-M*)

A variation of a familiar theme offered in this "Captain and the Kid cartoon. With a routine start it la perks up and eventually hits its str with a fair degree of entertainme The narrative is one of those thi about the invasion of a vegeta garden by chickens and, the dr device. Fair. Running time, 9 mi "G."

"The Penguin Parade"

(*Vitaphone*)

A clever fantasy dealing wi imaginative doings in a night club f penguins at the North Pole. It is many-hued Technicolor and agre ably combines a number of famili animation stunts and variations. Ru ing time, 7 mins. "G."

"Beautiful Budapest"

(*Fitzpatrick-M-G-M*)

The use of Technicolor enhanc the sights and other appealing aspec of this always interesting city. T narration, tinged with a bit of lig humor, amply translates the phot graphic compositions into terms enlightenment and entertainme Good. Running time, 9 mins. "G."

"Music from the Stars"

(*Educational*)

A new treatment of a "band" sho is offered here. The chief departu is the photographic treatment whic is really well done. The music ar singing also measure up in good styl It should go over. Running tim 10 mins. "G."

ITOA "Independent' Blasts Double Bill

Agitation against double bills ha been started by the I.T.O.A., throug its organ, the *Independent,* althoug virtually all of the organization member theatres are double featur houses.

The publication, in the issue out to day, blames twin features "for th present low state of movie attendance, charging that the teaming of two ill assorted features drives away customers.

"Competition is blamed by exhibito for their overlong bills," says the publication. "That is bosh. All theatr men are convinced that double features are bad for the industry and sti very few of them will stop playin them and try to build their attendanc on a sound basis along showmanshi lines. The experiment being carrie out by Harry Brandt, I.T.O.A. president, in a theatre newly acquired b him will prove interesting to watc He is instituting single features complemented by a sane program of short and newsreels. More of this type o experimentation could be used in th business."

Ruby Keeler for Drama

Hollywood, April 27.—Ruby Keeler, best known as a tap dancer, ha been cast by RKO to star in th forthcoming screen version of "Mothe Carey's Chickens," famous novel b Kate Douglas Wiggin.

SPRING TONIC

Improve your digestion. Soothe your nerves... with Old Doc Crosby's colossal customer compound, most potent box-office builder-upper ever devised . . . Paramount's "DOCTOR RHYTHM"

Paramount Pictures
Adolph Zukor presents
"DR. RHYTHM
with
BING CROSBY
Mary Carlisle • Beatrice Lillie
Andy Devine • Laura Hope Crews
Rufe Davis • An Emanuel Cohen Production
A Paramount Picture • Directed by Frank Tuttle
Based on the Story "The Badge of Policeman O'Roon" by O. Henry
Screen Play by Jo Swerling and Richard Connell

Read what the Old Doc himself has to say

"Yes, sir, 'Doctor Rhythm' is the perfect panacea, the magic elixir to pep up Old Man Box Office. Of course I wouldn't want to lay it on too thick. But when it comes to comedy, 'Doctor Rhythm' has what it takes. Beatrice Lillie, England's gift to the gayety of nations, is, to coin a word, tremendous. Andy Devine gives out with that Devine foolishness of his. And your old friend, the Doc, manages to tear off a couple of dozen mild jests of his own. On the sentimental side, Mary Carlisle is a lovely little bundle of happiness. And the music, including 'On the Sentimental Side' sings mighty fine. Yes, sir, 'Doctor Rhythm' is what the doctor ordered."

Doc Crosby

Here's what Paramount's "DOCTOR RHYTHM" does . . .

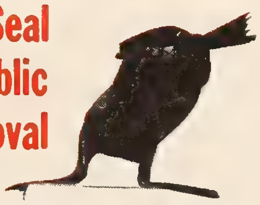
BEFORE TAKING

"I was feeling awfully lousy. I had just been bitten by a seal and you know how that makes a guy feel. So the old Doc asks me to take a look at this 'Doctor Rhythm' and I actually laughed at myself . . . not to mention the rest of the swell cast of the funniest picture of the year. Now I feel fine."

Andy Devine

AFTER TAKING

The Seal of Public Approval



"Swell musical — a solid hit."
—*Hollywood Reporter*

"A slam-bang hit from start to finish."
—*Motion Picture Daily*

"Test Pilot" Smash Hit in 2 Coast Spots

Los Angeles, April 27.—"Test Pilot," on a dual with "A Trip to Paris," skimmed the cream from the first run business here. The grosses at the Chinese and Loew's State were sensational. At the former the $17,663 take was over par by $5,163 and at the latter the $23,228 gross was up by $9,228.

"Adventures of Marco Polo," dualled with "Daredevil Drivers" on matinees only, at Warners Hollywood and Downtown in a second week, held up to $16,000 at the former and $15,400 at the latter. Business elsewhere was dull.

Total first run business was $109,816. Average is $105,700.

Estimated takings for the week ending April 27:

"SNOW WHITE" (RKO)
CARTHAY CIRCLE—(1,518), 50c-$1.50, 4 days, 18th week. **Gross:** $4,352. (Average, $10,000)

"TEST PILOT" (M-G-M)
"A TRIP TO PARIS" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $17,663. (Average, $12,500)

"THE CHARM OF LA BOHEME"
ESQUIRE—(900), 40c-55c, 7 days. **Gross:** $1,500. (Average, $2,500)

"THE DIVORCE OF LADY X" (U.A.)
4 STAR—(900), 40c-55c, 7 days, 2nd week. **Gross:** $2,273. (Average, $3,250)

"YOUNG PUSHKIN" (Amkino)
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,400. (Average, $1,200)

"JOY OF LIVING" (RKO)
"NIGHT SPOT" (RKO)
HILLSTREET—(2,700), 30c-65c, 7 days, 2nd week. **Gross:** $6,400. (Average, $6,500)

"TEST PILOT" (M-G-M)
"A TRIP TO PARIS" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $23,228. (Average, $14,000)

"JOY OF LIVING" (RKO)
"NIGHT SPOT" (RKO)
PANTAGES—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $7,100. (Average, $7,000)

"COLLEGE SWING" (Para.)
"MAID'S NIGHT OUT" (RKO)
PARAMOUNT—(3,595), 30c-65c, 7 days. **Gross:** $14,500. (Average, $18,000)

"ADVENTURES OF MARCO POLO" (U.A.)
"DAREDEVIL DRIVERS" (F.N.)
(Matinee Only)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days, 2nd week. **Gross:** $16,000. (Average, $14,000)

"ADVENTURES OF MARCO POLO" (U.A.)
"DAREDEVIL DRIVERS" (F.N.)
(Matinee Only)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days, 2nd week. **Gross:** $15,400. (Average, $12,000)

FitzPatrick Engaged

Montreal, April 27.—James A. FitzPatrick, producer of travel subjects, announced his engagement to Lesley Champlin, 23, today aboard the *Empress of Britain,* in mid-Pacific. Miss Champlin is the daughter of Harry and Mrs. Champlin of Evanston, Ill. The wedding ceremony will take place in New York on the arrival of the ship on May 16. The producer is on a world cruise, and made a travel subject at Penang. The ship will reach San Francisco April 30.

Jordan to Charlotte

Charlotte, April 27. — Sanford Jordan, former manager of the Broadhurst at High Point, has taken over management of the Broadway here.

"Sawyer" Out Front in Dull Seattle Week

Seattle, April 27.—With three holdovers downtown and Holy Week to add to the box-office gloom, "Adventures of Tom Sawyer," on a dual with "Mr. Moto's Gamble," stood out in a big way with a take of $8,250 at the Paramount. This was $2,250 over par.

The only other house to get into the profit column was the Fifth Avenue with "Rebecca of Sunnybrook Farm" and "A Trip to Paris" where the take was $7,800.

Total first run business was $36,700. Average is $36,500.

Estimated takings for the week ending April 15:

"BLUEBEARD'S EIGHTH WIFE" (Para.)
"DANGEROUS TO KNOW" (Para.)
BLUE MOUSE—(950), 30c-40c-55c, 7 days, 3rd week, extended run from Paramount. **Gross:** $3,400. (Average, $4,000)

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
"A TRIP TO PARIS" (20th-Fox)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $7,800. (Average, $7,000)

"THE DIVORCE OF LADY X" (U.A.)
LIBERTY—(1,800), 30c-40c-55c, 7 days. **Gross:** $4,700. (Average, $5,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
MUSIC BOX—(950),. 30c-40c-55c, 7 days, 5th week, extended run from Fifth Avenue. **Gross:** $3,650. (Average, $4,000)

"MERRILY WE LIVE" (M-G-M)
"THE BLACK DOLL" (Univ.)
ORPHEUM—(2,450), 30c-40c, 7 days, 2nd week of "Merrily We Live." First week of "Black Doll." **Gross:** $5,100. (Average, $6,000)

"UP FROM THE STREETS"
"DAREDEVIL DRIVERS" (F.N.)
PALOMAR—(2,500), 15c-25c-35c, 7 days. Stage: vaudeville. **Gross:** $3,800. (Average, $4,500)

"ADVENTURES OF TOM SAWYER" (U.A.)
"MR. MOTO'S GAMBLE" (20th-Fox)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $8,250. (Average, $6,000)

"Chicago" Winner In Oklahoma Gain

Oklahoma City, April 27.—"In Old Chicago" led a general pickup in first run business by grossing $6,800 at the Criterion. This was $1,600 above par.

"Girl of the Golden West" was $1,000 to the good on a take of $5,500 at the Midwest, and "Judge Hardy's Children" at the Tower took an excellent $3,200.

Total first run business was $19,200. Average is $18,600.

Estimated takings for the week ending April 23:

"IN OLD CHICAGO" (20th-Fox)
CRITERION—(1,500), 25c-35c-40c, 7 days. **Gross:** $6,800. (Average, $5,200)

"DAUGHTER OF SHANGHAI" (Para.)
"PENROD AND HIS TWIN BROTHER" (W.B.)
LIBERTY — (1,200), 20c-25c, 4 days. **Gross:** $1,500. (Average, 7 days, $2,600)

"FORBIDDEN VALLEY" (Univ.)
"DANGEROUSLY YOURS" (20th-Fox)
LIBERTY — (1,200), 20c-25c, 3 days. **Gross:** $400. (Average, 7 days, 2,600)

"GIRL OF THE GOLDEN WEST" (M-G-M)
MIDWEST—(1,500), 25c-35c-40c, 7 days. **Gross:** $5,500. (Average, $4,500)

"LITTLE MISS ROUGHNECK" (Col.)
STATE—(1,100), 25c-40c, 7 days. **Gross:** $1,800. (Average, $3,800)

"JUDGE HARDY'S CHILDREN" (M-G-M)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $3,200. (Average, $2,500)

Blumberg East for "U" Product Talks

(*Continued from page 1*)

lineup in meetings with home office officials.

Blumberg plans to return to the coast this weekend. His unexpected trip east brought John Joseph, advertising and publicity director, back to New York after he had travelled as far as Chicago on his way to the studio to confer with Blumberg. The Universal head's trip east was impelled by current home office business requiring his attention after an absence of more than two months at the studio, as well as the product conferences with William A. Scully, general sales manager, and Joseph Seidelman, foreign manager. The latter two will defer their planned coast trips indefinitely as a result of Blumberg's home office visit.

Plans for Universal's annual sales meetings may be set also during Blumberg's stay here.

Paramount Renews LeBaron Contract

(*Continued from page 1*)

tion as head of the studio for the past two years.

LeBaron's signing puts at rest the persistent rumors current during the past year that he would sever his connection with Paramount.

G-Man Talks to RKO Staff on Bad Money

Cashiers from all the RKO theatres in New York and vicinity were tutored yesterday by Secret Service Agent Allan Murphy in quick detection of counterfeit bills. All the girls were invited to become unofficial Secret Service agents in the campaign now under way by the Treasury Department to mop up bogus money passers and makers.

Special Agent Harry Cooper, several managers and treasurers were present.

At the conclusion of the instruction, which was illustrated by gigantic five and ten dollar bills, real and phoney, enlarged many times for comparison, Pathe shot a sound newsreel, featuring Murphy and Ronny Keller, cashier at the RKO Palace.

Miss Keller was singled out because, by using the Treasury Department's counterfeit warning service bulletin, she had nailed a counterfeit $5 bill a few months ago. The innocent passer was released after questioning, but Miss Keller's alertness led to the eventual apprehension of the counterfeiter and a reward. The department has set up a special appropriation to reward cashiers and others giving information which leads to apprehension and conviction of counterfeiters.

Writer Sues M-G-M

Los Angeles, April 27. — John Italiana, free lance writer, today filed suit in Superior Court here asking $100,000 damages from M-G-M, Loew's and others, charging that his original script, "Johnny of the Circus," was plagiarized in M-G-M's "O'Shaughnessy's Boy."

"Chicago" Is $20,000 Top, At Washington

Washington, April 27.—The best week since Jon Hall and Dorothy Lamour appeared in "Hurricane" was experienced by Loew's Palace last week when "In Old Chicago" took in $20,000, $4,100 over average for the house.

Another Loew Theatre, the Columbia, also did well, probably due to the Easter holidays and the showing of a children's picture. "Rebecca of Sunnybrook Farm," which realized $4,300, $700 over average.

Total first run business was $77,100. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending April 21:

"IN OLD CHICAGO" (20th-Fox)
LOEW'S PALACE — (2,370), 25c-55c, 7 days. **Gross:** $20,000. (Average, $15,900)

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days. **Gross:** $4,300. (Average, $3,600)

"ADVENTURES OF TOM SAWYER" (U.A.)
LOEW'S CAPITOL — (3,434), 25c-66c, 7 days. Stage: Sylvia Froos, Paul Gerritts, Frank Libuse and Patricia Bowman. **Gross:** $21,500. (Average, $20,900)

"JEZEBEL" (W.B.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $4,300. (Average, $4,300)

"JOY OF LIVING" (RKO)
RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $11,000. (Average, $10,600)

"FOOLS FOR SCANDAL" (W.B.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Judy Canova, Sister Anne and Brother Zeke. **Gross:** $16,000. (Average, $18,400)

"Music" Is $14,000 Leader at Montreal

Montreal, April 27.—"Mad About Music" was the outstanding solo film attraction in the big Easter Week fare with a gross of $14,000 at the Palace. Average is $11,000. It was held over.

"Hawaii Calls," abetted largely by the stage show, "From Paris to Swing" headed by Red Skelton, drew $13,000 at Loew's where average is $8,000. "Goldwyn Follies," playing as the single film attraction at the Orpheum, was good for $8,500, against par of $5,000, and was held over. "Her Jungle Love," topping a dual bill, brought $8,000 to the Princess as compared with $7,000 average.

Total first run business was $59,500. Average is $45,500.

Estimated takings for the week ending April 23:

"MERRILY WE LIVE" (M-G-M)
"ARSENE LUPIN RETURNS" (M-G-M)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9,500. (Average, $9,500)

"MAYERLING" (French)
HIS MAJESTY'S—(1,700), 25c-35c-50c, 7 days. **Gross:** $6,500. (Average, $5,000)

"HAWAII CALLS" (RKO)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. Stage: Red Skelton in "From Paris to Swing." **Gross:** $13,000. (Average, $8,000)

"GOLDWYN FOLLIES" (U.A.)
ORPHEUM—(919), 25c-35c-50c, 7 days. **Gross:** $8,500. (Average, $5,000) Held for second week.

"MAD ABOUT MUSIC" (Univ.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $14,000. (Average, $11,000) Held over.

"HER JUNGLE LOVE" (Para.)
"TIPOFF GIRLS" (Para.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $8,000. (Average, $7,000)

Seldes Warns Against Flood Of Propaganda

(Continued from page 1)

stop going to the theatre if he finds ncealed propaganda on the screen. ou, as the audience, should know you can get the pictures you want by registering approval or disapproval. Your job, if you want good pictures, literate, sensible and dignified, is to make your wishes known by attending and supporting the good ones and staying away from those you don't like."

Seldes substituted for Pare Lorentz, who was called unexpectedly to Europe. This topic—"The Relationship Between Literature and the Movies" — was handled with honest appreciation of the demands of the screen, and without genuflection be-ore the lacerated sensibilities of many authors present whose works have been conveyed to the screen.

Demands "Atmosphere"

Literature will be found in films, he said, only when it doesn't interfere with the film.

"The motion picture, to be good, must convey atmosphere, as well as story, and do both chiefly by action, not text. Hollywood can make pic-ures from literary works and give hem character and feeling," he said, citing "Mutiny on the Bounty." This, n his opinion, as a motion picture was superior to the book.

Hollywood writers' services are overvalued, he said. "Most pictures are horribly overwritten. Words are practically useless in motion pictures. A good director can get along with almost any writer, and get a good picture.

He emphasized that films are a different medium from literature and hat the picture makers do not set out o give audiences literature on the creen, but motion pictures, and the more a picture moves, the better. Whatever is not done in movement n pictures is bad movies and won't rk."

Boost for Miss West

To Mae West he gave credit for irecting the attention of producers to ictorian works and putting on such ictures as "Romeo and Juliet," David Copperfield" and others. In nswer to the raised eyebrows in the udience he explained that Mae's sexy arly screen efforts shocked so many eople that boycotts threatened and the roducers went to a "respectable" ra, the Victorian era, for acceptable orks.

He concluded by quoting an exiled erman savant who said that if all e painting, sculpture, music and art n the world were destroyed only a ery small number of persons would now it, and only a fraction of that umber would care. But if motion ictures were destroyed there would e a revolution in a week.

Col. Plans Four Serials

Columbia will make four serials for 938-'39 release and is now lining up ory material and players. "Wild ill Hickok," last of its serials for rrent season release, will be com-eted for June delivery, it was said.

ITO Planning Jersey Drive For Members

(Continued from page 1)

New Jersey should be represented in the I.T.O.A. because its problems so far as film buying and legislation are concerned are similar.

"It was recalled that when the I.T.O.A. was first organized Sidney Samuelson, then president of New Jersey Allied, asked that it refrain from making a drive for membership among New Jersey exhibitors. However, with Allied now in the process of organizing exhibitors in New York State and New York City, the I.T.O.A. feels that the original agreement has been abrogated by Allied. In addition, the I.T.O.A. officials are of the opinion that their organization can accomplish more for Jersey exhibitors than Allied is now doing.

"Several months ago a committee composed of Maurice Fleischman, David Weinstock, Julius Charnow and Leon Rosenblatt was appointed to meet with a committee of Allied to work out mutual problems. Two meetings were held and then, it was charged, Allied showed no disposition to continue the conferences.

"The same committee of the I.T.O.A. was given the duties of a membership committee with regard to Jersey exhibitors."

Meeting Set for May 3

Allied will hold a meeting here on May 3 to organize a New York State unit, claiming 100 metropolitan and Albany theatres will be included.

Harry Brandt, president, was renominated for another term. Other nominations are: David Weinstock, first vice-president; Stanley Lawton, second vice-president; Leon Rosenblatt, treasurer; Maurice Brown, secretary; Charles Goldreyer, sergeant-at-arms.

Nominations for directors were as follows: Maurice Fleischman, chairman; Bernard Barr, Ray Rhonheimer, Arthur Mayer, Otto Lederer, Leo Justin, Leo Brecher, A. Cohen, Julius Charnow, Hyman Rachmil, Frances Bregman, Walter Nolan, Bernard Brooks, Jack Hattem, Rudolph Sanders, Bernard Pear and Abraham Shenk.

All nomoninations were unanimous.

Brandt, as chairman of the theatre division in the Catholic Charities campaign, appealed for funds and membership responded 100 per cent, it was said.

"Yank" in Fifth Week

"A Yank at Oxford," M-G-M film produced in England, today will enter its fifth week at the Empire in London, according to a cable received by the home office. It is expected to go additional weeks, in which event it will break the house record. In the last ten years only three films, all from M-G-M, have played five weeks at the Empire.

Heads Story Department

HOLLYWOOD, April 27.—Irene Lee has been placed in charge of the Warner studio story department.

Snider Hopes for Australian Gains

(Continued from page 1)

matters concerning his circuit, which operates 70 theatres, he also is an authorized spokesman for the New South Wales Motion Picture Exhibitors' Association. He conferred with the companies on trade relations in the latter capacity.

Chiefly, the exhibitors in Australia have been objecting to what they consider an "arbitrary" attitude on the part of distributors in contractual matters. They also have been protesting rentals.

Snider has expressed fears that because of the increasing complaints by exhibitors, the Australian Government may extend its control over the industry, which, he said, would be disastrous. In this connection, he has intimated that the New South Wales production quota was a result of the Government's attention focused on the industry.

Is Seeking Plays

The quota has not yet been enforced because of the distributors' protests. Snider said yesterday, however, that he expects the quota act will eventually be enforced by the Government "in some form." Its constitutionality has been challenged by the American companies.

Snider said he is making an effort to revitalize the legitimate and variety stage in Australia and was searching for stage productions to play some of his theatres. The only production he has booked, however, is "Who's Who," a revue produced on Broadway this season by Leonard Sillman.

Snider disclosed that National Theatres, a subsidiary of Snider-Dean, had closed a deal to acquire two Tasmanian theatres on a leasing basis from Great Union, on opposition circuit. The theatres are the Prince of Wales in Hobart and the Majestic in Launceston. National Theatres has a pooling arrangement with Hoyts in the capital cities.

He said he would survey the situation in London and expects to return here on June 27 for further conferences. He plans to sail for Sydney from the coast on Aug. 17.

CEA to Make Protest To All Distributors

(Continued from page 1)

unethical selling combine concerning the classification and offerings of product by the Kinematograph Renters Society are understood to be involved in the forthcoming utterance from the CEA, which represents more than 90 per cent of the screen theatres in the United Kingdom. The official protest of the association, it is understood, will be made in a manner that spreads it on the public record of the amusement industry, both in the United States and overseas.

Last Ampa Meet Today

Ampa's final luncheon meeting of the season will be held at the International Casino today. The four companies which were adjudged to have the best posters in the Transit Advertisers' recent exhibition will be presented awards. Derrick de Marney, British film actor, and others, are scheduled to attend.

U.A. to Offer Financing Aid For Selznick

(Continued from page 1)

arrangements can be worked out, United Artists officials are optimistic about the renewal of a distribution deal with Selznick because of the company's reduced world distribution charges and the new profit sharing plan for its affiliated producers.

With executive sessions of United Artists officers continuing throughout yesterday and more scheduled for today, Samuel Goldwyn will not depart for Hollywood until tomorrow. David Rose, vice-president of Samuel Goldwyn, Inc., preceded the producer to Hollywood, arriving there by plane yesterday to prepare for immediate resumption of production. Goldwyn is scheduled to begin work next week on "Graustark." Silverstone may accompany Goldwyn to the coast if his conferences here are concluded in time. He is slated to discuss possible alliances of new producers with United Artists.

Regardless of the outcome of negotiations with other producers, United Artists has not changed its policy of releasing a limited number of pictures, it was stated. Even if new producers are added and a new deal with Selznick is negotiated, the total releases for the new season will be no more than from 24 to 28 pictures.

There has been no change in the stock ownership of United Artists as a result of the recent negotiations. No provision has been made for non-stock owning producers to acquire stock and no provision has been made for the issuance of an option to Goldwyn and Korda for the purchase of a controlling stock interest at a later date.

Production Falls To 26 as 7 Finish

(Continued from page 1)

mount; "Lucky Penny" and "Always Goodbye," 20th Century-Fox, and "Valley of the Giants" and "Sister Act," Warners.

In addition to these, those shooting are:

"Holiday" and "City Shadows," Columbia; "Lord Jeff," "Hold That Kiss," "Shopworn Angel," and "Enemy Territory," M-G-M; "The Texans," "Spawn of the North," "Sing, You Sinners," "Prison Farm," Paramount; "First Prize," Republic; "Hello Hollywood," "Three Blind Mice," "I'll Give a Million," 20th Century-Fox; "Rage of Paris," "Letter of Introduction," "Suspicion," Universal; "Algiers," Wanger, and "Garden of the Moon," and "In Every Woman's Life," Warners.

The pictures finished were: "Valley of Violence," Columbia; "Yellow Jack" and "The Toy Wife," M-G-M; "The Marines are Here," Monogram; "The Mysterious Mr. Moto," "Time Out for Murder," 20th Century-Fox, and "The Devil's Party," Universal.

Three short subjects are shooting—all at M-G-M. Columbia, RKO and Roach each finished one. A total of five is being prepared.

Eighteen are being edited.

▸ Radio Personals ◂

JAMES GAMMEL, for four years with Benton & Bowles, has joined the account servicing department of the Compton agency. . . . Ruby Newman's orchestra will make guest appearances on the Joe Penner program May 1 and 8, the booking through the offices of Rockwell-O'Keefe. . . . Ferde Grofe's publicity is now being handled by George Clarke. . . . Jessica Dragonette, after a three-week stay in New York, has resumed her concert tour.

✚

Julius Seebach, program director for WOR-Mutual, will speak at the Ninth Institute for Education by Radio at Ohio State University on May 2. . . . Jay Jostyn, the radio actor, will don the robes of learning this summer to join the faculty of the Rockridge School of the Theatre at Carmel, N. Y. . . . Chevy Chase, chief radio engineer of the RCA frequency bureau and former chief engineer of the F.C.C., returned from Europe yesterday on the *Washington*.

✚

E. K. Borroff, network time salesman from Chicago, is visiting here. . . . Ernest La Prade, NBC's music research director will lecture before a convention of Tennessee music clubs in Memphis April 29.

✚

Oklahoma City

John Shafer, WKY special events announcer, is handling the "Stag Five Star Final" newscasts five days a week for five minutes, aired usually on a late evening spot. . . . The eighth anniversary of the Wednesday afternoon Uncle Leo broadcasts from WKY was celebrated last week in the WKY studios. Leo Blondin, Lincoln Park zoo superintendent, who began the series of animal stories and programs April 15, 1930, directed a stage show in costume. Blondin, in clown makeup (he formerly was a circus clown), was master of ceremonies, but eight members of the "Uncle Leo Club" presented the program.

✚

Pittsburgh

Bill Beal, KDKA announcer, had Toby Wing and Rex O'Malley, from "You Never Know," on his hour program from the Electric show at Motor Square Garden. . . . Ted Blake, "em cee" of Old Shay Ale's "Night at the Inn" on WCAE, will open the Baron Munchausen Room of the Summit Hotel in Uniontown, Pa. . . . Jack Craddock, who used to be WWSW's sportscaster, is now assisting Rosey Rowswell in broadcasting the play-by-play accounts of the Pirates' away-from-home games. Both KDKA and WWSW are carrying the descriptions for General Foods and Mobile Gas, the former, however, only when time is available. . . . Jack Marshard's band will have a WCAE-Mutual wire from the William Penn Hotel when they open the Urban Roof next month. . . . Jack Crane, who does the "Movie Magazine of the Air" program on KDKA daily, is office boy in the Warner publicity department here. . . . Leonard Kapner, manager of WCAE, is back from a business trip to New York.

ANPA Radio Report Warns Against Political Control

Pointing to the manner in which radio has been made an instrumentality of dictatorship in the totalitarian countries, the radio committee of the American Newspaper Publishers' Association in a statement issued yesterday called upon America and the American press to guard against any encroachment upon American democracy by political organizations or individuals using radio as an instrument to gain their ends. Coordination for the purpose of providing opposition to all tendencies toward the misuse of radio was urged by the committee.

Other problems in relation to radio which the committee felt should properly come within the interest of the association are:

Laws and policies controlling radio facilities and broadcasts in America.

The question as to whether Freedom of the Press and Free Speech can be paralleled in "Freedom of the Air."

The influence of radio broadcasts upon the mental, moral and medical habits of the American people.

The many problems arising in connection with the broadcasting of news, including sponsorship of news on the air.

Newspaper ownership or control of radio facilities.

Property rights in news and piracy of news by radio.

The development of facsimile and television.

The Press-Radio Bureau as a medium of practical co-operation among newspapers, broadcasters and the press associations—and continuance of the Bureau as a public service to radio listeners.

The committee which prepared and submitted the report was composed of Howard M. Booth, Amon G. Carter, Norman Chandler, E. D. Corson, K. A. Engel, Edwin S. Friendly, J. L. Horne, Jr., J. R. Knowland, H. Ponting and O. S. Warden.

Watson to International

Loren Watson, formerly sales manager of the radio department of the Associated Music Publishers, on May 1 will join International Radio Productions, the transcribed program division of International Radio Sales.

Will Have 2 CBS Outlets

LINCOLN, April 27.—Central States Broadcasting Corp. will have two CBS outlets here in September. KOIL will drop the present NBC-Blue affiliated, held since 1931. KFAB is also a Columbia outlet.

O'Fallon to Miss Meet

DENVER, April 27.—Gene O'Fallon, owner of KFEL, will not attend the meeting of the National Association of Broadcasters on Saturday because of the illness of Mrs. O'Fallon.

Dissolve United

DOVER, Del., April 27.—Dissolution of the United Broadcasting Co., a Delaware corporation, was announced here. Secretary of State Charles L. Terry, Jr., has issued a certification of voluntary dissolution.

Seeking Permit for Station in Virginia

WASHINGTON, April 27.—Application for authority to construct a new station at Suffolk, Va., has been filed with the Federal Communications Commission today by the Suffolk Broadcasting Corp. The station would operate on 1,200 kilocycles with 100 watts power night, 250 watts day.

The commission also received an application from WJAR, Providence, for increase of night power from 1,000 to 5,000 watts, and an amended application from the Timpanogos Broadcasting Co., seeking a new station at Provo, Utah, asking for a change in proposed day power from 100 to 250 watts. The station would operate on 1,210 kilocycles; its night power would be 100 watts.

Sperry Keeps 2 on KPO

SAN FRANCISCO, April 27.—Fifty-two week renewals for Dr. Kate, daily dramatic skit, and Martha Meade, twice-weekly home economics programs, both sponsored by Sperry Flour Co., have been signed by KPO, local NBC-Red net outlet. Other new KPO business includes a 13-week quarter-hour variety show on KPO Sunday nights, using studio talent, for McRoskey Airflex Mattress Co.; 10 weekly transcribed shows for Oneida, Ltd., for Tudor Plate Silver; 65 spots for Golden State Co.; 52 spots for Workman Packing Co.; 26 spots for Frank E. Patrick glass polish.

Set KNK Film Program

HOLLYWOOD, April 27.—A special program called "The Pictures Speak" will be broadcast over KNX on Saturday, the occasion being the dedication of the new CBS building. Various film executives and players will be heard from their offices and from sound stages. Among the speakers scheduled are Louis B. Mayer, Hal Wallis, Jack Warner, Adolf Zukor, Darryl F. Zanuck, Danielle Darrieux, Charles Previn, Douglas Fairbanks, Jr. and Charles Rogers.

New Series on WCCO

MINNEAPOLIS, April 27.—A new series of mid-day broadcasts featuring Cedric Adams, columnist of the *Minneapolis Star*, will bow over WCCO this week. Heard six days a week, the broadcasts will be known as "First Edition" and will be sponsored by the George A. Hormel Co.

Mort Harris' Wife Dies

HOLLYWOOD, April 27.—Mrs. Leona C. Harris, 39, wife of Mort Harris, assistant to Louis K. Sidney in the production of the M-G-M air series, died here today of injuries sustained in the automobile crash in which her husband was killed on Monday.

Miss Forbes to WCCO

MINNEAPOLIS, April 27.—The newest addition to the staff of WCCO is Josephine Forbes, University of Minnesota alumnus and daughter of the *Minneapolis Tribune* Sunday editor.

Contracts Let To Build 185 New Theatre

Building contracts for 185 theatr at a total valuation of $5,620,000 we awarded in the first three month this year in 37 eastern states, it said yesterday by the Dodge Repor Division of the F. W. Dodge Corp

The 1938 performance lags behi the record for the first three mont of 1937, which showed 196 theatres a contract value of $6,218,000.

While the January and Februa total of $3,556,000 for theatre co struction was higher than the first t months' figure in 1937, March co struction was off, with 75 projec valued at $2,064,000. In March, 19 there were 78 projects with a valu tion of $2,824,000.

February Had 67

In February, this year, there we 67 projects with a contract figure $2,369,000, and in January there we 43 valued at $1,187,000. There we fewer projects in the first two mont as compared with 1937, but the outl was greater, according to the Dod survey.

Seating capacities of the proje are not given, except as they might indicated by floor area. The c tracts in the first three months of t year included 736,000 sq. ft., co pared with 869,000 sq. ft. in the co parable 1937 period. The March p jects called for 328,000 sq. ft., co pared with 457,000 sq. ft. in Mar 1937.

Rockwell Deals Set

Six artists have signed exclus contracts with Rockwell-O'Ke They are Frank Luther, Tom Birch, Frank Jacquet, Art Sto Paula Gale, Carol Lofner's orches and Gene Dennis Von Herberg.

Ames Handling Kem

Ronnie Ames, who formerly han publicity for the Fred Waring tro is now acting in a similar capa for the Hal Kemp band. Ames has taken over publicity for the of Key West, Florida.

Start CBS Show Mond

"Joyce Jordan, Girl Interne," dr atic series, will make its debut CBS on Monday from 9:30 to A. M., and thereafter Mond through Fridays. McKesson & bins is the sponsor.

Mrs. Dougherty to Sh

Mrs. Pat Dougherty will re from Blackett-Sample-Hummert 1 to develop an independent r production service with Adele ley Fletcher.

Little Heads Colgat

E. H. Little, vice-president charge of advertising of the Col Palmolive Peet Co., was el president of the company yeste

NBC Signs Knight

Felix Knight, tenor, has been si to a new two-year contract with Artists Service.

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arnoff Warns Against U.S. Radio Censor

ould Kill Usefulness Of Air, He Says

A warning against Government nsorship of radio programs, which uld destroy not only the usefulness radio but also would work irreparle injury to the nation itself was unded by David Sarnoff, president the Radio Corporation of America, a speech delivered at the Town all luncheon held yesterday at the otel Astor.

"We have but to look to the auto-

Additional developments in radio yesterday on page 6.

acies of Europe," said Sarnoff, "to e what such governmental control broadcasting may mean. Broadsting in those autocracies serves the terest, convenience and necessity, not the public, but of the totalitarian vernment. It is allowed to present ly one side of public issues."

Sarnoff minimized the protection af-

(*Continued on page 6*)

uper Power Plans Go Over Until June

WASHINGTON, April 28.—Indefinite stponement of hearings on applicans of stations for a permanent inease in power to 500,000 watts and stponement until June 6 of the hearg, originally called for May 16, to

(*Continued on page 6*)

May Be Harrowing

If arrows start bouncing over the edge of the Music Hall roof onto the rock drillers excavating for the new Associated Press Building, or onto drin— diners, we mean —sitting under the umbrellas where the Rockefeller Center skates disported last winter, it won't be Cupid.

It'll be the Rockettes staging an archery tournament.

All the girls have seen "Adventures of Robin Hood" and they're going to do their stuff this afternoon with members of local archery clubs picking the winner of a golden arrow. W. G. Van Schmus will supervise.

CEA Grading Protest Goes To Producers

Announcement in Herald Scores Plan of KRS

The Cinematograph Exhibitors' Association of Great Britain has addressed an open communication to American producers, through *Motion Picture Herald,* in which it is declared that the Kinematograph Renters' Society (distributors), in "grading" all product for rental purposes, is "degrading" American product, and imposing "another handicap" on American product in foreign markets. The statement is part of the C.E.A. campaign of active opposition to grading.

The statement to American pro-

(*Continued on page 5*)

Zanuck $260,000 Pay Is Top for 20th-Fox

WASHINGTON, April 28.—Darryl F. Zanuck, vice-president in charge of production at the studios, received the top salary from 20th Century-Fox last year, getting $260,000, it was disclosed by the annual report of the company with the Securities and Exchange Commission today.

The next highest salaries were $225,961.51, paid Warner Baxter, and $210,729.16, paid Sonja Henie.

Six directors who were also officers of the company received a total

(*Continued on page 5*)

Lasky Discloses RKO Resignation

Hollywood, April 28.—Jesse Lasky last night issued a personal statement of his resignation as associate producer at RKO effective Saturday.

He disclosed that he will open offices in the Equitable Building here as his headquarters for film and radio activities.

The RKO studio maintained silence on the matter, making no reference to the conclusion of Lasky's contract. He had produced "Hitting a New High" and "Music for Madame" during his year with RKO.

Jersey Allied Calm Over ITOA Invasion

Allied of New Jersey officials yesterday expressed no concern over the intended membership campaign in that state by the I.T.O.A. in retaliation for Allied's invasion of New York.

Allied claims to have in its membership a majority of the independent theatres in New Jersey and says the I.T.O.A. will find its possibilities negligible. The Allied unit says that there are 400 theatres in the state, more than 100 of which are operated by affiliated circuits.

Arthur K. Howard, in charge of Allied States' expansion program and the organiaztion work here, also said that the I.T.O.A. threat was no cause of worry to his organization. He arrived yesterday from Boston.

Regarding the I.T.O.A. statement

(*Continued on page 5*)

Verlinsky Gets Key Post In Russian Film Shakeup

In a reorganization of the Russian film industry, Vladimir I. Verlinsky, for three and a half years president of Amkino here, has been given the key spot of head of the Soviet News and Documentary Film Trust in Moscow. This division is in charge of the production and distribution of newsreels and shorts, a large number of which are made annually.

The shakeup in the Soviet industry followed the removal of Boris Z. Shumiatsky, its head, on grounds of mismanagement and waste. Verlinsky was in Moscow at the time for a general meeting of industry executives. He left New York on Dec. 8 and until this week the local Amkino office had expected him to return. However, Verlinsky had planned to quit his New York post after the opening of the World's Fair in 1939 and to return to Moscow permanently. He is a Russian citizen.

The Russian industry's chief is now Simeon S. Dukelsky, appointed to head the Soviet Cinema Committee, which supersedes the Central Organization of the industry, of which Shumiatsky was the head.

Samson Kritsberg, vice-president of Intourist, Inc., the Soviet travel agency here, has been placed in nominal charge of Amkino, which is the Soviet film distributor for North and South America. N. Napoli, formerly assistant to Verlinsky, is handling detail as office manager.

Arnold States Government's Trust Policy

Results, Not Intent, Will Guide, He Declares

Results of industry policies rather than the intent with which they were adopted will be the guide line for the Department of Justice in the selection of cases to be prosecuted under the anti-trust statutes, it was disclosed last night by Thurman Arnold, Assistant Attorney General in charge of anti-trust work, speaking at the annual banquet of the Trade and Commerce Bar Association of New York at the Hotel Commodore.

His first public address since assuming the position vacated by Robert H. Jackson upon his appointment as Solicitor General of the United States, Arnold's talk has been awaited for some time by industry as possibly disclosing changes he proposes in Department of Justice policy.

Taking the Texas anti-trust suit as an example, the Assistant Attorney General expressed the belief that "in the selection of cases and also in the trial and presentation of cases selected we should formulate our standard in terms of the actual results and

(*Continued on page 6*)

G. B. Planning 28 Films Next Season

G.B.'s new season production schedule may be increased to 28 pictures as a result of additions to the tentative program of 24, it was learned yesterday.

Arthur Lee, managing director, concluded arrangements yesterday for the additional pictures and will decide today whether any of those planned earlier will be cancelled. Lee will announce the 1938-'39 program at the

(*Continued on page 6*)

UA Producer Talks To Start Next Week

United Artists officials will open negotiations with producers in Hollywood next week in line with the company's newly adopted distribution and profit-sharing policy, a company officer stated yesterday.

Some of the negotiations, such as that to be discussed with Selznick International, may involve company financing for the producer. Preliminary discussions with several as yet

(*Continued on page 6*)

Newsreel Parade

Movietone News

Vol. 20, No. 66

(*20th Century-Fox*)

Washington news, exemplified by Henry Ford's visit to the President and the assurances of cooperation for business recovery from the nation's outstanding industrial and financial leaders, are featured in this release. A wide variety of feature material, all having a high content of interest or entertainment, includes underground shots of the work on New York's $58,000,000 East River tunnel in the process of construction; styles in women's hats designed to provide publicity for New York's World Fair; Australia's youth in a pageant in observance of the country's 150th anniversary; model planes in a windy contest on Long Island, and shots of an active volcano in New Zealand.

The sport department, suffering from a seasonal lull, offers only University of Illinois tumblers, a Philadelphia dart blower and hunting dogs demonstrating the results of their training. Lew Lehr turns drama critic on the University of Chicago's Blackfriars' show for a laugh or two at the expense of the college chorus boys.

The material is in good variety, well edited and benefited by the customary high ranking production work of this reel. Running time, 9½ mins. K.

News of the Day

Vol. 9, No. 264

(*20th Century-Fox*)

This is a good lively release, having plenty of subject variety and entertainment value. President Benes of Czechoslovakia directing defense preparations for his small republic in Europe's trouble spot has the lead position. Feature material includes views of Manhattan's Sixth Ave. "L" line, soon to be removed; of a Cossack demonstration of horsemanship in London; of new hat styles inspired by a N. Y. World's Fair publicity man and of a bathing suit wedding inspired by a Long Beach, Cal., publicity man.

In the news section are glimpses of Henry Ford paying a visit to the White House and of Vice-President Garner selecting his new spring headwear. In the sporting news is a California wrestling match, a deer hunt in France and a midget auto race in New Jersey with some spectacular crash shots. In all, a good reel for its full length. Running time, 9 mins. K.

Paramount News

Issue No. 77

(*Paramount*)

A neat arrangement of clips has been assembled in this issue to take advantage of the general interest in the approaching Kentucky Derby. War Admiral and Seabiscuit are shown in action, followed by shots of the arrival of Seabiscuit in New York and exercising of War Admiral. The subject closes with guesses on who will win. It's very well done.

A Chicago roller skating derby with girl skaters getting into a hair-pulling match furnishes some laughs. Another sport shot is furnished by the University of Illinois tumblers.

Henry Ford's arrival at the White House and his departure got plenty of attention from cameramen, both still and moving. Secretary of the Interior Ickes and Dr. Eckner discuss the helium problem briefly, and the present negotiations with Germany on the problem are dramatized by shots of falling observation balloons, workmen finishing the new Zeppelin at Friedrichshafen, and the burning of the Hindenburg at Lakehurst. These clips are combined in a way that lends new interest to old material. Running time, 9 mins. J.

RKO Pathe News

Vol. 9, No. 81

(*RKO*)

The material in this issue is varied and interesting. It also has a number of exceptional style shots whose chief appeal, aside from feminine interest, lies in the tasteful camera compositions. There is a good balance of sport, current events and action.

Henry Ford visits the White House for lunch with the President. National Chess Championship games are given interesting coverage. Hydroplan race at Miami Beach. Mrs. Roosevelt records her book, "This Is My Story," for the blind. Junior Birdmen of America fly their model planes at Farmingdale and the Army and Navy indulge in slambang fisticuffs. Running time, 8 mins. P.

Universal Newsreel

Vol. 10, No. 622

(*Universal*)

Universal's editors have compiled a varied assortment of 13 clips, and thrown an added spark of liveliness into the subtitles and commentary where that was possible. The result is a reel which moves rapidly and offers interest and entertainment, if no striking significance.

Two foreign clips picture a parade of the international volunteer corps in Shanghai, and shorts of Eamon de Valera and Neville Chamberlain, relative to the signing of the Anglo-Irish pact in London. For the rest the reel skips about the country, with the material ranging from interesting pictures of a Greek Orthodox Easter parade and church service in Astoria, to a wrestling match in New York which is enlivened by the amusing antics of the grapplers and the entertaining commentary. A tailless plane, 13 bull pups hanging on the line after washing, John Garner getting himself a summer bonnet, Ford arriving at and leaving the White House, and the University of Illinois' expert tumblers are among the other shots. Running time, 9 mins. A.

Insiders' Outlook

An hour and forty minutes of watching "The Adventures of Robin Hood" unreel leaves the beholder with a profound admiration for the way in which the basic ingredients of film entertainment have been mixed to spread the appeal to all types of audiences.

Many directors have become lost in the pursuit of spectacle—especially in color. Michael Curtiz avoided this pitfall and others. He stuck to the old fashioned idea that what a motion picture needs is movement—movement for the swift development of a story and not merely for the sake of keeping the various actors in motion.

▼

Love interest has been subordinated to action and dialogue has been used sparingly. Horsemanship that makes westerns seem tame, physical combats with swords, acrobatics reminiscent of Douglas Fairbanks' early days, sets of the kind that Cecil B. DeMille and Allan Dwan made famous years ago, and color compositions that will delight the eye of an artist have been supplied lavishly. The appeal is to juveniles and adults who can get along without subtlety.

But the outstanding quality of the production is the dashing charm of Errol Flynn's impersonation of the legendary Robin Hood. Here's the feminine appeal that completes the cycle of this picture's assets as a natural for exhibitors.

It is apparent that Warners set out to make one of the big money pictures of the year, and it certainly looks as though they had achieved this result in a remarkable way.

Dismiss Exceptions In Phila. Game Case

PHILADELPHIA, April 28.—Theatres and churches operating giveaway games got a swift setback late this afternoon when common pleas judges, sitting en banc, dismissed the exceptions brought by the Palm Theatre to Judge Harry S. McDevitt's original decision three weeks ago. At that time Judge McDevitt held that the games constituted a violation of the state lottery and gambling laws. Exceptions were heard Monday of this week before Judges McDevitt, Kun and Parry and decision was reserved until this afternoon.

Lawyers for both sides now have the right to request a final court decree before taking the case to the State Supreme Court. Since most games dealers are obligated to protect their customers in a law action, it is believed the court fight will be continued.

Warner Party Tomorrow

NEW HAVEN, April 28.—Approximately 300 are expected to attend the annual Warner Club semi-formal dinner-dance at Seven Gables Inn Saturday night. Managers of the 30 Warner theatres in the district, as well as other members of both theatre department and exchange staffs, will be present. William Bamford is chairman.

Purely Personal

NATE J. BLUMBERG, Universa president, is spending a few day resting and visiting with his famil before beginning new season production conferences with his home offic staff.

•

FANYA GRAHAM, on leave of absence from Columbia's coast publicit department, took a bow at the Amp luncheon yesterday. She returne from a world tour the other day.

•

HARRY GOLDBERG, advertising hea of Warner theatres, is in Clevelan today discussing special advertisin campaigns.

•

MRS. JACK COHN left for the coa on the TWA Skychief last night.

"Pilot" Continues Big

The M-G-M home office yesterda reported that holdover engagemen continue uniformly on all runs "Test Pilot." To date the film h been held in all the 33 spots in whic it has been shown, eight new cities i cluding: Cincinnati, Detroit, Buffal Worcester, Dallas, Hartford, Galveston and Miami Beach.

See Tax Bill Defeat

BOSTON, April 28.—The defeat of two per cent sales tax measure w virtually assured today when t Committee on Taxation reported t bill unfavorably to the House. T bill would tax all theatre tickets.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and P lisher; J. M. JERAULD, Managing Edit JAMES A. CRON, Advertising Manager. E TORIAL STAFF: Charles S. Aaronson, Jack B ner, Al Finestone, Thomas Fitzsimmons, Sher A. Kane, Irene Kuhn, Joseph Priore.

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Entered as second class matter January 4, at the Post Office at New York, N. Y., Act of March 3, 1879.

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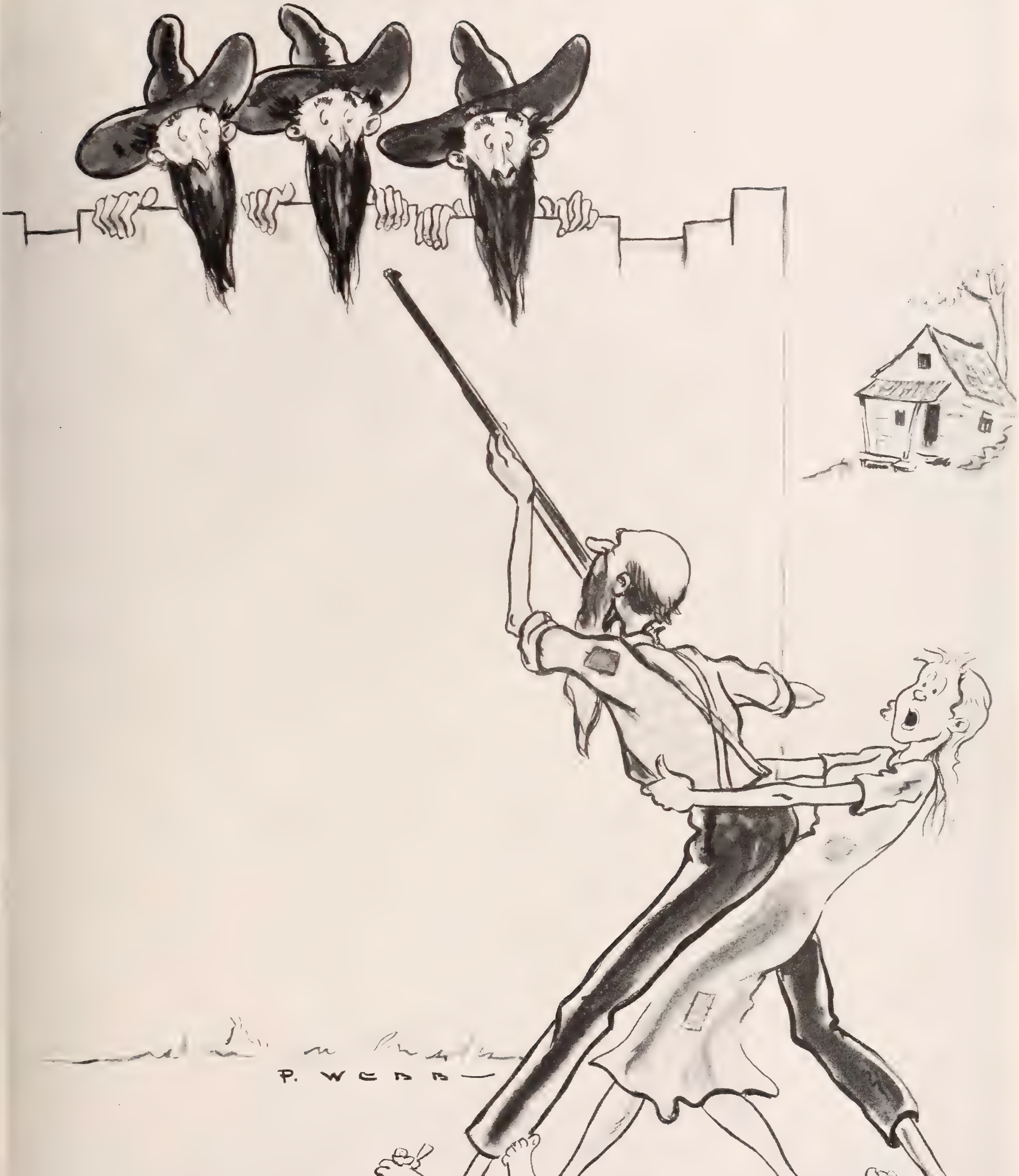
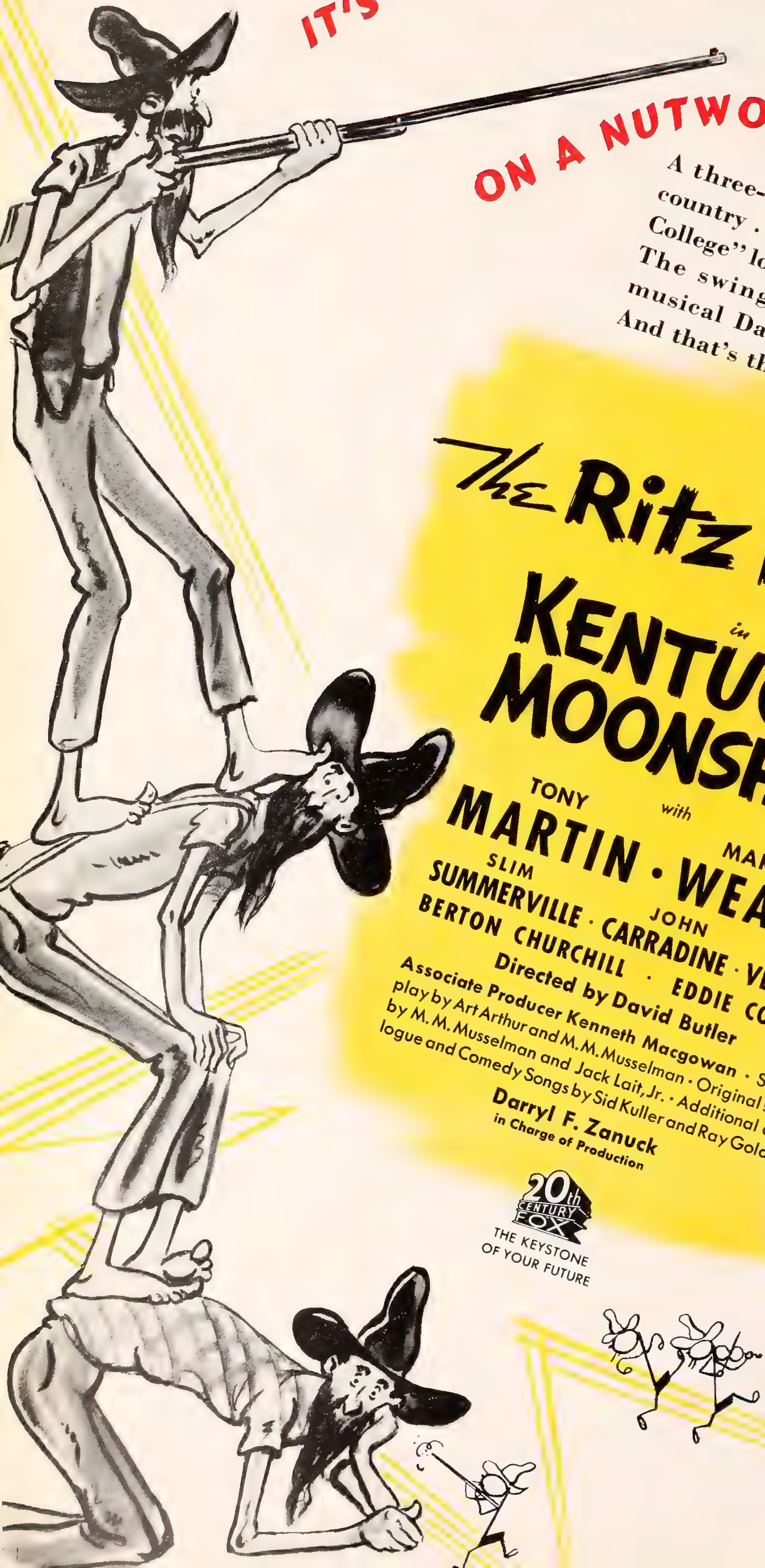


"Don't shoot, Paw! It ain't feudin' day —'sides them's the Ritz Brothers from the city!"

and when those Ritzes go hillbilly . . .

IT'S A COAST-TO-COAST HICCUP ON A NUTWORK OF LAUGHS!



A three-Ritz ruckus in the corn likker country . . . that makes "Life Begins in College" look like pink tea and lemonade! The swing-snappiest, slap-happiest musical Darryl F. Zanuck ever made! And that's the tops of the tops!

The Ritz Brothers

in

KENTUCKY MOONSHINE

with

TONY MARTIN · MARJORIE WEAVER

SLIM SUMMERVILLE · JOHN CARRADINE · WALLY VERNON

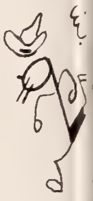
BERTON CHURCHILL · EDDIE COLLINS

Directed by David Butler

Associate Producer Kenneth Macgowan · Screen play by Art Arthur and M. M. Musselman · Original story by M. M. Musselman and Jack Lait, Jr. · Additional dialogue and Comedy Songs by Sid Kuller and Ray Golden

Darryl F. Zanuck
in Charge of Production

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE



Tony and Marjorie romance to the tu
these new Pollack & Mitchell song

"Moonshine Over Kentucky"

•

"Reuben, Reuben, I've Been Swingin'"

•

"Sing a Song of Harvest"

PRINTED IN U.S.A.

CEA Grading Protest Goes To Producers

(Continued from page 1)

ducers, under a caption, "A protest from your British market," says, "Your London distributors, by playing politics, are imposing yet another handicap on your product in foreign markets.

"At secret meetings in London the K.R.S. have set up a dictatorship to grade your features into two price classes. This secret 'grading' degrades a large percentage of product—your product—into the lower brackets. Were you consulted? Certainly the theatre owners of Britain were not.

"This 'grading' applies rigidly to all sections of the country regardless of variations in local conditions.

"We, the C.E.A., representing 4,350 picture theatres (95 per cent of the cinemas in the United Kingdom, your biggest foreign market), oppose this unethical selling combine because it decreases your share, decreases our share and decreases theatre attendance."

CEA to Issue New Appeal

London, April 28.—A new propaganda appeal will be issued to members of the Cinematograph Exhibitors' Association this weekend, advising them on methods of combating the grading plan of the Kinematograph Renters' Society (distributors). The C.E.A. pamphlet will contain a list of films allegedly graded "B," and exhibitors are urged to book them at rentals based on the lower K.R.S. grading.

Unofficially it is believed that the K.R.S. may retaliate by refusing to book any pictures in certain cases. The C.E.A. is of the opinion that the distributor group is embarrassed by the anti-grading attitude of 20th Century-Fox.

Ken Nyman, president of the C.E.A., and a representative of Gaumont British circuit, Arthur W. Jarratt, gave emphatic approval to the organization's fight against K.R.S. grading.

Five major houses in central London, including three Odeon houses, one Paramount and one G. B., this week are showing two "A" features. Exhibitors contend this exposes the alleged insincerity of the K.R.S. claim that the grading is aimed at the elimination of double bills of "A" films.

Condor Reorganizing Gets Time Extension

Los Angeles, April 28.—Federal Judge George Cosgrove today granted Clinton Miller, trustee of Condor Pictures, Inc., an extension of time until May 16 in which to file a reorganization plan for the company. Miller stated that he is sure that the firm, undergoing reorganization under 77B of the bankruptcy act, can be placed on a profitable basis.

At the same meeting a stipulation was filed by attorneys for the withdrawal of a motion to have Glenn Stephens, Condor ex-president, and Lester Cowan, general manager of Hollywood Pictures, Inc., a company formed to take over the Condor assets, give an accounting of $32,000 of Condor money.

Jersey Allied Calm Over ITOA Invasion

(Continued from page 1)

that it would help the "small exhibitor" in New Jersey defeat the dog racing bill which, it said, was pending in the legislature, the Allied office pointed out that there is no such measure and that the I.T.O.A. probably referred to a bill to legalize pari-mutuel betting at horse racetracks, on which action is expected.

The New York group's intention to enter New Jersey may precipitate a three-cornered fight, since in addition to Allied, the U.M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware also is represented in the state. The Allied unit's strength is chiefly in northern New Jersey, which is serviced by New York exchanges, it is reported, although Allied says it has members throughout the state.

SMPE Concludes Washington Meet

Washington, April 27.—The annual spring convention of the Society of Motion Picture Engineers, at the Wardman Park Hotel here, came to an end today with two sessions devoted to discussions of sound, one in the morning and the second during the afternoon.

A long list of technical papers occupied the attention of the several hundred delegates to the four-day conference.

Poster Awards Made At Luncheon of Ampa

Awards to Warner, United Artists, Columbia and Amkino were presented at the Ampa luncheon at the International Casino yesterday by F. LeMoyne Page, vice-president of Transit Advertisers, Inc., for prize-winning posters displayed in an exhibition sponsored by the company.

First and second awards in the theatrical division went to Warners for three-sheets on "Alcatraz" and "Marked Woman," respectively. Joseph Tisman, Warners' poster art director, accepted a plaque on behalf of the company. Plaques were also given to the Blaine Thompson advertising agency, accepted by Meyer Lesser, president, in connection with the Warner posters, and the Center Theatre.

The other film companies received honorable mention certificates, which were also presented to Max Gordon, Gilbert Miller, Alfred de Liagre, stage producers, the World's Fair and Donahue & Coe.

This was the last Ampa meeting of the season with the exception of a special luncheon to be held in May for the presentation of the Ampa advertising awards. Ralph Rolan, president, presided.

W B Start "Hood" Sequel

Hollywood, April 28.—Warners today began preparation of a sequel to "The Adventures of Robin Hood." Production will start in the late summer. Technicolor will again be used, Errol Flynn will have the lead once more and Michael Curtiz will produce. Cast and crew members of the current production will be used.

Zanuck $260,000 Pay Is Top for 20th-Fox

(Continued from page 1)

of $483,170.36, and 145 employes with executive duties, actors, technicians, etc., received an aggregate of $7,258,186.76.

The report showed that, as of March 1 of this year, the heaviest holders of 20th Century stocks were: Chase National Bank, 51.43 per cent of preferred and 13.98 per cent of common; White, Weld & Co., 20.73 per cent of preferred; Joseph M. Schenck, 10.84 per cent of common; William Goetz, 11.75 per cent of common, and General Theatre Equipment Corp., 10.65 per cent of common.

At the close of its fiscal year, on December 25 last, the company had options outstanding under which Sidney R. Kent was to get 10,000 shares of common annually for six years from August 22, 1935, at a price of not less than $10 per share, the price having been fixed at $18.24 per share, and 40,000 shares of common were reserved for issuance to officers and directors as part payment for services at not less than $10 per share.

Michel Contract Extended

Contracts entered into during the year extended for five years from November 1 the agreement with W. C. Michel, executive vice-president, at $1,000 per week; extended for five years from the same date the agreement with John D. Clark, general sales manager, who was to receive $1,500 a week for the first year, $1,600 the second year, $1,700 the third year and $1,750 the last two years; and provided for three years' service from June 14 by Truman Talley as vice-president, producer and editor-in-chief of Movietone News at $1,000 per week.

The balance sheet of the company for the year showed total income of $47,980,451.37, operating expenses of $9,702,741.20 and, after deduction of other charges, taxes, dividends, etc., an addition to surplus of $2,457,832.08. The paid in surplus at the close of the year was $9,537,356.41.

Creditor Dividend On Orpheum Likely

A 12½ per cent interim dividend to creditors of Orpheum Circuit, Inc., was indicated at a hearing before bankruptcy referee Oscar W. Ehrhorn in the U. S. District Court here yesterday. None of the creditors opposed the granting of the dividend when Ehrhorn asked for objections.

Contention centered around the request by Marcus Heiman, Orpheum trustee, for $7,172 commissions, and by Beekman, Bogue, Leake, Stephens and Black, his attorneys, for an allowance of $50,000. Douglas M. Black contended that his firm had been instrumental in obtaining the $700,000 offer from Stadium Theatres, Inc., RKO subsidiary, for the sale of Orpheum's assets.

Will Rogers Week To Start Today

Will Rogers National Theatre Week will get under way today, with collections from the audience to be made in at least 5,000 theatres, it is estimated by A. P. Waxman, director of the campaign. Waxman said that a large number of pledges from theatres have been coming in daily.

Round Table Honors Are Awarded to 44

Forty-four entries in five classifications have been designated to receive the silver plaques, citations of merit and first and honorable mentions in the first quarter of the 1938 Quigley Awards, sponsored by *Motion Picture Herald* through Managers' Round Table.

Silver plaques in each division were voted to Sid Holland, Elco, Elkhart, Ind.; Nathan Wise, RKO theatres, Dayton; Bill Bell, Majestic, Houston; George Limerick, Yale, Cleburne, Tex., and John Burhorn, Gayety, Chicago.

Citations of Merit, to entrants finishing second in each classification, were awarded Ed Miller and Manny Pearlstein, Hippodrome, Cleveland; Dave Kamsky, Byrd, Richmond; Jack Markle, Coolidge Corner, Brookline, Mass.; Moon Corker, Palace, Athens, Ga.; William Nitschke and Peter F. McCarty, Loew's Tri-Boro, Long Island City.

A special Citation of Merit was voted additionally to Limerick for the best entry among the plaque winners, regardless of classifications. First and honorable mention certificates were awarded to 31 entries in all divisions.

Competition in the Quigley Awards is now divided in five divisions, according to population. Entries are judged on a quarterly basis instead of monthly, as heretofore. Judges for the first quarter were Edward Golden, S. Barret McCormick and Irving Lesser.

Republic Group Off For Coast Meeting

A Republic group of about 30 entrained from the Grand Central terminal last night en route to the company's national sales convention in Hollywood, which will start Monday. Included were representatives from home office, New York exchange, Boston, Philadelphia and Canada.

Delegations will board the two special cars en route, and the convention train will be made up at St. Louis, leaving tonight for the south where others will be taken on at different points.

The convention will end Thursday.

Wall Street

Recessions General on Board

	Open	High	Low	Close	Net Change
Col.	11	11	10⅝	10⅝	— ⅞
E. K.	148¼	148½	147	147	—3½
G. T. E. ..	11⅞	11⅞	11¾	11¾	.....
Loew	41⅜	41⅜	39¾	39⅞	—1⅞
Para.	8	8	7⅝	7⅝	— ⅜
Para. 1.....	78¼	78¼	78¼	78¼	— ¾
Para. 2.....	9	9	8⅝	8⅝	— ⅜
Pathe	5⅛	5⅛	4¾	4¾	— ⅝
RKO	2¾	2¾	2¾	2¾	.....
20th Fox ..	21½	21½	21	21	— ⅞
Univ. pfd.	37	37	37	37	— ¼
W. B.	5	5	4⅞	4⅞	— ¼

Little Trading on Curb

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	.....
Tech.	20	20	19	19	— ⅝
Trans-Lux	2⅛	2⅛	2⅛	2⅛	.....

Warner Bonds Up 2½

	High	Low	Close	Net Change
Loew 3½s '46....	99½	99¼	99½	+ ¼
Para. B'way 3s '55	58¼	58¼	58¼	+ ¼
W. B. 6s '39	75	74½	75	+2½

(Quotations at close of April 28)

Sarnoff Warns Against U.S. Radio Censor

(Continued from page 1)

forded by the Radio Law of 1934 which forbids direct Government censorship of radio programs. He pointed to the fact that Government licenses can be so worded as to leave the door open "for an indirect—and more insidious—censorship." Fear of disapproval, he said, can blue-pencil a dozen programs for every one to which an official censor might object.

Sarnoff pointed to the speed with which the industry has developed, and added that changes still impend. With sight as well as sound just in the offing, he said, broadcasting becomes more than ever a service of entertainment, culture and information. He asked that Federal control limit itself to the regulation of physical facilities and that such control be sufficiently flexible to permit continued development.

Super Power Plans Go Over Until June

(Continued from page 1)

determine whether any increase should be made in the present power maximum for clear-channel stations, was ordered today by the Federal Communications Commission.

It was indicated that, with but two exceptions, applications now pending in which increase of power to 500,000 watts is asked will not be made the subject of hearings unless it is determined to raise the present maximum. The exceptions are stations WLW and WHO, the former asking renewal of its present authority and the latter for an experimental license to use super-power, whose applications will be heard immediately after the close of the June hearings.

The June 6 hearings will be conducted by the committee appointed to make the super-power study, consisting of Commissioners Craven, Payne and Case, with Chairman McNinch as an ex-officio member.

Test Labor Board Power

A test suit to determine the jurisdiction of the New York State Labor Relations Board over retail radio firms engaged in interstate commerce was filed by Davega City Radio, Inc., in the U. S. District Court here yesterday.

Set Good Will Programs

CBS on May 8 will inaugurate the first of four broadcasts devoted to creating good will between the nations of the Western Hemisphere. The initial program will offer Secretary of State Hull and six South American diplomats.

Plan Education Series

A new series of educational broadcasts, titled "Municipal Government in New Jersey," will start on May 4 over WNEW. The opening broadcast will offer Charles D. Anderson, Assistant State Commissioner of Education, in a talk on tax structure.

▶ Radio Personals ◀

MARCELLA HENDRICKS, the "Peoria Nightingale," has had her contract with WOR renewed for an additional six months. . . . Andre Kostelanetz will take his first vacation in four and a half years at the expiration of his current Chesterfield series in June. . . . Kate Smith on Sunday will celebrate her eighth anniversary in radio. . . . John Taylor, script supervisor and program director at Compton Advertising, Inc., is in Chicago for conferences.

✚

Murray Carpenter, also of the Compton agency, is honeymooning with his bride, the former Harriet Lang. . . . Larry "Buster" Crabbe will head the cast of "For Men Only" on the Red, Monday. Reinald Werrenrath, baritone, also will be featured. . . . Al Pearce and his Gang will be heard from Washington next Tuesday over CBS. They are appearing at the Earle there.

NBC Will Offer 70 Music Week Periods

NBC has completed plans to offer more than 70 programs during the observance of National Music Week, May 1 to 7. The event will be opened by the Magic Key broadcast on Sunday, during which John Charles Thomas and an all-American program will be featured and will conclude with the NBC Symphony broadcast on Saturday, May 7. Pierre Monteaux will conduct the latter.

David Sarnoff, chairman of the National Music Week Committee and president of RCA, will inaugurate the programs during the Magic Key period.

Facsimile Demonstrated

A demonstration of radio facsimile reproduction was held yesterday at Radio City following a luncheon to members of the A.N.P.A. by Lenox R. Lohr, president of NBC. Lohr explained the possibility of radio as an agency in the transmission of various newspaper features to the home. He described the process involved and some of the latest results of the invention.

Comedians at Preview

HOLLYWOOD, April 28.—The Yacht Club Boys, currently appearing at Chez Paree in Chicago, will conclude their engagement there on May 8, and fly here, and the next day appear on a program which will climax the ceremonies incident to the preview of Paramount's "Cocoanut Grove." Other entertainers will include Dorothy Lamour, Bob Hope, George Burns and Gracie Allen, Rufe Davis, Shirley Ross and Fred MacMurray.

Set New NBC Program

"Getting the Most Out of Life," a Fleischman's Yeast program, will shortly return to the NBC Blue network and will be heard Mondays through Fridays from 11:45 A. M. E.D.S.T. to 12 noon. Dr. William Stidger of Boston is featured. Standard Brands is the sponsor and J. Walter Thompson the agency.

Arnold States Government's Trust Policy

(Continued from page 1)

use of legal privileges by groups in achieving domination of the market rather than their motive.

"I will illustrate by the case of Interstate Circuit, Inc., vs. United States recently argued before the Supreme Court of the United States," he told the bar association.

"A first run motion picture exhibitor controlling 75 per cent of the moving pictures in Texas had entered into practically identical contracts with the major motion picture distributors which prevent second run theatres from obtaining the best pictures except at higher admission prices than they had been accustomed to charge. Here was a typical use of a legal privilege (the copyright) in such a way as to restrict the outlets for moving pictures and actually to destroy competition. High admission prices were maintained and picture theatres put out of business.

Dividing Line Vague

"The moral question in the case was whether a conspiracy existed. To solve this it was necessary to see the shadowy line where a conspiracy ends and good fellowship and cooperation begins. Observe how the question proposed in another way admits a less theological answer. Is the use of the privilege given by the copyright laws by a group which actually dominates the market an effective suppression of competition regardless of whether a conspiracy is proved?

"The fact that picture houses have been closed and the distributing market has been narrowed by the use of this privilege on the part of a dominating group is certainly one of the most important factors in determining whether such a use of the copyright is illegal. It does not give a rule of thumb, but it is at least more susceptible of critical examination than whether the group is acting in an evil state of mind.

"The particular case has not been decided as this is written. However, these considerations were argued strenuously by the Solicitor General and they should be argued in future cases.

Results the Consideration

"The department does not of course control the decisions of the court, but in that area which it does control, that is, in the selection of the cases which are to be prosecuted out of a large number of complaints, only some of which is it even possible to investigate, actual monopoly results should be a more important consideration than motive."

In view of the fact that results rather than motive are the controlling factor and that evil results may be effected by policies adopted with good motives, Arnold declared the Department of Justice should give advice to business men as to the Government's position, so long as it would not be usable later to foreclose the Government from prosecutions.

This could be accomplished, he suggested, by an announcement setting forth how the department is going to apply anti-trust principles to a loc ized situation including a summ of conditions the department belie to exist in the particular indus which tended toward violation of anti-trust laws and created the nec sity of an investigation; the rea why the particular procedure, whet civil or criminal was chosen inst of some other kind or procedure; the results the department hopes obtain in the prosecution of a parti lar case.

"After such a report, any busir man connected with the industry co make an informed judgment about interpretation of the anti-trust l by the department in that partic area," he said.

G. B. Planning 28 Films Next Seaso

(Continued from page 1)

opening sales meeting tomorrow the St. Moritz. The meeting w continue through Sunday and will followed May 3 and 4 by the seco regional meeting, which will be he at the Blackstone, Chicago. The thi and final meeting will be held in [illegible] ver, May 5 and 6.

Home office officials, in additio Lee, who will address the New Yo meeting, are Clinton M. White, a sistant general manager; Arth Greenblatt, eastern division manage Claude H. MacGowan, comptroll and Albert Margolies, advertising a publicity director. Those who w attend the meeting include B. Kearney, purchasing agent; Charl E. Schwengler, head of the print d partment, and William Barrett, fr the home office.

Also at the meeting will be t New York branch sales force; He Given and the Philadelphia sta Joseph Kaliski and Washington sta Marcel Mekelburg, Boston; Al Ke Buffalo; Charles Leach, New Have Benjamin Smith, Albany; Reg W son, Cleveland, and Mark Goldma Pittsburgh.

New season promotion arran ments completed earlier provide three musicals with Jessie Matthe and Jack Whiting; Nova Pilbeam an Alfred Hitchcock productio Margaret Lockwood and Mich Redgrave, a new romantic team, w make four, and Will Fyffe will starred in two or three.

UA Producer Talks To Start Next Wee

(Continued from page 1)

undisclosed producers have been c ducted by Dr. A. H. Giannini, Uni Artists' president, on the coast duri the past few days. Final decisions these are expected soon after after arrival in Hollywood of Maurice S verstone, chairman of the execut committee, who will leave New Y by train late tonight. With him be Samuel and Mrs. Goldwyn. Pr arations for the shooting of "Gr stark," Goldwyn's first picture to under way in more than three mont will be begun shortly after his arri on the coast.

Hold Rites for Selwy

Funeral services for Michael S wyn, who died Tuesday, were h yesterday at the Riverside Fune Chapel. Burial took place in Mo Ararat Cemetery, Farmingdale, L.

FILE COPY

Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 43. NO. 100 NEW YORK, SATURDAY, APRIL 30, 1938 TEN CENTS

New CBS Unit Will Open on Coast Today

NX, $2,000,000 Studio, To Be Dedicated

HOLLYWOOD, April 29.—Probably he greatest day in CBS history, save r the one a near-decade ago when William S. Paley bought a controlling terest in the network, will be ushered in tomorrow morning with the edication of the new $2,000,000 KNX udios.

A coast-to-coast series of salutes to he new radio center, scheduled to be resented over the full 24-hour period

Additional developments in radio yesterday on page 4.

morrow over the full CBS network 113 stations and over the Canaan network, and short-waved to Europe and South America, will begin at A. M. tomorrow with "Good Morning from Hollywood," a program which will offer a resume of the array programs scheduled to be heard roughout the balance of the day.

While a majority of the programs ailing KNX will emanate from the

(Continued on page 4)

K-A-O Profit for Quarter $336,594

Keith-Albee-Orpheum Corp. and ubsidiary companies yesterday reported net profit after all charges, except surtax on undistributed profits, f $336,594.60, for the 13 weeks ended April 2, 1938. The net is equal to 5.23 per share on 64,304 shares of even per cent cumulative convertible referred stock, and compares with et of $512,803.12, equal to $7.97 per hare, for the 13 weeks ended April , 1937.

B. F. Keith Corp. and subsidiary

(Continued on page 3)

Resumption Planned By Major Pictures

HOLLYWOOD, April 29.—Plans are nder way to revive Emanuel Cohen's Major Pictures Corp. for the producon of a series of new films next seaon. Ben Piazza, Cohen aide, has aken offices here and is conducting a earch for stories and talent. He tated today that Cohen will sign a eleasing deal upon his return to New ork around the end of May.

Piazza today signed Walter E.

(Continued on page 3)

G. B. Release Schedule to Remain at 24

Regional Sales Meeting Opens Here Today

With several features planned earlier for inclusion in G. B.'s 1938-39 release schedule having been cancelled as a result of the addition on Thursday of new pictures, the company's total for next season will remain at 24, the number originally planned. This is eight more than were scheduled for release this season.

Arthur Lee, G. B. vice-president and general manager, will give details of the program to the company's home office and eastern sales forces at the first regional meeting which will open at the St. Moritz here today and continue through tomorrow. The New

(Continued on page 3)

G.N. to Discuss British Releases

The future of Grand National's British distribution will be discussed at a conference in Chicago today between Edward Alperson, president and trustee in reorganization, and Ben Henry, general manager of Associated British Film Distributors. Alperson is flying from the coast. The home office does not believe that he will come to New York.

Henry, who arrived on Monday

(Continued on page 4)

REPORT GIANNINI TO RETIRE DENIED

Says Contract Has Three Years to Run — No Settlement Offer

HOLLYWOOD, April 29.—Reports that the appointment of Maurice Silverstone as chairman of the executive committee of United Artists indicated the ultimate retirement of Dr. A. H. Giannini as president met with denial at the Hollywood offices of the company today.

The same source also declared that the failure to name Dr. Giannini to the executive committee did not presage his retirement from the company. It was pointed out that Dr. Giannini made the appointment of Silverstone and that he was chairman of the board of directors and a member of all committees.

Dr.. Giannini's contract has three years to run and he has no present intention of retiring. Asked whether an offer had been made to liquidate his contract, he said this report in common with most of the others which had developed after the New York meeting of owner-partners was inaccurate and largely at variance with the facts.

This leaves the situation confused in

(Continued on page 4)

Republic Men Join Special At St. Louis

ST. LOUIS, April 29.—Eastern and midwest groups left here tonight on Republic's special convention train bound for the company's third annual sales convention which will start Monday in Hollywood.

A program of 31 features, 24 westerns and four serials will be announced at the meeting on Monday.

Eastern delegations arriving here at 5 P. M. today joined midwest delegates on the convention special, which left an hour later. Groups from Detroit, Chicago, Milwaukee, Minneapolis, Des Moines, Omaha, Kansas City, and St. Louis, boarded the special, in addition to the contingent from the east.

Staffs from Little Rock, Atlanta, Charlotte, Tampa, New Orleans and Memphis are to join the travelers at Little Rock early tomorrow. On arrival in Dallas, Saturday morning, the delegations are to be met by busses which will take them to White Rock Lake for a Texas barbecue, with W. G. Underwood and C. C. Ezell, local franchise holders, as the hosts. H. J. Yates, M. J. Siegel and James R.

(Continued on page 4)

Van Schmus Has An Archery Contest; Targets Undamaged

By J. M. JERAULD

W. G. Van Schmus' Sherwood Forest, which consists of a hedge, an expanse of green painted asphalt, three magnolia trees and some Chinese red benches on the roof of the Music Hall was the scene of an archery tournament yesterday. There were two targets, but only three arrows hit them. The spectators, including 20 newsreel cameramen and sound men, dodged the others.

It was probably one of the greatest exhibitions of dodging ever witnessed in Rockefeller Center. One arrow landed in front of a pedestrian on 50th St. He is still wondering what happened.

Hazel Flynn of the Music Hall publicity department, S. Charles Einfeld of Warners and Herbert Crooker and Sid Rechetnik arranged the thing after a conference. Russell Markert and Gus Eyssel and Willa Van and a few others were called in. They summoned Bert Noble, an archery champion, for technical advice, but he forgot to bring a suit of armor and dodged arrows with the rest.

After the preliminary practice with a half dozen ushers retrieving the arrows 35 Rockettes lined up in front of one target and 35 ballet girls lined up in front of another. Dorothy Meachen, whom everybody called "Toodles," speared the center of the

(Continued on page 3)

Revised Anti-Trust Law Roosevelt Aim

WASHINGTON, April 29.—A $200-000 investigation of the anti-trust laws by the Department of Justice "not only to discover such violations as may exist but to avoid hit-and-miss prosecutions harmful to business and Government alike" and a $500,000 inquiry by the department, the Federal Trade Commission, the Securities and Exchange Commission and other agencies into the concentration of economic power in American industry and its effect upon the decline of

(Continued on page 4)

'Birth' Is Defended By Mrs. Roosevelt

BOSTON, April 29.—Mrs. Franklin D. Roosevelt today recommended that permission be granted for the exhibition of "The Birth of a Baby" under the regulations established for showing it.

"I know that some people think that the movies should be purely for entertainment," said Mrs. Roosevelt, "but it

(Continued on page 2)

"Birth" Is Defended By Mrs. Roosevelt

(*Continued from page* 1)

seems to me that radio and the movies should be used to some extent for educational purposes." Regarding the controversial film she further stated, "The information is needed by people who don't read medical journals."

Explaining the recent cancellation of a showing of the picture at the White House, the First Lady stated that when she learned the picture was seven or eight reels in length she sent it back as too long because "the President won't sit more than two hours."

O. F. Spahr Dies at 55

CHICAGO, April 29.—O. F. Spahr, 55, for 25 years an official of the Enterprise Optical Co., manufacturers of projection equipment, died here yesterday after a brief illness. He is survived by his wife, Mildred, and one son, Robert, an attorney. Funeral services will be held here tomorrow, with burial in Plymouth, Ind.

Charles Stanton Dead

PITTSBURGH, April 29.—Charles Stanton, 40, head of Atlantic Film Co., died here yesterday following an illness of six months. He apparently had been recovering from an infection of the blood stream when a heart attack caused his death.

Baynes Writ Is Upheld

The Appellate Division of the Supreme Court yesterday unanimously upheld a warrant of attachment against Atlantic Film Productions, Inc., in the $30,000 damage suit brought by George McLeod Baynes against Atlantic Film. The warrant was originally issued on May 20 of last year, attaching the proceeds in the possession of Columbia Pictures as United States distributor for Atlantic Films of its picture, "Thunder in the City."

Baynes brought suit claiming that he was entitled to 10 per cent of the U. S. proceeds for allegedly arranging with Columbia for it to distribute the picture in the U. S. and Canada.

Sues on "Buccaneer"

Charging that "The Buccaneer" was a "deliberate piracy" of her play "Captain What-the-Devil," Zelma B. Tiden filed suit yesterday in the U. S. District Court against Paramount Pictures, Inc., Cecil B. DeMille and Adolph Zukor and asked the court to restrain the defendants from further exhibition of "The Buccaneer" and for an accounting of its profits.

Clark's Condition Good

The condition of John B. Clark, distribution head for 20th Century-Fox, who underwent an "exploratory" operation at Mountainside Hospital, Montclair, yesterday morning, was reported as "good" by the hospital at a late hour last night.

EXHIBITORS

Increase your box office receipts 5% per month by joining Birthday Month. For particulars address Horoscope Publishing Co., 1633 Cordova Street, Los Angeles, Calif.

WANTED

Representatives in each exchange territory. Must have theatre contacts.

Purely Personal

MADELEINE CARROLL will arrive Monday on the Century. She plans to sail for Europe Wednesday on the *Normandie.* Meanwhile, she will be guest of honor Tuesday at Columbia University, where an undergraduate poll recently voted her "the most desirable companion on a desert island."

•

HELEN O'DEA, secretary to ANDREW W. SMITH at United Artists, is convalescing at Manhattan Eye, Ear and Throat Hospital following an operation performed yesterday.

•

DERRICK DE MARNEY, British player, will sail Wednesday on the *Normandie.* He may return here soon, if his RKO option is picked up.

•

GEORGE TRENDLE returned to Detroit yesterday after spending several days in New York discussing new season's film deals.

•

NATE GOLDSTEIN returned to Springfield, Mass., yesterday following conferences here with Paramount theatre officials.

ROBERT HOYT, president of Telco Corp., will arrive in New York soon to confer with his directorate on the building of a new production plant in Hollywood.

•

LARRY GOLOB of the Warner home office publicity department will leave tomorrow on a business trip to Pittsburgh, Cleveland, Detroit and Buffalo.

•

J. DON ALEXANDER, head of Alexander Film Co., has deferred his return to Colorado Springs until early next week.

•

SID RECHETNIK of Warners is spending the weekend on the golf course at Milford, Pa.

•

Y. FRANK FREEMAN, Paramount theatre head, will arrive in New York today from Chicago.

•

LAURA ROSENBLATT of the I.T.O.A. office has returned from a southern trip.

•

JIMMY RITZ left for the coast yesterday.

Zanuck Denies Rumor On N.L.R.B. Ruling

HOLLYWOOD, April 29.—A denial of a report that the studios will not resist the ruling of the National Labor Relations Board if that body votes in favor of the Screen Writers' Guild was issued here last night by Darryl F. Zanuck, vice-president and director of production at 20th Century-Fox. The report is "completely without foundation," said Zanuck. Steps to be taken following such a decision have not been determined. Zanuck is chairman of the producers' labor contract committee.

The case of the Screen Writers' Guild against Screen Playwrights, Inc., in which the former seeks appointment as bargaining agent for writers, has been reopened for the introduction of additional evidence. Screen Playwrights, Inc., now holds a bargaining pact for writers. The delay in the case is holding up negotiations of about 15 other employe groups.

The primary question that will be answered by the board's decision is whether the film industry is in interstate commerce or not.

Lab Union to Start DeLuxe Talks Here

Viewing the negotiations as the key to the success of its demands for a closed shop, $25 minimum weekly wage, a 35-hour week and other conditions, the Motion Picture Laboratory Technicians Union, Local 702, on Monday will start discussions with De Luxe Laboratories, where it claims to have 340 members. The union has discarded original plans to deal with the laboratories en bloc and will negotiate individually.

The union has named a negotiating committee consisting of five members of the executive board and five employes of De Luxe. The board members participating are John H. Rugge, William Vermont, Murray Stern, Anthony Annunziato and William Alfano. Vito Marcantonio, the union's attorney, will sit in.

Union Officials Are Charged With Libel

LONDON, April 29.—Two officials of the Electrical Trades Union were summoned to the West London Police Court today for the alleged publication of a libel on the owners of the Kensington Theatre. The hearing was adjourned for one week.

It is alleged that a pamphlet handed to patrons during the recent strike referred to dangers to patrons because of alleged undermanning of the booth and inefficient projectionists at the house. The union had been asked to apologize.

To Discuss Exchange Union Terms Monday

Exchange operations heads of the major companies will meet with I.A.T.S.E. representatives at the Warner home office Monday afternoon to discuss final phases of the basic agreement covering exchange "back room" workers.

The meeting was called by John Gatelee, New England organizer for the I.A.T.S.E., who has been handling negotiations with Lou Krause, general secretary-treasurer. Both will attend.

Ned Depinet at Opening

HARRISBURG, Pa., April 20.—The Senate, new house owned by Jay Emanuel, was opened here tonight amid ceremonies attended by Ned E. Depinet, vice-president of RKO, and other RKO officials. Vice-president John Garner pushed a button in Washington which turned on the theatre lights and started the festivities. Jackie Cooper made a personal appearance.

Ball Champions to Start

Columbia's baseball team, 1937 champions of the Motion Picture Athletic League, will open its season today at the George Washington Field, where it will play the NBC nine.

John Balaban Will Close His Orient

CHICAGO, April 29.—B. & K Oriental, the second largest theatre the Loop, will close within the ne four weeks due to lack of suital films and decline in grosses, John B aban said today. The house will cl as soon as union agreements are s tled.

A definite decision on switching Garrick to a newsreel policy wi made next week. The Chicago feature a name band policy, w Eddie Duchin, Rudy Vallee, Tomı Dorsey and others booked. Fr Evans, director of the Chicago's sta shows, has been let out.

Report White First Films Council Hea

By AUBREY FLANAGAN

LONDON, April 29.—It is und stood unofficially here that Sir Fre erick White probably will be the fi chairman of the new Films Coun provided for in the Films Act of 19 recently passed.

White, a British diplomat, w chairman of the first Films Advisc Committee.

Plan UA Sales Award

Special awards of gold cigare cases are being made to United A ists Central American sales heads sales records established by them 1937. Walter Gould, division ma ager for Latin-America, received t award at a testimonial lunche Others who will receive it are Sa Seidelman, Mexico; Paul Wir, Car Zone; Henry Weiner, Cuba, and W. Frohlich, Colombia. A special awa will be made also to Charles H. Co Philippine manager, who is visiti in New York.

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and P lisher; J. M. JERAULD, Managing Edi JAMES A. CRON, Advertising Manager. E TORIAL STAFF: Charles S. Aaronson, Jack B ner, Al Finestone, Thomas Fitzsimmons, Sher A. Kane, Irene Kuhn, Joseph Priore.

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. B. Release Schedule to Remain at 24

(Continued from page 1)

ork sessions will be attended by t 50 from the home office, the branch and the Philadelphia, ashington, Boston, Pittsburgh, New aven, Albany, Buffalo and Cleveland branches.

The home office contingent will ave on Monday for Chicago, where e second regional meeting will be ld Tuesday and Wednesday at the ackstone. In addition to the Chigo branch, the Cincinnati, Detroit, dianapolis, Milwaukee, Minneapolis, . Louis, Atlanta, Memphis and New rleans branches will be represented. e third and final meeting will be ld in Denver, at the Brown Palace Thursday and Friday. Members the Des Moines, Kansas City, Dal-, Oklahoma City, Denver, Salt ake City, Portland, Seattle, Los Aniles and San Francisco branches will tend the final meeting. Aiding Lee conducting the meetings will be inton M. White, assistant general anager; Arthur Greenblatt, eastern vision manager; Claude H. Macwan, comptroller, and Albert Marlies, advertising and publicity dictor.

-A-O Profit for Quarter $336,594

(Continued from page 1)

mpanies, for the same 1938 period, port net profit after all charges expt surtax on undistributed profits, of 96,646.20, compared to a net profit $383,862.54 for the 13 weeks ended pril 3, 1937. The B. F. Keith statent reports net profit for the 52 eeks ended April 3, 1938, of $862,-2.03, after all charges except surx.

The statement of K-A-O reports t profit for the 52 weeks ended pril 2, 1938, of $1,136,554.19 after all arges except surtax, equal to 7.67 per share on the 64,304 shares seven per cent cumulative preferred.

esumption Planned By Major Pictures

(Continued from page 1)

eene as publicity director of the w organization and extended for e year the contract of Kitty Clancy, ild actress who made her film debut "Midnight Madonna," Major film leased through Paramount. Piazza id that the youngster will be feared in two films next season.

Postpone "Steps" Case

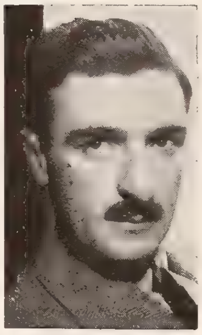
The Federal Trade Commission has stponed indefinitely its public hearg scheduled for May 6 on charges at Grand National misrepresented in lvertising its film "In His Steps," cording to notification received by nn Rosenthal, G. N. attorney. Miss osenthal, who will represent the mpany at the hearing, will contend at it cannot be held liable since it is w in 77B and because instructions ve gone out to field staffs not to use at title but "Sins of Children."

Executives at G. B. Convention Here

ARTHUR LEE
G. B. Managing Director

CLINTON M. WHITE
Assistant General Manager

ARTHUR GREENBLATT
Eastern Division Manager



ALBERT MARGOLIES
Advertising and Publicity Head

Nathanson Will Go To Britain in Month

TORONTO, April 29.—N. L. Nathanson, president of Famous Players Canadian, has gone to Hot Springs, Ark., for a month's rest, instead of to Baden, Germany, as is his annual custom.

He plans to sail for England at the end of May to confer with British producers regarding the Canadian situation, with a view to booking more British product for next season. Also, he is expected to confer with Sam Smith of British Lion on that company's program. Nathanson has a substantial financial interest in the British Lion company.

Meanwhile, J. J. Fitzgibbons, vice-president of Famous Players Canadian, has gone to Hollywood to study the production situation preliminary to arranging schedules for his Canadian theatres, starting in September.

On Visit to Exchanges

CHICAGO, April 29.—E. M. Saunders, Jack Flinn and W. E. Banford of M-G-M left today for Milwaukee for a visit at the Metro exchange there. From there they will go to Minneapolis to visit the exchange there.

G.B. Role for Kennedy

Edgar Kennedy, comedian, will arrive here next Tuesday and on Wednesday will sail for London where he has been cast by G. B. for the top role in "Chicago Ben."

Council to Act on Omaha Censorship

OMAHA, April 29.—The City Council will act May 9 on the proposed ordinance which would give unusual censorship powers to the city welfare board recently appointed by Mayor Butler.

The law calls for an annual $1 permit for all theatres and amusements, whether a charge is made or not. The permit could be revoked at any time by the board without court action. The *Omaha World-Herald* said editorially:

"This (law) smacks of arbitrary censorship, with a vengeance. It would delegate to a little group the power of veto over many legitimate and lawful cultural activities."

Jules Levy in Seattle

SEATTLE, April 29.—In accordance with the schedule for their current trip, Jules Levy, general sales manager of RKO, and Walter Branson, captain of the Ned E. Depinet Drive, will arrive here tomorrow from Portland for a drive rally. They are accompanied by H. C. Cohen, western district manager.

Mozart Film to Open

"When Mozart Was Young," feature film dealing with the early struggles of the immortal composer, will have its Broadway debut shortly, according to Arthur Mayer and Joseph Burstyn, who will distribute in America for Associated British Film Distributors, the producer.

Mexican Exhibitors Must Close on May 1

By JAMES LOCKHART

MEXICO CITY, April 29.—Exhibitors throughout Mexico are expected to be hit particularly hard on Sunday, May 1, Mexican Labor Day and the most rigidly observed holiday in this country. All theatres are compelled to close, thus losing revenue estimated at about $30,000, since Sunday is their best day.

Closing is mandatory in order to permit employes to participate in labor organization festivities. The closing is especially hard on those exhibitors who booked pictures that looked promising but turned out below expectation, since booking contracts demand that pictures must be exhibited on at least one Sunday. Thus it is necessary for the films to be held 12 days instead of six.

Trowbridge in New Post

Carroll S. Trowbridge has joined John E. Otterson, former head of Erpi and Paramount, as adviser and assistant, it was said yesterday. He will devote all his time to this connection, retaining his interest in *Showmen's Trade Review* as vice-president.

Van Schmus Has An Archery Contest; Targets Undamaged

(Continued from page 1)

Rockettes' target—maybe because it was her birthday. Marjory Matlin of the ballet corps did the same on the other. Van Schmus presented golden arrows to the winners.

Some of the cameramen photographed the presentation. Others sat down on the roof with their cameras on the asphalt and tried to get close-ups of 140 ankles on one ribbon of 35mm film. One ingenious operator of an eyemo camera laid on his back under a piece of plate glass and photographed an archer from that angle He wanted cloud effects.

When the girls were not chasing arrows they were pursuing green hats labeled "Adventures of Robin Hood." It was windy.

Herb Crooker leaned against a painted concrete flower box and got white powder all over the back of his coat. He asked Rechetnik to brush it off so Mrs. Crooker wouldn't get the wrong impression.

Wall Street

Board Fluctuates Fractionally

	Open	High	Low	Close	Net Change
Col.	10½	10½	10¼	10¼	— ⅜
Cons. pfd ..	5½	5½	5½	5½	.....
E. K.	144½	145	143	145	—2
G. T. E.....	11¼	11¼	11¼	11¼	.....
Loew	39	39¾	38¾	39¾	— ⅛
Loew pfd.	104¾	104¾	104¾	104¾	— ⅛
Para.	7¾	7¾	7½	7⅝	.....
Pathe	5	5	5	5	+ ¼
RKO	2⅝	2⅝	2½	2⅝	— ⅛
20th Fox ..	21	21	21	21	.....
20th pfd. ..	30	30	30	30	+1⅛
Univ. pfd...	37	37	37	37	.....
W. B.	4⅞	4⅞	4⅝	4⅞	.....

G. N. Lone Curb Gain

	Open	High	Low	Close	Net Change
G. N.	7/16	½	7/16	½	+1/16
Tech.	18½	18⅞	18½	18⅞	— ⅛
Trans-Lux	2⅛	2⅛	2⅛	2⅛	.....
Univ. Corp.	1⅞	1⅞	1⅞	1⅞	.....

Para. Bonds Up ½

	High	Low	Close	Net Change
Loew 3½s '46.....	99¾	99¼	99¾	+ ¼
Para. B'way 3s '55	58¼	58¼	58¼	.....
Para. Pict. 6s '55	88	88	88	+ ½
Para. Pict. '47....	69	69	69	.....

(Quotations at close of April 29)

New CBS Unit Will Open on Coast Today

(*Continued from page* 1)

beautiful new studios of that station, many will come from CBS stations in key cities across the country, airing specially produced programs.

The day-long series of salutes will be climaxed at 12 midnight tomorrow when William S. Paley, CBS president, assisted by Donald Thornburgh, CBS vice-president in charge of west coast operations, will be presented in the actual dedicatory program, "Salute to Columbia Square."

This program, which will conclude at 2 A. M. the following day, will feature, in addition to Paley and Thornburgh, a parade of the brightest picture and radio stars in the Hollywood firmament, including Eddie Cantor, Jeanette McDonald, Cecil B. DeMille, Deanna Durbin, Edward G. Robinson, Claire Trevor, Al Jolson, Victor Young's orchestra, Milton Berle, Frank Parker, Louella Parsons, Jean Hersholt, Joe Penner, and many others.

Paley Speech Scheduled

During this program, Paley will deliver an address, and a message from President Roosevelt will be read.

A major highlight of the afternoon programs will be one at 4:45 P. M., titled "The Picture Speaks," in which congratulations to the network and its Hollywood key station will be extended from Louis B. Mayer, Jack L. Warner, Wesley Ruggles, Charles R. Rogers, Darryl Zanuck and other studio production heads.

Editors to Broadcast

San Francisco, April 29.—J. E. Doyle and other New York radio editors, on the coast to attend the opening of new CBS studios in Hollywood, will be heard in coast-to-coast broadcast Tuesday from the site of the 1939 Golden Gate International Exposition (CBS-WABC at 3:15 P. M., EST). A special airplane pickup will highlight the broadcast, featuring Joe Sanders' band playing an accompaniment for a singer on the ground.

Newspapers Retaliate

San Francisco, April 29.—The action of Goodrich Tires in withdrawing its newspaper advertising to concentrate on the sponsorship of baseball broadcasts over KGO, has provoked reciprocal action by the papers. Several dailies have given orders that baseball be eliminated in program listings. The retaliatory action also affects General Mills' "Wheaties," which alternates with Goodrich as the sponsor of the daily ball game broadcasts.

Mrs. O'Fallon Dies

Denver, April 29.—Kathryn O'Fallon, 41, wife of Gene O'Fallon, director of the National Association of Broadcasters, died at her home here today after a long illness. In addition to her husband, she is survived by one daughter and four sons. Funeral will be held Monday morning at the Cathedral of the Immaculate Conception.

Radio Personals

PAUL WHITEMAN will be a guest conductor on a forthcoming "Symphonic Varieties" emanating from WTAM. . . . "Lucky" Teeter, automobile smasher-upper, will bandy remarks with Fred Allen on the latter's May 4 broadcast. . . . President Roosevelt will not speak on the Red Cross coast-to-coast broadcast. A message from the Chief Executive will be read instead. . . . Bill Corum will pinch hit for Clem McCarthy on the "Krueger Sports Reel," today, while the latter is covering the Maryland Hunt Club Race.

✣

San Francisco

The first of a series of new KSFO shows scheduled by Walter Guild is "Number, Please," a weekly variety quarter-hour devoted to amateur song writers . . . Sid Dixon, west coast sales manager for NBC, is back from a two-week trip through the northwest . . . Visiting local studios is Richard Kross, promotion director of Chicago's WCBD, WGES and WSBC . . . J. W. Marrow, hair oil firm has signed a year's contract placing quarter-hour transcriptions of Isham Jones' orchestra on KPO, Tuesdays and Sundays . . . Sperry Flour has dropped Col Rod Hendrickson's "Sunday Special" half-hour, but has retained "Dr. Kats," a daily skit, and Martha Meade, twice-weekly home economics show, on NBC's coast Red network . . .Manager Woody Woodling, and Kenneth Aitken, announcer of KYOS, Merced, have resigned to join KWLK, Longview, Wash.

KOIL to Quit NBC Network Next Fall

Omaha, April 29.—KOIL will sever connections with the NBC Blue network and the Mutual Broadcasting Co. next fall, according to Don Searle, general manager of Central States Broadcasting System. The station will become a basic station for CBS at that time, he said.

KOIL was the first station west of the Mississippi to join the Columbia chain, in 1928. In 1931 it dropped CBS to affiliate with NBC and in 1936 added Mutual. The change will not affect KFAB and KFOR, Lincoln, Central States' stations.

Marches to Broadcast

Fredric March and Florence Eldridge, his wife, will present a 12-minute playlet during a half-hour broadcast, starting at 8 P. M., Tuesday from the Brevoort Hotel in connection with a dinner given by the American Union for Democracy. Others on the program will be Newbold Morris, President of the City Council; Dorothy Dunbar Bromley, newspaper columnist, and the Rev. W. Ward Ayer.

Show to Start on WOR

"Musical Steeplechase," a WLW program created by Josef Cherniavsky, will make its local debut over WOR-Mutual on May 6 from 9:30 to 10 P. M. E.D.S.T. It is an audience participation broadcast with horse racing effects.

Deny Report Dr. Giannini Will Retire

(*Continued from page* 1)

the minds of Hollywood observers because the general impression is that Samuel Goldwyn and Alexander Korda, acting through Silverstone, have taken over virtual control of the company as a result of their insistence that active producers get a larger share of the company profits than the non-active owner-partners. The official announcement following the London conferences that active producers would get 50 per cent of the profits confirmed this impression. Korda and Goldwyn as partners also share two-fifths of the remaining 50 per cent.

Korda and Asher May Make Deal in London

Discussions of a production alliance between Alexander Korda and Irving Asher may be transferred to London if no agreement is reached within the next few days, it was stated here yesterday. Asher will accompany Korda when he sails for London on the *Normandie* next Wednesday. Morris Helprin, Korda's representative here, has postponed his departure for London for another month.

Maurice Silverstone, Samuel and Mrs. Goldwyn left by train for Hollywood late last night. Silverstone and Dr. A. H. Giannini will discuss new producer alliances with United Artists, and Goldwyn will prepare for an immediate resumption of his production activities.

G.N. to Discuss British Releases

(*Continued from page* 1)

from London, indicated that the meeting will concern the present and future status of the company under reorganization and its possible affect on the affiliation with A.B.F.D., which distributes for G.N. in Great Britain.

The contract with the British company expires in August, and it was said that Henry wants to assure himself of an adequate product supply from here for next season.

Also to be discussed is the extent of production for G. N. in England, if any, or its acquisition of British films for quota purposes. Henry said that while his company will resume production on May 6, no G.N. films have been scheduled. He expects to return here tomorrow.

Alperson is due in Los Angeles on Monday to report at a creditors' meeting on reorganization progress with Loyd Wright, co-trustee.

RKO Office for Prague

Establishment of a new RKO branch office for Prague, Czechoslovakia, is under way, the home office stated yesterday. It will be under the management of Otto Sonnenfeld.

Eleanore Whitney Wed

Hollywood, April 29.—Eleanore Whitney and Les Peterson of the M-G-M publicity department were married yesterday at Riverside.

Republic Men Join Special At St. Loui

(*Continued from page* 1)

Grainger, are scheduled to fly in fro the coast for the party and will acc pany the convention-bound cohor the last leg of the jaunt. Dallas ar Oklahoma staffs will augment th contingents at Dallas.

When the train arrives at El Pas on Sunday morning there will be three-hour stopover. The Chamber Commerce has arranged for a Mexica band to be at the station and a civ reception in the lobby of the Pla Theatre. There may be an entertai ment program at Tucson that nigh in which event there will be a 4 minute stopover. The entire popul tion of Lordsburg, N. M., is schedule to turn out for a reception when th special train arrives there.

On arriving in Los Angeles at A. M. Monday, the men will be take in busses to the Roosevelt Hote where they will stay, and then to th studio in North Hollywood. Meeting of franchise holders, district sal managers and branch heads will b held on Monday, the general sessio getting under way on Tuesday fo three days.

Revised Anti-Trust Law Roosevelt Ain

(*Continued from page* 1)

competition, was asked of Congre today by President Roosevelt.

In his long-awaited monopoly mes sage, the President recommended im mediate action on legislation control ing bank holding companies and in vestment trusts and the preparatio on the basis of the studies suggeste of legislation for enactment next ses sion providing for modernization the anti-trust statutes.

Among the matters that should b studied with a view to their contro the President said, are the improve ment of procedure so as to throw th burden of proof of legality upon thos charged with violations; the vestin in the Department of Justice and Federal Trade Commission of authorit to make investigations "wheneve there is reason to believe that conditions exist or practices prevail whic violate the provisions or defeat th objectives of the anti-trust laws," an stricter control over mergers and interlocking relationships.

Asks Patent Law Change

The President also suggested tha "as a really effective deterrent to personal wrongdoing, I would sugges that where a corporation is enjoine from violating the law, the cour might be empowered to enjoin th corporation for a specified period o time from giving any remunerativ employment or any official position t any person who has been found t bear a responsibility for the wrongf corporate action.

He recommended also amendmen of the patent laws to prevent their us to suppress inventions or to creat industrial monopolies, suggesting general licensing, as provided for in th McFarlane bill now in Congress.

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NO. 101 NEW YORK, MONDAY, MAY 2, 1938 TEN CENTS

Republic Will Have 16 "A's" Staff Is Told

Features, 24 Westerns And Four Serials Set

Hollywood, May 1.—Sixteen "A" ms, an increase of two over the curat schedule, are included in the new son's program of 31 features, 24 sterns and four serials to be announced at the Republic sales conven n which starts here tomorrow.

Republic will spend between $7,000,-) and $7,500,000 on the schedule, ording to H. J. Yates. This is orted as a substantial increase over 1937-'38 budget.

Four of the 16 "A" pictures, grouped "Anniversary Specials," will be pertage films, and the others, desiged as the "Jubilee Twelve," will be middle bracket allocations. The ance of 15 features will fall in the er budget classification. The feae program is an increase of one r the current year. The westerns serials remain numerically the ne.

Listed as percentage pictures are octors Don't Tell," "Two Years

(Continued on page 8)

ent and Aides to Attend Paris Meet

. R. Kent, president; Walter J. tchinson, foreign manager, and man H. Talley, head of Movietone ws and short subject production, attend the 20th Century-Fox conntal convention to be held Thurs-, Friday and Saturday in Paris, Ben Miggins, European manager, siding.

rom Paris the home office officials go to London for the British sales vention to be held May 12 to 14 he company's new six-story buildin Soho Square. Francis L. Har- British managing director, will be harge of this meeting.

alley will meet with European repntatives of Movietone News folng the sales conventions in both tals.

hicago" Gets 4th Stanza at the Roxy

n Old Chicago" is in its fourth at the Roxy, having grossed 00 in its third week. "Four Men a Prayer" is scheduled to open at house on Friday.

est Pilot" gave the Capitol $50,- in a second week and will wind

(Continued on page 8)

Four Matthews Films to Head G. B.'s Lineup

Selling Force Is Given Details by Lee

G. B.'s 24 features scheduled for 1938-39 release are headed by four Jessie Matthews starring vehicles, three of which will be new and the other, "Evergreen," a reissue of one of her most popular productions, Arthur Lee, G. B. vice-president and general manager, told the company's eastern sales forces meeting at the St. Moritz here this weekend in the first of three regional sales conferences.

Lee will head a home office delegation leaving for Chicago today to conduct the second two-day meeting opening at the Blackstone there tomorrow with midwestern and southern sales representatives attending. On Wednesday the home office group will leave Chicago for Denver where the final two-day meeting will be held at the Brown Palace for the far western sales forces.

Heading the company's name roster for next season, in addition to Miss Matthews, will be Will Fyffe, Anna Neagle, Tullio Carminati, Margot Grahame, Nova Pilbeam, Margaret

(Continued on page 7)

G.N. Seeking Buy Of Canadian Unit

Negotiations are in progress for acquisition of a controlling interest by Grand National in Grand National Films, Ltd., of Canada, which operates six exchanges covering the Dominion.

If the deal is consummated, the parent company will take over 51 per cent ownership, representing controlling interest now held by Max Adilman, president of the Canadian company. Henry J. Allen, general manager of the Dominion company,

(Continued on page 7)

GOLDWYN TRAINS GUNS ON THEATRE

All the Fixin's

Racine, Wis., May 1.—Tuesday night merchandise night at the Granada has resolved itself into an event with dishes for the women and smokes for the men in addition to three feature pictures.

Men are given the choice of their favorite package of cigarettes or three regular five-cent cigars, while women have a choice of a "genuine petit-point de luxe large soup plate, coffee cup or saucer."

Admission for those desiring dishes or tobacco is two bits, while those interested solely in entertainment pay 15 cents.

Bell, Pines Given New Foreign Posts

Further changes in Columbia's Latin American sales force bring Simon Z. Bell and Aaron Pines, both of the home office foreign department, into new posts. Their appointments were made on Saturday by J. A. McConville.

Bell was placed in charge of the new branch at Port of Spain, Trinidad, which includes the territory of Leeward and Windward Islands, British and Dutch Guiana. Pines was named assistant manager for the Panama territory and left New York by plane over the weekend to take over his new post. The territory has been revised to include all of Central America in addition to Panama and the Canal Zone, and embraces Jamaica and Ecuador. H. B. Prosdocimi was made supervisor of the territory recently. The balance of the realigned territory, comprising Venezuela, Trinidad, Colombia, British and Dutch Guiana, Aruba and Curacao will be supervised from the home office.

Producer Bad, Exhibitor "Lazy," He Declares, Explaining Slump

By IRENE KUHN

The motion picture recession is due more to internal faults and conditions than to general economic trends downward, Samuel Goldwyn said before leaving for the coast.

To prove his contention Goldwyn asserted that whereas department stores catering to mass buying groups reported a loss of only 10 per cent last year, the film industry is claimed by some to have had a greater drop.

Goldwyn included exhibitors in his gallery of censure where earlier he had charged Hollywood producers with responsibility for loss of business. The producing end is bad enough, he opined, but "we're a thousand times worse on the exhibiting side. The exhibitor has made no progress at all. He can only vision ahead a week at a time.

"The exhibitor has become lazy," he went on. "He's no longer the old time showman who used to get out himself and plug a good picture for all it was worth. Now everything is delivered to him in a can.

"Hollywood makes the picture, spends money to advertise it nationally, then goes into individual towns with its own men to help the theatres exploit it, and even gives prizes and bonuses to the theatre manager who

(Continued on page 7)

Paramount to Drop Columbus Exchange

Cleveland, May 1.—Harry Goldstein, Paramount district manager, has stated that effective May 7, the company's Columbus exchange will be discontinued and all of its accounts will be divided among the Cincinnati, Cleveland and Pittsburgh offices. Duke Clark, Columbus branch manager, moves to Cleveland where he

(Continued on page 8)

Use Different Games With Bank Night Out

New Haven, May 1.—Readjustment of theatre schedules following the state-wide ban on Bank Night has shown a substitution of other money games, rather than an elimination of the idea of money as a special inducement.

Lucky has supplanted Bank Night

(Continued on page 2)

MOTION PICTURE DAILY presents in this issue a section dedicated to the inauguration by Columbia Broadcasting System of its new Hollywood studios, KNX. Motion Picture Daily takes this occasion of the opening of the new Hollywood studios, which so auspiciously culminates a decade of progress, to extend felicitations.

Purely Personal

NAT WOLF, Warner theatres' Ohio zone manager, will arrive on the *Normandie* today from a European vacation. JAMES SHIELD, film actor, is a passenger on the ship.

•

TONY GABLIK, head of the Warner home office art department, has two paintings in the current independent artists show at the Grand Central Palace.

•

VYVYAN DONNER, fashion editor of Movietone News, sailed Saturday on the *Conte di Savoia* for Italy and France.

•

ROSALIND RUSSELL sailed Saturday on the *Conte di Savoia* to appear in "Citadel," which M-G-M will make in England.

•

SAM DEMBOW, JR., Fanchon & Marco vice-president, is due at his office today from St. Louis.

•

ALIX WILLIAMSON, formerly editor of *New York Amusements*, has opened her own publicity office.

•

ERROL FLYNN has reached Havana on his current yachting trip in the Caribbean.

•

. . . Denver

MRS. JOE DEKKER is home from the hospital.

BILL STEEGE in town to confer with RICK RICKETSON, his boss.

CHICK KELLOFF will open his La Plaza, San Luis, Col., at an early date.

R. J. MORRISON, 20th Century-Fox exchange manager, and AL GOULD prominent attorney, shared the throne at the Screen Club's "King for a Day" luncheon.

•

. . . New Haven

B. E. HOFFMAN is heading the New Haven United Jewish Appeal drive.

EARL WRIGHT is sporting a new grey Pontiac sport coupe.

WILLIAM PILOT and DOROTHY BURNS, both of the Princess, Rockville, are to be married.

BEN COHEN writes from Calcutta that it was a great trip.

BOB RUSSELL'S claim against the Poli estate will be heard May 6.

LEO RICCI is active in the Lions Club camp benefit.

Neely Bill Attacked By Rochester Paper

ROCHESTER, May 1. — The Neely bill, if passed, would spell the ruin of many small exhibitors and producers, according to comment in the *Rochester Democrat & Chronicle*.

"It would mean the ruin of many small exhibitors and also many of the smaller producers and widespread unemployment in the industry," the paper says. "The Neely measure seems a bad bill, ill considered, not based on the full facts and well designed to bring disillusionment to the independent exhibitors and perhaps disaster to the industry."

N. Y. Critics Divided in "College Swing" Opinions

New York's daily newspaper reviewers expressed a difference of opinion in their criticisms of "College Swing." The highlights of their reviews follow:

Daily Mirror—"College Swing" is . . . a different college picture which will keep the truant officers on their toes . . . all rhythm, all comedy . . . departs from the banal college picture formula.

Daily News—There is little or no continuity. . . . The picture moves rhythmically, tunefully and sometimes comically through a series of vaudeville skits, gags, songs and dances.

Herald-Tribune — "College Swing" is a big, boisterous and generally boring screen musical . . . snatches . . . come under the head of hilarious entertainment, but lamentably few.

Journal-American—A gay and tuneful entertainment, "College Swing" is . . . a rhythmic musical show of amusing gags and exuberant song and dance numbers.

Post—(It) is the kind of oddity that will either delight or depress you. I should say that it is fodder for the very younger generation. . . .The production is smartly paced.

Sun— . . . With plenty of college, plenty of swing, and not much fun. . . . The cast is athletic, and the music fairly good.

Times—We can take nearly all of the ingredients of "College Swing" separately. But when (they are) together in one of those college musicals . . . (it) sends us right out of the theatre.

World-Telegram—The film has its moments of lively merriment. . . . But these merry moments come only after long stretches of feeble comedy. As a whole the film is pretty long winded and sprawling.

Use Different Games With Bank Night Out

(*Continued from page* 1)

and Cash Night in several houses, while Honey, a new game like Bingo, has also made its appearance. Screeno, omitted for one week at the Loew-Bijou, has been reinstated. Organizations and churches continue to play Bingo to large crowds. Waterbury and Hartford are the only important towns which have imposed a prohibition on all money giveaways, however titled and regardless of operator.

Bank Night Appeal To Go in Tomorrow

Postponed for several days, the Bank Night application for a rehearing of the case in which Affiliated Enterprises of Denver was barred from use of the mails, is now due to be filed tomorrow in Washington, according to John M. Keating, attorney. Myron Blaylock, former Supreme Court justice in Texas, is associate counsel for Affiliated in the case.

Rosenthal to Have Anniversary Dinner

BRIDGEPORT, May 1.—Something of a record for this business, Morris Rosenthal on May 21 will observe his 15th year as manager of the Majestic here. There will be an anniversary dinner at the Stratfield Hotel that night.

Rosenthal became manager of the house when it was a Poli operation and was retained when Loew's purchased the Poli interests. He was awarded the first annual Quigley Awards plaque in 1934 and the presentation was made by Vice-president Garner. He has been represented in the Quigley Awards since.

Edward T. Buckingham, state workmen's compensation commissioner, is general chairman of the affair, which Loew executives and city and state officials, including Governor Cross, are scheduled to attend. Harry F. Shaw, Loew's Poli division manager, is slated as toastmaster.

Final Philadelphia Game Decree Issued

PHILADELPHIA, May 1.—The Common Pleas Court issued a final decree over the signature of President Judge Harry S. McDevitt yesterday banning Bank Night and other games from Philadelphia theatres, effective Monday. Superintendent of Police Hubbs issued orders yesterday that games must be stopped at once, ordering policemen to arrest theatre proprietors who violate the edict. While not specifically mentioned, the decree covers churches and organizations which also use games.

Davis S. Malis, counsel for the Palm Theatre, whose case brought about the order, stated he would file an appeal with the State Supreme Court for a writ to delay enforcement of the decree until the case is argued in the higher court. He said he expected John P. Connelly, counsel for other theatres managements (specifically those using Bonus game) to join him in the appeal.

Filmdom's Newest Track About Ready

HOLLYWOOD, May 1.—The horses start moving in tomorrow to quarters on the new Hollywood Turf Club. A hundred thoroughbreds which have been at the Santa Anita track will be moved to Inglewood which will emerge on June 11 from its status as quiet village to a nationally spotlighted biggest, newest, most colossal racetrack.

The $2,500,000 plant will open formally June 10, with several features, including an indoor paddock next the public club and the turf club, 30 bars, etc.

Jack L. Warner is chairman of the board, and other officers include Walter G. McCarty, president; Earl B. Gilmore, vice-president; Joseph I. Schnitzer, secretary-treasurer; Alfred E. Green, Thomas W. Simmons, Roy F. Wilcox, Raoul Walsh, C. M. Rood, George F. Young and Al Jolson, directors. George F. McKenzie is general manager; E. B. Deen, assistant general manager; Edmond G. Soule, presiding steward; Frank Kelly, track superintendent.

Ten New Films Are Approved by Legio

All of the 10 new pictures reviewe and classified by the National Legio of Decency for the current week ha been approved, six for general patronage and four for adults. The ne films and their classification follow.

Class A-1, Unobjectionable for Ger eral Patronage: "Adventures c Robin Hood," "Doctor Rhythm," "I visible Enemy," "Kater Lampe" (acc man), "Torchy Blane in Pa "Troopship." Class A-2, Unobjectionable for Adults: "Go Chase Yourself," "Dark Eyes" (French), "Noches de Gloria" (Spanish), "Woma Against the World."

Regents Refuse Appeals

ALBANY, May 1.—N. Y. Stat Regents Susan Brandeis and Georg J. Ryan, who reviewed "Remous" an "I Vant to Be Alone" on March 1 have refused appeals from censor bar on both films on the ground that the are "immoral," "indecent" and "wi tend to corrupt morals." Both film are banned in the state.

Hillam to Chicago

CHICAGO, May 1.—Scott Hillar assistant manager for Ross Feder Service in Salt Lake City, has bee transferred here in the same capacit succeeding K. A. Davis, recent shifted to Albany as manager. Wa ter Brown is manager here.

Clark's Condition Fair

The condition of John D. Clar 20th Century-Fox distribution hea who underwent a major operation Fr day morning, was reported as "fai by the Mountainside Hospital, Mon clair, on Saturday.

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DAILY
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PRODUCED BY B. G. de SYLVA

CHARLES R. ROGERS
Executive Vice-President in Charge of Production

UNIVERSAL PICTURES

oldwyn Aims erbal Attack t Exhibitors

(Contniued from page 1)

ıkes the best showing. What more producer expected to do? Will e to send men out to round up audience and take them to the eatres personally?

'The biggest profits in the industry e made by the exhibitors and I say e theatre man who has his life sav- gs in his theatre business should otect it. The least an exhibitor can is to encourage fine pictures to play thout changing three times a week. ange once a week. Keep a good ture two or three weeks. There en't enough fine writers to supply the picture demand."

Has No Specific Advice

Goldwyn would offer no more spe- ic advice to exhibitors than this and e general observation he included in warning to producers that unless ollywood cleaned up, eliminated the fficient people there, produced more od pictures, fewer bad ones, and costs generally, the picture busi- ss would lose its supremacy.

"You know," he said, "the public ver gives any notice that it isn't ning to see a picture. When a ow's no good the people just don't me. I often wonder how the public n organize itself so fast to keep ay from bad pictures."

Goldwyn reiterated his warning that ench and English films may knock ollywood out of top place in picture king. He cited "The Grand Illu- n" directed by Renoir, son of the ench painter, and declared it was most brilliantly directed picture d seen for years. Walter Wanger remaking this for America.

Praises Foreign Pictures

Julian Duvivier's "Pepi de Moka" ne in for praise, as did "Un Carnet Bal," currently showing at the lmont as "Life Dances On." These ns he said cost around $70,000 to oduce, and added that the bulk of cost was for labor.

He has no intention, however, of ducing costs on the five pictures he ll make this year because he cannot, declared, put up a one-man fight ainst the practices of the rest of the ustry.

'I'll just go on making the best tures I can," he said, "and discover- and developing new personalities. st year in 'Hurricane' I had no box- ce names. Nobody had ever heard Jon Hall. But 'Hurricane' was the st successful picture in five years cept 'Snow White.' Give me good ries and I'll make stars."

The only Goldwyn production an- nnced thus far is "Graustark" with ry Cooper, Merle Oberon and Sig- Gurie, the latter a Goldwyn Scan- avian discovery via Flatbush.

To Get First Theatre

MILLTOWN, Ind., May 1.—This nmunity, one of the few of any in southern Indiana without ular film shows, will have a thea- in May. A New Albany amuse- nt firm has leased a 33-year-old re building, vacant since January, l will remodel it.

Four Matthews Films to Head G. B.'s Lineup

(Contniued from page 1)

Lockwood, Jack Whiting, Dame May Whitty, Leslie Banks, Michael Redgrave, Will Hay, Roland Young, Paul Lukas, Noah Beery and Edgar Kennedy.

Producers and directors represented on the new season's list include Alfred Hitchcock, Herbert Wilcox, Robert Stevenson, Herbert Mason, Carol Reed, Albert de Courville, Jack Raymond and Marcel Varnel. The Jessie Matthews pictures include "Sailing Along," a new musical just completed; "Asking for Trouble," now in production with Kent Taylor in the masculine lead, and "Sparkle," with Jack Whiting, Miss Matthews' new leading man. The reissue, "Evergreen," has Barry Mackay, Betty Balfour and Sonnie Hale in the cast.

To Reissue "39 Steps"

Hitchcock's "The 39 Steps," with Robert Donat and Madeleine Carroll, is also on the new season program as a reissue. Hitchock will contribute "The Wheel Spins," now in production, and "Perjury," to be made this summer, in addition.

The company's complete list follows:

Jessie Matthews in "Sailing Along," with Roland Young, Jack Whiting and Barry Mackay. From the screenplay by Lesser Samuels, adapted from the original story by Selwyn Jepson. Music by Arthur Johnston and lyrics by Maurice Sigler.

"To the Victor," from the Alfred Ollivant classic, "Bob, Son of Battle," starring Will Fyffe with John Loder and Margaret Lockwood. Directed by Robert Stevenson. Screenplay by J. B. Williams.

"Rob Roy," the Sir Walter Scott classic, with Will Fyffe in the title role, and Margaret Lockwood and Michael Redgrave. Screenplay by Leslie Arliss and Kurt Siodmak.

Alfred Hitchcock's "The Wheel Spins," with Margaret Lockwood, Paul Lukas, Dame May Whitty and Michael Redgrave. The screen story, by Frank Launder and Sidney Gilliatt in collaboration with Hitchcock, was adapted from the best-seller by Ethel Lina White.

Team Matthews, Taylor

"'The Blue Lagoon," with Margaret Lockwood and Michael Redgrave. From the H. de Vere Stacpoole story.

"Asking for Trouble," a Jessie Matthews musical with Kent Taylor, Noel Madison and Alistair Sim. Original and screenplay by Lesser Samuels. Songs will be supplied by Arthur Johnston.

"The Show Goes On," a Herbert Wilcox production, starring Anna Neagle, Tullio Carminati and Leslie Banks. Directed by Herbert Wilcox from Herman Mankiewicz's adaptation of the Nicolas Parkas story.

"Strange Boarders," an adaptation of E. Phillips Oppenheim's "The Strange Boarders of Palace Crescent," with George Curzon, Tom Walls and Renee Saint-Cyr. Directed by Herbert Mason.

"Three on a Weekend," starring Margaret Lockwood, with John Lodge, Hugh Williams and Rene Ray. Directed by Carol Reed from the story by Rodney Ackland and Hans Wilhelm.

Gay—Also Cheap

Lincoln, Neb., May 1.—More amusement conscious than any city of its size in the midwest is the rating of this 86,000 population spot. It has five dance halls, three of them averaging three nights weekly operation, nine theatres in the downtown area using 24 features each week, a tent stock company booked for the summer, an amusement park scheduled to open May 15, and three circuses aiming in for the season.

The oddest part of the whole setup is that $5 will see one person through the whole list available.

"Her Private Doctor," adapted by Roger Burford from the novel by Roland Pertwee. Cast to be announced.

"Man With 100 Faces," directed by Albert de Courville from the screenplay by Basil Mason. A. R. Rawlinson and Michael Pertwee. Noel Madison, Lilli Palmer and Tom Walls are featured.

"They Came By Night," starring Will Fyffe, from the stage play by Barre Lyndon.

Alfred Hitchcock's "Perjury," starring Nova Pilbeam.

Jessie Matthews in "Sparkle," with Jack Whiting. Screenplay by Lesser Samuels.

"A Girl Must Live," featuring Margaret Lockwood, Lilli Palmer, Renee Houston. Based on the novel by Emerys Bonnett.

Noah Beery Featured

"The Frog," with Noah Beery and Gordon Harker. Based on the Edgar Wallace novel, "The Fellowship of the Frog," and adapted by Ian Hay and Gerald Elliott. Jack Raymond directed. A Herbert Wilcox production.

"Chicago Ben," starring Edgar Kennedy with Will Hay.

"Empty World," cast and director to be announced.

"Death of a Ghost," cast and director to be announced.

"The Girl in the News," with Margaret Lockwood and Michael Redgrave. From the novel by Roy Vickers.

"Crime Over London," starring Margot Grahame with Paul Cavanaugh, Joseph Cawthorn, Rene Ray and Basil Sydney. Adapted by Norman Alexander from the original story by Louis de Wohl. A Criterion production.

"Convict 99," directed by Marcel Varnel, with Graham Moffatt, Will Hay and Moore Marriott heading the cast.

"Evergreen," a reissue of the Jessie Matthews picture, with Barry Mackay, Betty Balfour and Sonnie Hale. From the story by Benn W. Levy.

"The 39 Steps," an Alfred Hitchcock reissue. Starring Robert Donat and Madeleine Carroll.

Bartow Quits M-G-M

CHICAGO, May 1.—Fred Bartow, for a number of years M-G-M exploitation representative here on the staff of William R. Ferguson, has resigned.

G.N. Seeking Buy Of Canadian Unit

(Contniued from page 1)

will take 49 per cent of the stock and will operate the exchanges.

Differences between the home office and Adilman gave rise to the offer. It is understood that Adilman is willing to sell. Edward Alperson, president of G. N., believes that the company would obtain greater representation and revenue in the Dominion under home office control.

Alperson and Ed Peskay, distribution head, are conducting the negotiations. Adilman's attorney was here recently to further the sale. As trustee in the reorganization, Alperson is empowered to make the deal, which will have to be submitted to the Federal court in Los Angeles for approval.

G. N. Meeting Postponed

HOLLYWOOD, May 1.—Due to Edward Alperson's trip east on urgent business, the Grand National creditors' meeting scheduled here for Monday has been postponed to May 9. Loyd Wright, co-trustee, says that Alperson's conferences in the east are important.

Hammons Studying GN Company Status

E. W. Hammons, president of Educational, said over the weekend that he is conducting a survey of the status of Grand National, but from present appearances his chances of entering into that situation are negative.

He said he has two or three other deals on the fire and that G. N. is only one of the possibilities he is considering for a distribution affiliation. Should he become interested in that company, Hammons would become its head, he said.

Nat Levine recently conferred with Hammons on the G. N. situation, but how Levine would enter the picture is indefinite, as the entire matter is in a formulative stage, Hammons said. He plans a trip to the coast in two or three weeks.

"Robin Hood" to Get Three Big Openings

"The Adventures of Robin Hood" will be given simultaneous premieres at the Music Hall here and at the Hollywood and Downtown theatres in Los Angeles on May 12, according to present plans.

The Warner coast publicity department is arranging a typical Hollywood celebration for the twin openings there. Stars of the film are scheduled to attend, including Errol Flynn, Olivia de Havilland, Basil Rathbone and Claude Rains.

Wall Street

Light Trading on Board

	Open	High	Low	Close	Net Change
E. K........	146½	147½	146½	147½	+2½
G. T. E....	11⅛	11⅛	11⅛	11⅛	— ⅛
Loew	39¾	39¾	39¾	39¾	.....
Para.	7¾	7¾	7½	7½	— ⅛
Para. 2.....	8½	8½	8⅜	8⅜	— ¼
Pathe	5	5	4⅞	4⅞	— ⅛
R. K. O....	2⅝	2⅝	2⅝	2⅝	.....
20th Fox....	21¼	21¼	21¼	21¼	s7
W. B.......	5	5	5	5	+ ⅛

(Quotations at close of April 30.)

Company Heads at Republic Convention on Coa

WALTER VINCENT
Chairman of the Board

H. J. YATES
President of Consolidated

M. J. SIEGEL
Heads Republic Production

S. C. SIEGEL
In Charge of Features

CHARLES FORD
An Associate Producer

MORRIS GOODMAN
General Foreign Manager

AL ADA
Head Publi
Advertisi

Republic Will Have 16 "A's" Staff Is Told

(Continued from page 1)

Before the Mast," "One Woman's Family" and "Evangeline." In the middle group are "Lone Ranger Returns," with the radio character who is in Republic's serial this season; "Mysterious Miss X," "Girl from God's Country," "Capital Punishment," "Calling All Marines," "It's Your Witness," "Raffles Strikes Back," "Hill-Billy Hurricane," "Women Make News," "Girls of the Road," "Hit Parade of 1939" and "Street of Missing Men."

There are also 15 "Showmen's Money-Makers." The studio expects to patch up its contractual differences soon with Gene Autry, its leading western star, and has scheduled him in a series of eight "Jubilees" topping the outdoor action division, which will include also eight "Mesquiteer" westerns and eight "All-Star" westerns featuring Roy Rogers and Smiley Burnette. This will be Autry's third year with the company.

Wayne a Newcomer

John Wayne, a newcomer on the program, will replace Bob Livingston in the "Three Mesquiteers" series. Livingston will be featured in action films.

The roster of players on "special picture" basis will be headed by Gloria Swanson, Ramon Novarro, James Gleason, Alison Skipworth, Polly Moran, Frieda Inescourt, Neil Hamilton, Lou Ayres, Helen Mack, Max Terhune and others.

The major portion of the directorial assignments will be handled by James Cruze, John Auer, James Gleason, Jack English, William Witney, Joe Kane, Gus Meins, George Nicholls and George Sherman.

Program Listed

The complete lineup to be announced tomorrow follows:

Four Anniversary Specials:

"Doctors Don't Tell," from the current *Liberty Magazine* serial by Dr. George Raymond.

"Two Years Before the Mast," based on the classic by Richard Henry Dana.

"One Woman's Family," domestic drama, by Martin Van Laas.

"Evangeline," Henry Wadsworth Longfellow's romance.

Jubilee Twelve:

"Lone Ranger Returns," adventure drama with the Lone Ranger, Silver and Tonto.

"Mysterious Miss X," spy story.

"Girl from God's Country," outdoor romantic drama.

"Capital Punishment," life inside the 'big house."

"Calling All Marines," action in the Far East.

"It's Your Witness," murder mystery.

"Raffles Strikes Back," detective-mystery drama.

"Hill-Billy Hurricane," original musical.

"Women Make News," newspaper drama.

"Girls of the Road," story of hitch-hike girls.

"Hit Parade of 1939," musical romance based on the radio program of the same name.

"Street of Missing Men," drama.

15 Money Makers

"Federal Man Hunt," G-Man drama.

"Kentucky Sweepstakes," romantic drama at the Derby.

"I Stand Accused," gangland drama.

"Pride of the Navy," service comedy-drama.

"Forged Passport," international spy drama.

"Undercover Woman," story of G-Girls.

"White Fury," adventure in the Klondike.

"Phantom of the Circus," danger under the "big top."

"Probation Nurse," prison drama.

"Flight at Midnight," drama on a plane.

"White Lightning Express," railroad adventure.

"Devil's Island Fugitive," prison story.

"Stand Up and Sing," radio musical romance.

"Highway Police Patrol,"

"Hellbent for Headlines," newspaper action-romance.

Twenty-four Outdoor Action Dramas:

Eight Gene Autry "Jubilees": "Pony Boy," "In Old Monterey," "Mountain Rhythm," "Mexicali Rose," "Western Jamboree," "Rovin' Tumbleweeds," "Ridin' the Range" and "Cactus Cavalier."

Eight "Mesquiteers" westerns: "Santa Fe Stampede," "Overland Stage Raiders," "Pals of the Saddle," "Red River Range," "Lone Star Bullets," "Heroes of the Desert," "Three Texas Steers" and "Pony Express Trail."

Eight "All Star" westerns: "Rodeo Round-Up," "Rocky Mountain Ranger," "Prairie Buckaroo," "Headin' for Texas," "Fighting Cowboy," "Colorado Moon," "Song of the Sunset" and "Cheyenne Saddlemates."

Four Serials:

"The Texas Rangers Are Coming!" in 15 episodes.

"Dick Tracy's G-Men," third in the series of Dick Tracy chapter films, in 15 episodes.

"Daredevils of the Red Circle," adventures of stunt men, in 12 episodes.

"Zorro's Fighting Legion," stories of the "Z" brand, in 12 episodes.

"Special Session"

Jack Bellman, eastern district sales manager for Republic, is bemoaning his tough luck. Just when he had a chance to make a trip to the coast for the company's convention, he had to be confined to Park East Hospital to have his appendix extracted. He expects to leave the hospital today. H. J. Yates has promised to hold a "special convention" for Bellman when he fully recovers.

Ampa Seeking Fifty Judges for Awards

A committee of 50 or more circuit operators and individual exhibitors is being lined up by Ampa to judge the entries in this year's advertising awards competition, the results of which are to be announced this month.

Among those who have accepted to date are George Skouras, New York; John Balaban, Chicago; Dean Haskell, representing the far west; Ted Schlanger, Philadelphia; R. J. O'Donnell, Dallas; I. M. Rappaport, Baltimore, and J. J. Fitzgibbons, Ontario.

It is aimed to have a committee representing a cross-section of exhibition in the United States and Canada. Greater attention is being paid this year to the merit of the picture and the effectiveness of the local campaigns, rather than merely box-office returns, the Ampa committee said.

Paramount to Dro Columbus Excha

(Continued from page 1)

will succeed John Himmele branch manager. Clark will with him Lester Irwin from th lumbus booking department to ment the Cleveland booking pers

Guy Peterson will continue to the West Virginia territory with quarters in Pittsburgh. C Powers, covering western Ohic have headquarters in Cincinnat Bernie Gardner remains in Col in charge of sales. The Para exchange was opened in Columl years ago. It is the only major pany operating an exchange ir city.

"Chicago" Gets 4tl Stanza at the R

(Continued from page 1)

up its three-week run on Thu although it may be held a fourt will be followed by "The First dred Years."

"Battle of Broadway" took at the Rivoli. It is going four tional days and "The Count of Cristo" re-issue will open on W day. The Strand did $9,100 "Accidents Will Happen." "B Brat," the current attraction, is ciled in for two weeks.

The Criterion did $7,500 in th ond week of "Sailing Along," aft first week's $9,500. "Rawhide," Lou Gehrig, failed to draw a Globe, which grossed $4,200.

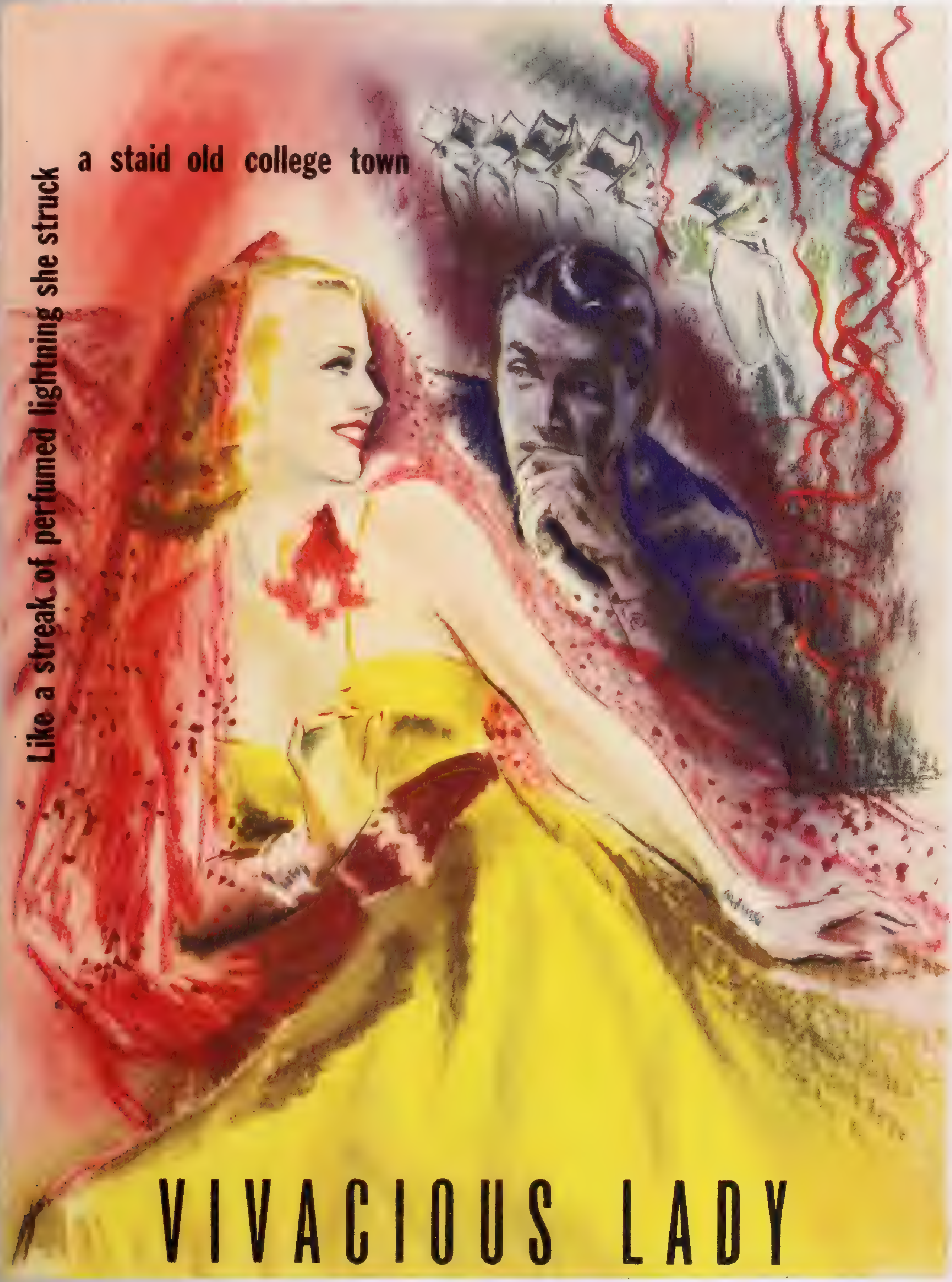
Sign Brendel-MacDo

HOLLYWOOD, May 1.—El B and J. Farrell MacDonald have signed to term contracts by B Judell, head of Progressive Pic who plans a series of Irish-Sv character comedies. Under the of the pacts, neither can appea any other than a major co while under the Progressive b

Air Mail Week Tie

The M-G-M advertising and licity department has made arr ments to place cards in 5,000 offices plugging National Air Week, May 15 to 21, tied in "Test Pilot." The cards, 16x22 also carry pictures of Clark Myrna Loy and Spencer Tracy tured in the film.

GINGER ROGERS · JAMES STEWART


Like a streak of perfumed lightning she struck
a staid old college town
VIVACIOUS LADY

with

JAMES ELLISON BEULAH BONDI CHARLES COBURN

PANDRO S. BERMAN IN CHARGE OF PRODUCTION

A GEORGE STEVENS PRODUCTION

Screen Play by P. J. Wolfson and Ernest Pagano

RKO · RADIO · PICTURE

YOU'LL NEVER KNOW HOW MUCH YOU'VE WANTED TO SEE THEM TOGETHER!

GINGER ROGERS
JAMES STEWART
in
VIVACIOUS LADY

—until you play them in the picture that zooms both to new planes of popularity! . . . You'll welcome a dazzlingly better Ginger Rogers even than the girl who was the hit of "Stage Door" . . . You'll thrill with an even more charmingly magnetic James Stewart than the boy who won the country in "Navy Blue and Gold" . . . You'll be getting two stars at the height of their drawing power . . . in an outstanding attraction marked to pull top money in your town no matter what the opposition!

Variety Club

Columbus

COLUMBUS, May 1.—A Charity barn dance, sponsored by the local Variety Club, will be held in the cattle barns at the state fair grounds here, May 10.

The affair is being staged to raise funds for the purchase of mobile motion picture equipment, which will be used to show current films to orphanages, hospitals, shutins, cripples and other youngsters who seldom have an opportunity to see a picture.

There is no charge to the institution at which pictures are shown, all expenses being borne by the club.

Detroit

DETROIT, May 1. — The program at tomorrow's luncheon meeting, which will mark the resumption of the regular sessions, has been designated as National Theatre Supply Day. Guests will be Willard Turnbull, manager, and his staff, which includes: R. P. Rosser, J. E. Currie, H. G. Hacken, G. M. Studebaker and J. H. Harris.

The honored guest and speaker will be Leon D. Case, Michigan Secretary of State, and members of his Lansing and Detroit staffs. Entertainment will be furnished by the Wayne University Glee Club, under the direction of Harold Tallman, and with Jason Tickton as accompanist.

Over 5,250 Houses Join Rogers Drive

The number of theatres participating in the Will Rogers Memorial Week mounted to more than 5,250 Saturday, including the important houses in the key cities and 2,000 which are making individual contributions. Audience collections will continue through Thursday.

For the first time, a share of the collections will be contributed to local institutions for handicapped children, where merited, upon completion of a survey being conducted by the Will Rogers Memorial Commission.

All major Broadway houses are participating for the first time, said A. P. Waxman, director of the campaign. During the week theatres are showing "For Auld Lang Syne," 10-minute film made gratis by Warners, for which Eastman Kodak contributed 2,500,000 feet of raw stock. This contribution, made through Ted Curtis, vice-president of Eastman, is estimated by campaign headquarters to be equivalent to $25,000. Similar contributions were made by Du Pont and Agfa. The printing was done by several laboratories at actual cost.

As in the past, theatres may make contributions aside from the house collections. Waxman said the number of theatres participating is a record. B. & K. is taking collections at Loop houses in Chicago for the first time.

The chief beneficiary is the Will Rogers Memorial Hospital at Saranac Lake, for members of the industry and the theatrical profession. L. E. Thompson of RKO is chairman of the drive.

Craddock Rogers Drive Head

PORTLAND, Ore., May 1.—Gordon C. Craddock, manager of the Universal exchange here, has charge of the Will Rogers National Theatre Week in Oregon. Theatres throughout the state are cooperating.

Hollywood Previews

"Sinners in Paradise"

(*Universal*)

HOLLYWOOD, May 1.—The paradise of the title is an island well off the Pacific travel lanes and the sinners who spend some time there and undergo certain character changes are not precisely the kind the title suggests to the tabloid public. Two are crooks, two are munitions salesmen, one is an Occidental fugitive from Oriental justice and the others are nice people. John Boles, Madge Evans, Bruce Cabot, Marion Martin, Gene Lockhart, Charlotte Wynters, Nana Bryant, Milburn Stone, Donald Barry, Morgan Conway and Willie Fung are the players. What they do is moderately entertaining and James Whale's presentation of the material is quite screenworthy.

Harold Buckley wrote the story and collaborated with Lester Cole and Louis Stevens on the screenplay. It places Boles and Ping, his servant, on a remote island to which the sea brings Miss Evans, nurse; Cabot, gangster; Miss Martin, also crooked; Lockhart, senator; Miss Wynters, rich girl; Stone and Barry, munitions salesmen, when their trans-Pacific plane cracks up. Boles makes them work for their sustenance. Cabot and Miss Martin reform. Lockhart doesn't change. The munitions salesmen steal the single boat, kill each other and Ping, who, before he dies, brings the boat back to take the others to China, where Boles, a doctor, is to face a charge of murder. He and Miss Evans are to wed after that's attended to.

The general idea has been used a number of times since Cecil DeMille filmed "The Admirable Crichton" under another title as a Thomas Meighan vehicle. It's always interesting. This time is no exception. James Whale directed. Ken Goldsmith is down as associate producer. Cabot has the fattest part. Boles doesn't get a chance to sing but plays the lead admirably. Miss Evans pleases.

Running time, 65 minutes. "G."

"Romance on the Run"

(*Republic*)

HOLLYWOOD, May 1.—A compactly made comic-melodramatic story of a private detective, an insurance company and jewel thieves is "Romance on the Run," which has Donald Woods, Patricia Ellis, Grace Bradley, Edward Brophy and William Demarest in the leading roles. Action, suspense, romance and comedy are the dramatic elements in the piece, directed by Gus Meins from the script by Jack Townley.

The culmination of the individual efforts, under associate producer Herman Schlom, is a neat entertainment loaf, properly leavened.

Woods, as a carefree private detective, is hired by an insurance man to effect the return of a diamond necklace. In doing the job, he is suspected of implication in the robbery, both by the police and the insurance agent's secretary. In the chase, punctuated by threats from the actual thieves, a switch of spurious gems for the real, a hilarious hillbilly comedy sequence, the gems are recovered and Woods gets the girl—the secretary.

Running time, 67 minutes. "G."

Charlotte Will Try Sunday Shows on Free Admissions

CHARLOTTE, May 1.—An organization, formed here for the purpose of giving Charlotte Sunday shows, numbers approximately 12,000 members. It is sponsoring free film shows starting today, with every theatre in town taking part.

The theatres participating are the Carolina, Imperial, Broadway, State, Charlotte, Tryon, Visulite and the negro houses.

There is no admission charge, no selling of programs, and no expenditure involved on the part of the patrons, with the shows to be shown from 3 P. M. until 5 P. M.

The aim is to show by practical demonstrations that a Sunday afternoon film will not disturb the public peace and disrupt the Sabbath, which the Charlotte Sunday "Blue Laws" prohibit in any form.

Decency Unit Joins International Group

The National Legion of Decency in this country has become a member of L'Office Catholique International due Cinematographe, with the approval of the Episcopal Committee on Motion Pictures and that of the general council of L'Office Catholique.

The international organization maintains headquarters in Brussels, Belgium, and is a federation of Catholic motion picture organizations which aims at "strengthening the Catholic world front in the field of the cinema." Rev. John J. McClafferty, executive secretary of the Legion of Decency, has been elected by the international group as representative of the United States on its general council.

Short Subjects

"Why Not Live?"

(*American Red Cross*)

This annual reel sponsored by the organization in its drive for funds is an interesting and compelling document portraying the activities of the various units, which are far from dull. It may be obtained free from local Red Cross chapters. Running time, 10 mins. "G."

"Penny's Party"

(*M-G-M*)

Prudence Penny of national newspaper column fame again demonstrates her ingenious culinary talents while Pete Smith supplies the gags and appreciation. It's in Technicolor. There is a howl finish. It will hold the attention of the whole audience. Running time, 9 mins. "G."

"Out of the Inkwell"

(*Fleischer-Paramount*)

The amount of imagination that went into the production of this Betty Boop cartoon becomes immediately apparent and later offers a number of fairly entertaining moments. Betty uses hypnotism on a colored porter for humorous effect. Running time, 7 mins. "G."

"Crossroads of the Orient"

(*Vitaphone*)

Scenes in color of Singapore. There have been better films on this city but this manages to be interesting. It devotes a great deal of footage to native customs and industries. Running time, 10 mins. "G."

"A Mountain Romance"

(*Educational*)

A fairly diverting cartoon that has to do with the time-honored feud between the McCoys and the Calhouns, hillbilly folk. The animation is all that is required. Running time, 6½ mins. "G."

"The Bike Parade"

(*Paramount*)

Ted Husing does a commendable job of narrating this interesting subject. The various aspects of the popular return to cycling for recreation are treated with humor and a good amount of photographic appeal. Running time, 11 mins. "G."

"Three Men in a Tub"

(*Roach-M-G-M*)

The "Gang" decides to aid Alfalfa in the pursuit of his "affair" by building him a boat so he can race his rival. With a great deal of childish enthusiasm the contest comes off and Alfalfa gets his girl back again. While the rival ponders his predicament, he is slowly sinking. Children will like it. Running time, 10 mins. "G."

Suggest Walker as Aide

WASHINGTON, May 1.—Frank C. Walker, vice-president of the Comerford circuit, has been suggested for membership on a committee of business men which would act as an "inner council," conferring with President Roosevelt on ways and means of lifting business out of the current recession.

1938-39 REP

★ 4 ANNIVERS

DOCTORS DON'T TELL

By DR. GEORGE RAYMOND—A real life story of a young doctor's personal experiences . . . his loves . . . his triumphs . . . his tragedies! From the famous Liberty Magazine serial read by millions.

TWO YEARS BEFORE the MAST

By RICHARD HENRY DANA—One of the outstanding dramatic and exciting stories of the sea, unrivalled for production, story and cast possibilities.

JUBILEE TWELVE

1 LONE RANGER RETURNS

The Lone Ranger, Silver and Tonto in a feature-length series of adventurous thrills.

2 MYSTERIOUS MISS X

A story of the secret service whose motto is "Find the woman!" and you have the spy.

3 GIRL FROM GOD'S COUNTRY

A breath-taking adventure of a girl under the dazzling splendor of the northern lights.

4 CAPITAL PUNISHMENT

The warden tells a human story of life inside "The Big House", and why crime doesn't pay.

5 CALLING ALL MARINES

Again the Marines go into action! A story of thrills and suspense laid in the Far East.

6 IT'S YOUR WITNESS

A boy, a girl and a public defender, enmeshed in a sensational story of murder and scandal.

7 RAFFLES STRIKES BACK

The great character brought to you again in a new mystery story, packed with high-speed adventure.

8 HILL-BILLY HURRICANE

An original musical with names and characters familiar to your theatre and radio audiences.

9 WOMEN MAKE NEWS

The inside story of a woman columnist . . . her climb from obscurity to fabulous wealth and power.

10 GIRLS OF THE ROAD

Bigger and better adventure and romance than "Hitch Hike Lady". Another sensational story of hitch-hike girls.

11 HIT PARADE OF 1939

The "No. 1" radio program brought to the screen with a cast of new names, selected from every entertainment field.

12 STREET OF MISSING MEN

A story of a man who lost himself because of a woman's treachery, but fights his way back when he finds real love and understanding.

8 GENE AUTRY JUBILEES

1 PONY BOY
2 IN OLD MONTEREY
3 MOUNTAIN RHYTHM
4 MEXICALI ROSE
5 WESTERN JAMBOREE
6 ROVIN' TUMBLEWEEDS
7 RIDIN' THE RANGE
8 CACTUS CAVALIER

8 ALL-STAR SINGING WESTERNS

Featuring the outstanding Western Stars of the industry, Roy Rogers, Smiley Burnette, and others

1 RODEO ROUND-UP
2 ROCKY MOUNTAIN RANGER
3 PRAIRIE BUCKAROO
4 HEADIN' FOR TEXAS
5 FIGHTING COWBOY
6 COLORADO MOON
7 SONG OF THE SUNSET
8 CHEYENNE SADDLEMATES

BLIC PROGRAM

RY SPECIALS ★

ONE WOMAN'S FAMILY

By MARTIN VAN LAAS—A modern mother gives an answer to the burning question of what to do with the youth of today in a dynamic, intelligent and forceful manner.

EVANGELINE

By HENRY WADSWORTH LONGFELLOW—Known to the world as a colorful, thrilling and immortal romance. A girl and a man rise above all obstacles to find their love.

8 ACTION WESTERNS

featuring the famous **3 MESQUITEERS**

JOHN WAYNE, RAY CORRIGAN and MAX TERHUNE

Based on characters created by

WILLIAM COLT MacDONALD

1 SANTA FE STAMPEDE
2 OVERLAND STAGE RAIDERS
3 PALS OF THE SADDLE
4 RED RIVER RANGE
5 LONE STAR BULLETS
6 HEROES of the DESERT
7 THREE TEXAS STEERS
8 PONY EXPRESS TRAIL

4 SMASH SERIALS

for 1939

2 *Super-Serials*

15 Episodes Each

1 **THE TEXAS RANGERS ARE COMING**
Fifteen Weeks of boundless thrills with this world-famous organization.

2 **DICK TRACY'S G-MEN**
Third in the series of Dick Tracy serials that set the style for modern-day, adult chapter entertainment.

2 *Streamline Serials*

12 Episodes Each

1 **DAREDEVILS OF THE RED CIRCLE**
2 **ZORRO'S FIGHTING LEGION**

15 SHOWMEN'S MONEY-MAKERS

1 FEDERAL MAN HUNT
2 KENTUCKY SWEEPSTAKES
3 I STAND ACCUSED
4 PRIDE OF THE NAVY
5 FORGED PASSPORT
6 UNDERCOVER WOMAN
7 WHITE FURY
8 PHANTOM OF THE CIRCUS
9 PROBATION NURSE
10 FLIGHT AT MIDNIGHT
11 WHITE LIGHTNING EXPRESS
12 DEVIL'S ISLAND FUGITIVE
13 STAND UP AND SING
14 HIGHWAY POLICE PATROL
15 HELLBENT FOR HEADLINES

Dedicate KNX Studios With Day's Program

HOLLYWOOD, May 1.—"Columbia Square is on the air." That jubilant cry from the voices of announcers of KNX in Hollywood greeted millions of Columbia listeners today as the new CBS headquarters officially opened for its first day of programs.

Fifteen programs, starting from 6 A. M., P. S. T., and continuing until 12:45 A. M., P. S T, Sunday, spread news from coast-to-coast that Columbia Square was on the air. Also on the network were greetings from various CBS stations throughout the country, but all ears were turned Hollywood-way, where the day of programs was climaxed by a two-hour broadcast from 8 to 10 P. M., P. S. T., in which dignitaries of city, country and state, and radio and film celebrities participated.

Darryl Zanuck Speaks

Darryl F. Zanuck, vice-president of 20th Century-Fox, keynoting the films' greeting to radio, said that the new CBS center brings the screen and radio closer together. "Both are part of the same industry-entertainment," he said.

A bejeweled and formally dressed audience witnessed a two-hour program composed of a review of the week's programs. Searchlights lit the skies outside and traffic was jammed for blocks around as hundreds of autograph seekers and fans jammed Sunset and Gower Sts. to see celebrities.

Up in the air, riding through rain clouds, was Knox Manning in a Goodyear blimp, a volunteer to relay by short wave a description of the celebrities leaving the studio and the crowds gathered.

In the lobby of the Columbia Square Theatre was a roving microphone to do a rambling reporter style interview of visitors.

Universities Heard

Among the programs were remote controls from the California Institute of Technology, University of California, Los Angeles University and Southern California; dramatization of radio's news gathering; greetings by film producers to CBS direct from the lots; a tour of Columbia Square; a parade of champions in which Mark Kelly, noted sports writer, brought the past and present sports headliners to the mike, and a tour of Hollywood night clubs by remote.

Charles Vanda, program director, gets the credit for a two-hour program which reviewed the week's CBS shows. Written with script and rehearsed, it was considered one of the most difficult feats to bring order out of the chaos normally attendant upon such openings.

There was only one sad note about the opening. John Mather Dolph, assistant to Don Thornburgh, vice-president, didn't enjoy himself. It seems that there are less than 1,000 seats in the Columbia Square Theatre. Dolph ruefully explained from behind one of the pillars, where he was hiding, that he had had to make 150 apologies daily for the last three weeks to persons for whom he could not find seats.

WGAR Salutes CBS As Power Increases

CLEVELAND, May 1.—WGAR, the CBS outlet in this city, saluted the network today on the occasion of the installation of equipment enabling it to take advantage of the F. C. C. power increase grant. John F. Patt, vice-president and general manager of WGAR, was heard in a brief summary of the station's growth and achievements.

As a result of the F. C. C. ruling, WGAR today began to broadcast on 5,000 watts in the daytime and 1,000 at night, a respective increase of 4,000 and 500 watts.

Western Radio Union Plans National Web

CHICAGO, May 1.—Western Radio Union, a subsidiary of the Western Newspaper Union, has been organized and will form a nationwide broadcasting chain consisting of radio stations in smaller cities and towns.

Western Radio Union will not own any stations, but will be used to provide time for national advertisers who wish to reach the "D" market. It will furnish sustaining programs to stations and cooperate with newspapers in towns of 10,000 and under.

Exposition Show to Start

SAN FRANCISCO, May 1.—"Exposition Backstage," weekly review of developments in the 1939 Exposition, will begin on KPO, Red network outlet, on May 8, from the office of President Leland Cutler. Other exposition broadcasts heard regularly include "Highlights," every Sunday on KSFO, CBS outlet; a human interest program on KFRC Fridays; two weekly "Vox Pop" pickups on KYA, and "Treasure Island Reporter," on KRE. The radio department of the exposition supplies material for 35 other programs.

Pacific Gas Renews Show

SAN FRANCISCO, May 1.—Tales of California, half-hour Sunday night dramatic show on KGO, has been renewed for 13 weeks by Pacific Gas & Electric Co. Other new KGO business includes 128 announcements for General Cigar Co. (William Penn Cigars): 25 transcribed announcements for Larvex, through Zonite Products Corp.

Renew Hendricks Deal

Marcella Hendricks, who is heard several times weekly on Mutual programs, has had her contract renewed by WOR for another six months.

Prompt Service

William Wellman, director, now making "Men With Wings," had been unable to locate a 1927 or 1928 amphibian plane, and Sam Taylor, WHN's Hollywood commentator, broadcast that information on a recent program.

Five minutes later Taylor received a call at the studios from a listener in Norfolk, who had one. He wanted to know whether he had to fly the ship out to the coast—or just send it.

Crosley Has Quarter Net Loss of $25,774

CINCINNATI, May 1.—The Crosley Radio Corp. reports a net loss of $25,774 for the three months ended March 31, 1938, compared with net profit of $218,440 during the corresponding period of 1937, before deducting flood loss of $250,000.

Sales for the first quarter of 1938 were $3,144,269, as against $3,973,336 last year. Balance sheet as of March 31 listed current assets of $4,976,745, and current liabilities of $940,919, compared with respective figures of $6,197,183 and $1,130,270 a year earlier.

Erecting New Antenna

BIRMINGHAM, Ala., May 1.—WAPI, the CBS station, having been granted F. C. C. permission to broadcast on an unlimited time schedule, is now working on the installation of a new type of directional antenna. The full time schedule will take effect immediately upon the completion of this work.

Set New "Vox Pop" Show

SAN FRANCISCO, May 1.—"Who's In Town Tonight," new type of "vox pop" show, will start May 6 in the lobby of the St. Francis Hotel. Janet Baird and John Wolfe, veteran west coast air personalities, conduct the program, with Miss Baird interviewing the men, Wolfe quizzing the women. KGO, Blue web outlet, will release the half-hour.

Credit Radio With Gains

Substantial increases in advertising are credited to radio by Nehi, Inc., sponsors of the "Royal Crown Revue," which started over an NBC network some months ago. The company's first quarter sales are reported as 35 per cent ahead of 1937.

Rhythm in the Rag

Oklahoma City, May 1.—Beginning tomorrow, a new show on WKY will be "There's Rhythm in the Rag—or Shoe Shine Contest," featuring Soggy Jones and the Ridge Runners, hillbilly orchestra. The contest is open only to professional shoe shiners and the winner will be chosen on excellence in rhythm, originality, tone and audience response.

The shoe shiners, two appearing on each program, will actually shine some person's shoes in the studio while keeping time to the music. The program will be aired twice a week, Mondays and Wednesdays at 2:30 P. M., as a sustainer.

Radio Personals

DOROTHY DUNCAN, two year a sales promotion executive i the advertising department of Montgomery Ward, has joined the Nev York office of the Compton agency t write publication and radio copy . . Jerry Blake has joined the Cab C loway orchestra . . . Irving Mill motoring to California . . . Giovan Martinelli will be Eddie Cantor' guest on the May 9 Camel broadcas . . . Boris Karloff will appear as gues on the Vallee hour Thursday . . . Ale Fogarty has just completed work o a ballet suite which will be introduced on the air shortly by Pau Whiteman. Fogarty, incidentally, ha been engaged by Whiteman, with Edwin Gilbert, a collaborator, to prepar special musical material for the Modernaires, vocal group in the Whiteman show. Columbia Artists, handling both Fogarty and Gilbert, se the deal.

+

Herb Polasie, who went to the coas on the Paul Whiteman show, has returned . . . Harriet Hilliard, Ben Blu and Fred MacMurray will appear i the "Hollywood Hotel" program Friday . . . Walter Huston will be among the guests in the Vallee program Thursday . . . John Barrymore wil appear as guest on the Jolson show May 10 . . . Margaret Speaks is o the way to England to vacation . . Dr. Charles M. Courboin, Mutual's organist, will go to Tallahassee, Fla. May 10, to appear as soloist at th National Convention of Organists . . Xavier Cugat, effective this week, wil be heard over Mutual several time weekly.

Takes KYA Contract

SAN FRANCISCO, May 1.—Southwood, Inc., shoe manufacturers, have taken a 52-time contract on KYA fo five newscasts weekly, and a musica program Sundays. Other new KYA contracts include: three religious quarter-hours weekly for Valley Church, Oakland, 52 weeks; one religious half-hour weekly for the Seventh Day Adventist Church, 52 weeks, and weekly track meet summaries, for Associated Oil Co., for the duration of track season.

Renew Firestone Show

"Voice of Firestone," one of the oldest network programs, has been renewed for another year, effective June 6. The program is heard Mondays from 8:30 to 9 P.M. over a 77-station hookup of the NBC-Red network. Featured are Margaret Speaks, a choir, and a symphony orchestra.

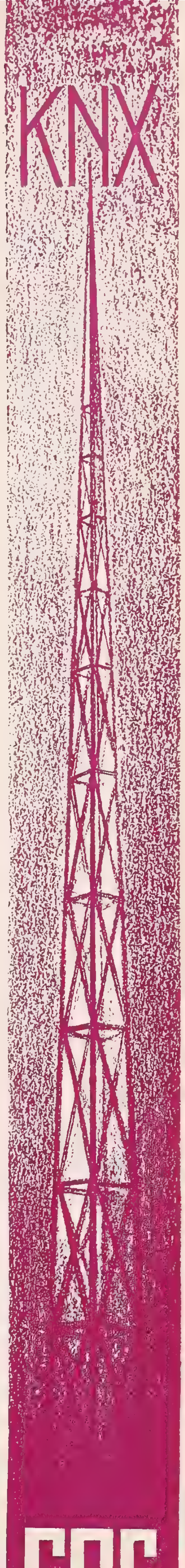
To Air Riviera Music

Ben Marden's Riviera, which opens its season May 19, will air its dance music over two networks on a five-night-a-week basis. In addition to Mutual, a contract will be signed for either a CBS or NBC wire.

Start on WHN Today

Carter & Bowie, piano and vocal team, will be heard three times weekly over WHN in a new program starting today at 2 P. M., and Mondays, Wednesdays and Fridays thereafter.

CBS
STATION
KNX



LUMBIA BROADCASTING SYSTEM AT 'COLUMBIA SQUARE' HOLLYWOOD

A PERSPECTIVE OF WILLIAM S. PALEY

RADIO . . . "is of course a business. But for the most of us who are making it our life's work, it is much more than a great economic enterprise. We regard it likewise as a magnificent opportunity to help make people wiser and happier, whatever may be their station in life."

The words "magnificent opportunity" in this statement by William S. Paley, which was made during a talk in 1934 before the Federal Communications Commission, seem today like the perfect summary of their author. This opportunity is to be traced to September, 1928, when he became president of the Columbia Broadcasting System, then a network without a station of its own. The combination of prophetic vision and an enterprise which in anyone else would be called daring has enriched a career in a pioneer field that is scarcely less than unique.

Today Columbia is the world's largest single network with 113 stations from coast to coast linked to its New York key station. Its record of achievement runs parallel with Mr. Paley's life of crowded, progressive activity and of quick intellectual ripening. But, about the origin of that life:

Paley was born in Chicago September 28, 1901 and grew into a youth of average interests whom other North Shore youngsters knew they could depend on to bat out a few good ones on their sand-lot baseball diamonds.

He attended Chicago's public grammar schools and then went to the Western Military Academy in Alton, Ill., from which he was graduated in 1918. He served as a lieutenant brevet in the Illinois National Guard and that fall matriculated into the University of Chicago.

His father, Samuel, was president of the Congress Cigar Co., makers of La Palinas, and during summer vacations young William joined him. One year the junior Paley was sent to Cuba to study the foreign tobacco market.

At such a vacation time in 1919 he went to Philadelphia with his father to open a branch factory. Just as the plant was got under way Samuel Paley was called back to Chicago by his father's death. William was left behind, dramatically placed in full charge of a new tobacco factory.

That was his first real business experience. It thrust upon him a sudden and weighty responsibility relatively not unlike those into which he was deliberately to plunge himself in later years.

Paley then entered the Wharton School of Finance of the University of Pennsylvania. There he distinguished himself in school activities by managing the swimming team, and in his studies by earning the Bachelor of Science Degree in Economics with which he was graduated in 1922.

He returned to his father's business as production and advertising director. As advertising director he sponsored a radio program for his product, which gave him an opportunity to study the infant broadcasting industry and foresee its tremendous possibilities. When he learned that the interest of Jerome Louchheim, a family friend, in the Columbia Broadcasting System was for sale, the new career of William S. Paley was assured.

WILLIAM S. PALEY
President, Columbia Broadcasting System

His aims in buying it, however, amounted to what seem today like a paradox. He figured it as a job of reorganization that might take six months, after which it should be able to take care of itself. Twenty-one days later a different realization dawned on him.

"I was in radio about three weeks," he has said in reviewing the circumstances, "when I decided that that was my career. My imagination went wild over the possibilities of radio. But wild as it went, it didn't go wild enough to keep up with the realities."

Columbia under its new president began with two studios in Steinway Hall, offices in the Paramount Building, and a network of twelve leased stations. There was no key station until three months later, in December, 1928, when Mr. Paley purchased WABC from Alfred Grebe, the radio set manufacturer. The development of Columbia since then to a nationwide network of 113 stations is a separate story.

The intervening years have spelled for Paley a story of courageous ventures and startling innovations as he has watched for his "magnificent opportunities . . . to help make people wiser and happier." By far not the least of these was the revolutionary statement of new Columbia policy effected July 30, 1935. By this he reduced to a maximum of 10 percent of the broadcasting period sponsors' commercial announcements on programs after 6 P. M., and to a maximum of 15 percent during day time sponsored programs.

The second of three points in this pronouncement set a new standard in children's programs by prohibiting certain types of treatments unhealthful to juvenile minds and engaging a child psychologist, aided by an advisory board of qualified experts, to interpret this policy. The final point banished from Columbia all programs advertising products for the relief of human ailments not considered acceptable topics in social groups.

PIONEER IN ARTS

▣ Paley has been a radio pioneer in the arts by maintaining as a sustaining program the Sunday afternoon concerts of the New York Philharmonic-Symphony Orchestra, taking two good hours out of sale for the purpose in the early days of radio when the popular appetite for such fine things was a doubtful quantity. For eight years he has maintained these broadcasts and the public response is classic proof of mass capacity for good things as well as trivial ones.

Paley took another noteworthy step in the realm of fine music when Columbia endowed a group of prominent contemporary composers to write especially for radio.

A dozen young men have been seeking new forms in the art of dramatics in the Columbia Workshop, and for eight years millions of children have been finding history brought to life through the new artistic forms of Columbia's School of the Air.

In January, 1938, Paley named Lyman Bryson, professor of education at Teachers College, Columbia University, chairman of the Adult Education Board which now has three separate weekly evening programs in process, embodying a new concept of learning for men and women through the medium of radio.

Personally, Paley has a gift for working and an equal skill in m[illegible]ing others work and enjoy it. [illegible] ability to drop things with amazing speed, however, gives him also the gift for playing. He likes travel, motoring, cameras, the theater, motion pictures music, and any number of novelties which appeal to him today and are abandoned tomorrow.

He has the executive's share of nervous energy and a knowledge of how to control it. Sometimes he is a farsighted planner; now and then he follows a hunch. When it turns out wrong, as many do, he is the first to realize it. His average, however, weighs heavy on the successful side.

He is an inexhaustible listener, even to things he knows all about. Because he likes to get the complete view of another man he will allow him to talk himself out on a subject and often never reveals that he was well acquainted with it in the beginning. He is an unusually fast thinker and a genius at figures. His aptitude for detecting flaws at a glance in long columns of numerals is almost uncanny.

His youthful appearance sometimes embarrasses him. He has been addressed as "son" by important clients who asked to see his father. Once a former college classmate, spying him in a restaurant, robustly slapped his back and invited him to share his passes to a Columbia broadcast.

Particularly humiliating was his interview, back in those pioneer days, with a dairy executive whose account he sought. After a long discourse, elaborately detailed with diagrams on a luncheon tablecloth, the dairy chief blandly inquired which network Mr. Paley represented, the red or the blue.

His office, in Columbia's present headquarters at 485 Madison Avenue, which he rarely leaves before seven o'clock, reflects the hand of an interior decorator in its pine panelling, its fireplace, its well-placed, deep-cushioned furniture. The recesses in the wall at either side of the fireplace were meant to hold books but he has filled them with the microphones of the original stations of the network.

The Beekman Place house where he lives with Mrs. Paley is one of Manhattan's finer residences. Among his more simple pleasures is entertaining friends there, seeing carefully to it that they are shown the only tree in that street, which is in his back yard.

Theoretically, he clings to the established rules of good living: early hours and a balanced diet. In practice, as do all men, he follows his own code.

At least in one instance even his own regulation has been violated. He had planned to retire at 35. Then he changed the deadline to 40.

He doesn't talk about that any more.

CBS EXPANSION A MAJOR MIRACLE OF U. S. INDUSTRY

Progresses from a chain of 16 small stations to a point where it now is the world's largest single network

By JACK BANNER

▣ The growth of the Columbia Broadcasting System in the 10 years of its existence is one of the major miracles of American industry. Since the September day it was founded in 1927 it has surged forward through a decade of roaring progress, expanding from a chain of 16 small stations east of the Mississippi to a point where it now is—and has been for some time past—the world's largest single network, with 113 stations linked to it from coast-to-coast.

Historians of radio have set down this period as the "CBS Decade."

In its first calendar year of operations in 1928, CBS had billings of $1,647,828. Last month CBS grossed $3,055,929—almost three times as much revenue for the single month as for the whole of the first year. Last month's figure, incidentally, marked the first time in the history of broadcasting that a monthly revenue on any single network has exceeded the $3,000,000 mark. To complete the comparison between the first year of operations and its last calendar year, CBS last December closed its books with a total business of $28,722,118.

A further contrast: In 1928, the gross expenditure per client was $48,278, while in 1937 the average expenditure per client had risen to $326,639.

Viewing Columbia's development from the point of station expansion, t started from scratch with 16 stations of the not-so-hot variety (NBC having gobbled up most of the better ones by virtue of the fact that t had about a year's head start). Today its 113 links make it the greatest single radio network. And the size and calibre of its stations have matched its expansion. In 1928 it had but four 5,000 watt stations, oday, 11. Stations of a 1,000 watts are the backbone of radio. When CBS opened operations it had but four of them. Today it boasts 46. Summing up the station statistics, the picture can best be conveyed in this fashion: In 1928, total night wattage of the CBS stations was 28,750, while today the total night wattage is 703,400.

SPONSOR LOYALTY

▣ Here are examples, pulling them out of a hat, of ways in which dvertisers have increased their loyalty to CBS. Carborundum Co. pent $33,000 for air time with CBS in 1930, $114,690 in 1937. Lever Bros. tried CBS in 1936 with $715,-19 of air time, last year $2,182,123. Pet Milk tried CBS originally with an expenditure of $161,054, in 1937 it spent almost five times that much with CBS. Now look at General Mills. In 1930, $271,809; 1937, $1,238,912.

The CBS monthly program book tells a story of loyalty of advertisers to CBS. Oldest consistent user of the network's facilities is General Baking Co.—over seven years. Here are a few picked at random: Wm. Wrigley Co., 305 weeks; R. J. Reynolds, 248 weeks, Liggett & Myers, 271 weeks, Gulf Oil, 230 weeks, Ford Motor Co., 217 weeks.

In the interim between 1928-1937 a lot of other things have happened, of course, but further statistics can wait until the more colorful events that preceded the actual launching of the network are considered. . . .

The story has its real beginning in the late fall of 1926, when Arthur Judson—then and now the friend and manager of the world's leading concert artists, met a salesman of street paving machinery named George A. Coats. An incongruous pair, one would say. A manager of concert artists, and a drummer in steamrollers. They did have something in common, however. Both had simultaneous itches to get into radio.

Judson was attracted to radio because in broadcasting he discerned a possible outlet for his clients. Shortly before, RCA had organized the National Broadcasting Co., with WJZ as the key station for the Blue network and WEAF as the foundation for the Red. Judson had set up the Judson Radio Program Corp. and had sought to sign an exclusive artists service contract with NBC, but they would have no part of his idea.

Coats owed his decision to forsake the selling of street fixing machinery for a fling in the fledgling field of radio to one of those seemingly unimportant accidents that so often prove to have far reaching consequences. A guest in a New York hotel during a convention of radio broadcasters, he had blundered into their meeting room, listened to the talk, asked a few questions, and decided forthwith that radio might be a good business to get into.

Just how Judson and Coats got together is one of those mysteries, but get together they did and their meetings resulted in the formation of the United Independent Broadcasters, Inc. Others who were taken into the corporation were Edward Erven and his mother, Mrs. Harold E. Yarnell, both working for Judson as co-managers with him of the Philadelphia and New York Philharmonic orchestras; and last but by no means least, Major J. Andrew White, who was a radio celebrity even in those early days of the business. It has never been revealed how much money was put into the corporation at the start, but whisperers have said it was about $7,500.

That was the beginning of the venture that has developed so spectacularly. That pipsqueek of a company for some time afterward had a difficult time keeping a step ahead of the sheriff, but it ultimately turned out to be the Columbia Broadcasting System, which last year earned a profit of a mere $4,297,600.

THE FIRST STEP

▣ Having formed a network on paper, Judson and his partners took their first real step toward turning it into a reality by contracting with WOR to serve as its key station. Thereafter Coats and Erven took off on a station signing expedition. When they returned to New York they bore contracts from 16 stations. Here are the original 16:

WCAU, Philadelphia; WGHP, Detroit; WADC, Akron; WOWO, Fort Wayne; WKRC, Cincinnati; KMOX, St. Louis; KOIL, Omaha; WNAC, Boston; WGAS, Pittsburgh; WFBO, Syracuse; WAIU, Columbus, and WMAQ, Chicago. WOR was the sixteenth.

As a lure for the station owners, however, Coats and Erven had guaranteed each one a weekly income of $500 from the United Independent Broadcasters, Inc., to be paid when network service started. That contract for a long time threatened to strangle United, as will be seen.

As a matter of fact, it will be seen sooner than expected. United, of course, had no such money in its treasury. Yet it could not begin network service until it was able to finance such a program. For a period it appeared that United would founder even before it sent out its first program, but an angel appeared along about this time in the form of Louis Sterling, head of the Columbia Gramophone Co. Alarmed by the increasing popularity of radio and by rumors that RCA was about to take over control of the Victor Talking Machine Co., Sterling purchased the controlling interest in United Independent Broadcasters.

An operating company called the Columbia Phonograph Broadcasting Co. was set up and on September 19 the new network made its debut.

In three months Louis Sterling gladly sold back (gave back might be the better word; United Independent returned to him about $10,000 and some air time on its network) the operating company to messrs. Judson, Coats, Erven et al. In his short experience as a network operator, Sterling lost an estimated $100,000 a month.

This time it was Judson who saved the apparently permanently ill-starred broadcasting company from collapse. One of the stations in the network was WCAU, and the owner of the station, Dr. Leon Levy, was a friend of Judson's. To Levy, the concert manager confided his troubles. Levy, in turn, went to his friend, Jerome H. Louchheim, a Philadelphia millionaire and sportsman, and by September of 1927 United Independent Broadcasters again was a solvent company, with about $150,000 of Louchheim's cash behind it.

Still threatening United's destruction, however, were the $500 a week station guarantees made by Coats and Erven. Realizing that something had to be done, Louchheim sent Major White out on the road with a new contract, which the Major induced every station to accept. Meanwhile, United Independent Broadcasters adopted the name of its operating company, dropping "phonograph" to become the Columbia Broadcasting System.

Enter, at this time, William S. Paley, he who was to chart a new and brilliant path not only for

(Con't. on page 46, CBS-KNX Edition)

COLUMBIA'S PROGRESS

Year	No. Stations	Cities	Night Wattage	Billings	Percent'g Change
1928......	17	17	28,750	$1,647,928	
1929......	49	44	126,000	4,785,981	(up 190.4%)
1930......	60	55	159,250	7,605,203	(up 58.9%)
1931......	76	70	222,100	11,895,039	(up 56.4%)
1932......	84	79	273,350	12,601,885	(up 5.9%)
1933......	91	86	267,350	10,063,566	(down 20.1%)
1934......	92	88	501,150	14,825,845	(up 47.3%)
1935......	97	95	516,650	17,637,804	(up 19%)
1936......	98	96	601,650	23,168,148	(up 31.4%)
1937......	105	104	650,100	28,722,118	(up 24%)
1938......	113	112	703,300	....	

'WORKSHOP' IN THE

. . . for the people who plan and produce the Hollywood broadcasts of the world's largest radio network . . .

THE Southern California activities of the Columbia Broadcasting System will center in this magnificent new group of buildings, at *Columbia Square, Hollywood.*

Here, the experience and inspirations of program-producers, engineers and architects have been fused into the most efficient "workshop" in radio: a new headquarters for the production and servicing of network and local programs.

KNX 50,000 WATTS
Columbia Broadcasting System
COLUMBIA SQUARE, HOLLYWOOD

WEST

D

KNX

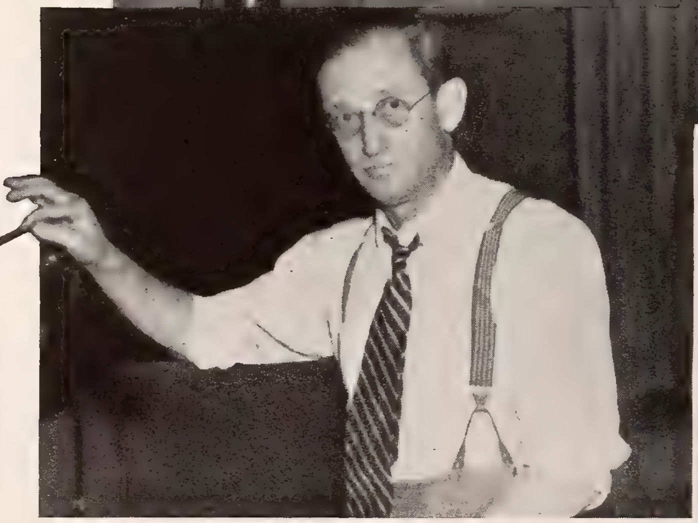
A GREAT PROGRAM

SALUTES ITS

GREAT NETWORK

Cecil B. deMille, famed producer whose radio career has matched his great success in motion pictures. As producer of the Lux Radio Theatre, he is welcomed at the loudspeakers of millions of radio listeners every Monday night. Hollywood has become the more real to countless radio devotees through the Lux Radio Theatre and Mr. deMille. Below you see him at work during production rehearsals of "Main Street." This program starred Barbara Stanwyck and Fred MacMurray.

Louis Silvers, our music master, shoulders a man-sized job in planning and directing the appropriate musical background for the Lux Radio Theatre. A real radio veteran, Lou Silvers is considered a peer in his profession.



CBS

COLUMBIA BROADCASTING SYSTEM AT 'COLUMBIA SQUARE' HOLLYWOOD

CAMEL CARAVAN

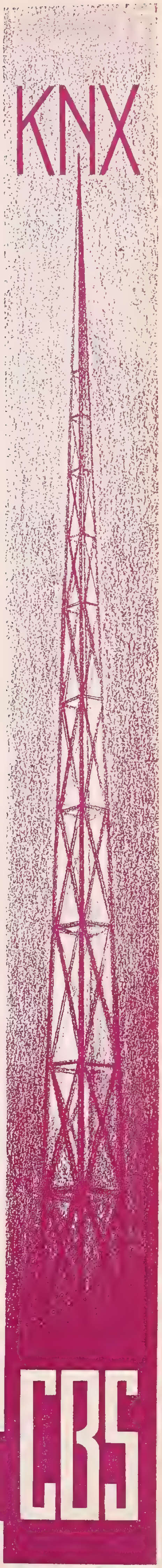
presents

BENNY GOODMAN'S SWING SCHOOL

EVERY TUESDAY 9:30-10 P. M.

COLUMBIA BROADCASTING SYSTEM

OLUMBIA BROADCASTING SYSTEM AT 'COLUMBIA SQUARE' HOLLYWOOD



CREATORS OF THE WORLD'S

Picturing executives and personnel who have contributed to Columbia's proud growth in its decade of operations and service

EDWARD KLAUBER
Executive Vice-President
. . . A medal awaits the biographer who can obtain his career data. Even his own press department lacks his biography. Served as city editor on New York Times. With Lennen & Mitchell before joining CBS in 1930.

HERBERT V. ACKERBERG
Vice-President, Station Relations
. . . A technician with the Bell Telephone Laboratories, Ackerberg worked closely with the network, joining as assistant Chief Engineer in 1929. Succeeded Sam Pickard to the present post when latter stepped out a year later.

FREDERIC A. WILLIS
Assistant to President
. . . Keeps the network functioning properly "in the public service" to the satisfaction of the Federal Communications Commission. Of social register stock, he joined CBS in his present capacity in 1930.

DONALD W. THORNBURGH
Vice-President, Pacific Coast
. . . A protege of H. Leslie Atlass, under whom he served as executive assistant in Chicago up to 1935. When CBS increased its activities in California in 1936 Thornburgh became head of coast operations.

PAUL W. KESTEN
Vice-President
. . . Quit college to join the Marines as buck private in 1917. Army hitch over, he entered the advertising field, and in 1930 joined CBS as Director of Sales Promotion. Elected vice-president in 1934.

H. LESLIE ATLASS
Vice-President, Chicago
. . . First contact with radio was in pre-war days when with a brother, Ralph, he built a ham "spark" station. In the 20's the brothers built WBBM, selling it to CBS in 1929. Brother Ralph now manages WJJD-WIND.

WILBUR B. LEWIS
Vice-President, Programs
. . . After two years of journalism, Lewis joined J. Walter Thompson as an apprentice. Coming to CBS in 1935 as Commercial Program director, he was elected to his present position the following year.

FRANK K. WHITE
Treasurer
. . . Was Business Manager of the publication News Week when Mefford R. Runyon decided to relinquish his CBS treasurership in order to devote all his time to general executive work. In 1937 White took over the post.

MEFFORD R. RUNYON
Vice-President, Board Director
A Jerseyite and Rutgers graduate, he went into accounting following shedding of cap and grown. While a public accountant acted as auditor for CBS and subsequently appointed treasurer, a post since relinquished to White.

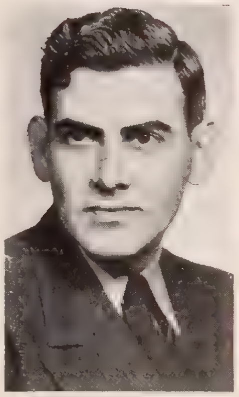
HUGH K. BOYCE
Vice-President, Sales
. . . It is no exaggeration to label him one of the shrewdest sales directors in the country; his record with CBS attests to that. He joined the network in 1930 as Director of Sales, CBS taking him away from the agencies.

LAWRENCE W. LOMAN
Vice-President, Operations
. . . Since 1928 he has supervised special events, dramatic series, continuity, speakers, artists, educational features and mechanical problems. Started as a credit manager for a business house in his native city of Philadelphia.

HARRY C. BUTCHER
Vice-President, Washington, D.C.
. . . The Board of Directors elected him a vice-president in the winter of 1929 when he was managing the Washington office of the network and serving as President of the Old Dominion Broadcasting Corp. (WJSV).

LARGEST SINGLE NETWORK

J. A. P. GUDE
Man., Sta. Relations



LUTHER REID
Acting Pub. Director

DAVIDSON TAYLOR
Dir., Music Division

G. S. McALLISTER
Cons., Bldg. Manager

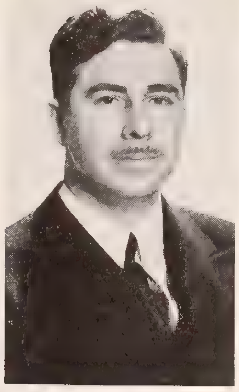
EDWIN K. COHAN
General Engineering Director

W. C. GITTINGER
Sales Manager

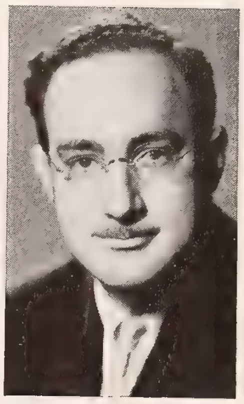
JAMES M. SEWARD
Assistant Treasurer

A. B. CHAMBERLAIN
Asst. Eng. Director

PAUL WHITE
Man., Special Events



STERLING FISHER
Director, Radio Talks



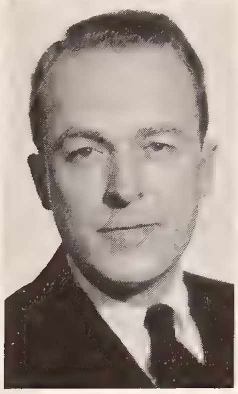
VICTOR RATNER
Man., Sales Promo.

NILA MACK
Children's Programs

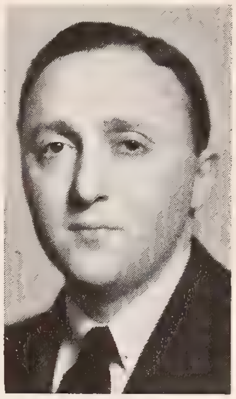
GILSON B. GRAY
Dir., Com. Editing

DOUGLAS COULTER
Asst. Dir. of B'd'casts

WILLIAM ENSIGN
Asst. Sales Manager



JOSEPH BURGESS
Personnel Manager



JOHN J. KAROL
Dir., Market Research

PROF. LYMAN BRYSON
Chairman, Adult Education Board

SAMUEL R. DEAN
Assistant Treasurer

HENRY GROSSMAN
Chief Engineer

EDWARD R. MURROW
European Director

KNX

EDWARD G. ROBINSON

STARRING IN

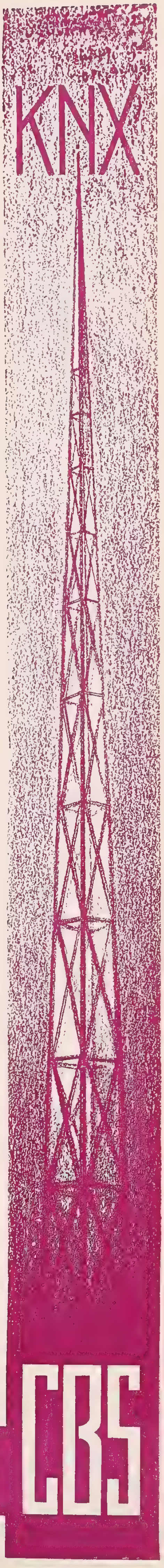
"BIG TOWN"

CBS COAST TO COAST NETWORK

SPONSORED BY LEVER BROTHERS
MAKERS OF "RINSO"

CBS

COLUMBIA BROADCASTING SYSTEM AT 'COLUMBIA SQUARE' HOLLYWOOD



CLAIRE TREVOR

FEATURED IN

"BIG TOWN"

STARRING

EDWARD G. ROBINSON

ERSONAL MANAGEMENT,
ARRY WURTZEL, HOLLYWOOD, CAL.

COLUMBIA BROADCASTING SYSTEM

LUMBIA BROADCASTING SYSTEM AT 'COLUMBIA SQUARE' HOLLYWOOD

A PROBLEM IN STAR MAKING:

HOW IT'S MET

HERBERT I. ROSENTHAL
Director, Artists Bureau

Talent does not arrive wrapped in cellophane—it's created. Through the medium of the Artists Bureau unknowns are unearthed and developed

This complex business of broadcasting consists of something more than the presentation of so many programs each day of the week. The talent with which these programs are peopled and the ideas serving these same shows as themes must be unearthed, developed and sold to trade and public. All of the foregoing is, of course, by way of saying that Columbia Artists, Incorporated, is an immeasurably important adjunct of the Columbia Broadcasting System.

Columbia Artists came into being in January, 1929, a few brief months after the formation of the network, and through the course of the intervening near-decade, has kept proportionate pace with its parent in physical growth and increase of functions.

Measuring the stature of an organization like CAI, one examines first the roster of artists discovered and developed. On this point there need be but little discussion, for CBS has long been famed—and acclaimed—for the many outstanding personalities who have paraded before the public under its aegis. Of the Crosbys, the Boswells, the Street Singers, the Kate Smiths and the Mills Brothers of several years ago, we are all aware, while recent years have seen Jerry Cooper, Buddy Clark, Oliver Wakefield, Barry Wood, Al Pearce and his Gang, Virginia Verrill, Dan Seymour, Ralph Edwards and that highly personal impersonality, the Saturday Night Swing Club, come to the fore.

There was a time, and that not so long ago, when CAI auditioned regularly from 50 to 100 persons and ideas each day. It is an historical fact that the concert and variety worlds, now solidly allied and deeply involved with radio, were confusedly reluctant to enter the new field. While that state existed, it was the task—and a full-time one—of CAI to cast about incessantly for talent. Though the percentage of usable people and ideas was pathetically small, probably less than one of every hundred being worth a minimum of attention, it was from the ranks of these aspirants that most of the aforementioned stars were culled.

With radio an adult of impressive dimensions, auditioning methods have undergone a change. There is no longer a place on any major network for the amateur (excepting amateur programs), no matter how promising, and before the would-be broadcaster gets a hearing he must demonstrate certain qualifications. He is, however, in every instance, given an interview. Thus, with a degree of selectivity injected into the process of auditioning, there is a natural increase in the ratio of satisfactory auditioners.

This method of selective auditioning precludes the possibility of a recurrence of the situation which prevailed until a comparatively short time ago, when new personalities by the score each few months were introduced to network audiences—personalities whose talents were never of the very best, and who, for that very reason, quickly faded, to be replaced by another crop of similar calibre. By this new method the professional mortality rate in radio, once exceedingly high, has been lowered appreciably. Once established in radio today, the artist can be expected to continue on the air almost indefinitely.

Recent trends and developments within CAI stem from the appointment in October, 1937, of Herbert I. Rosenthal as Director. A network pioneer, having become affiliated with CBS immediately after graduating from New York University nearly nine years ago, Rosenthal arrived at his new post thoroughly prepared to put into effect a number of management reforms and innovations.

Connie Boswell and Buddy Clark are two among the many current favorite who owe their ether standing to the Artists Bureau. Buddy's stardom is recent development, while Connie is one of the Bureau's early discoverie

Chief among the Rosenthal introductions was the initiation of a policy of personal representation. In other years, artists entered the broadcasting field thoroughly schooled in the ways and pitfalls of show business, having served an apprenticeship in vaudeville, night clubs and other entertainment media. Not so today, however, with so many performers coming to the microphone str[illegible] from their homes.

Recognizing this, CAI now offer its clients the personal guidanc which is so necessary to thei careers, tells them which appearances aid and which appearance handicap their progress, attends t their legal problems, gives them ful publicity coverage, aids in the selection of their music and in genera bestows upon them the care and attention afforded in the past only b the individual and expensive personal representative. These advantages, coupled with the power an resources of a giant organizatio make for happy artists and a progressive CAI, which in turn ad up to better broadcasting.

If additional material is require to demonstrate the streamlining CAI, a glance at its personnel roster should provide the clincher.

The day of the old-time bookin agent, the chap who was prepare to sell artists of whom he kne little, for entertainment media which he knew less, has run i course. In its stead we have th moment of the specialist, the representative who is completely awar of the artist's capabilities and limitations and is in possession of detailed knowledge of at least one production field.

CAI, needless to say, is staffed b men of this latter type. Concentrating their efforts on radio are Mac Davis, Jimmy Appel, Ed Cashma Walter Smith and Dell Peters, whil Paul Ross is busied with vaudevil and club bookings, Albert Schneide functions as the motion picture contact and I. S. Becker is concerne only with the business managemer of the organization. Publicity fo the bureau and its clients—who, incidentally, number almost two hundred—is in the hands of Allan Melzer, a former newspaperman an publicist.

RKO
Radio
PICTURES

Joe Penner

Starring in

"THE PARK AVENUE PENNERS"

COCOMALT RADIO PROGRAM
CBS COAST TO COAST NETWORK

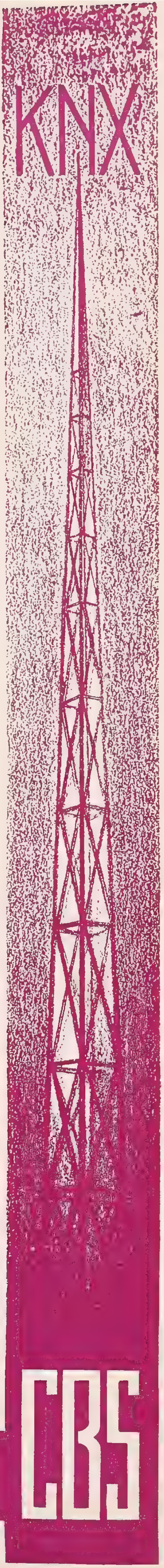
* * *

Starring in
RKO-RADIO PICTURES

CURRENT RELEASE
"GO CHASE YOURSELF"

IN PREPARATION
"STRICTLY CONFIDENTIAL"
"MR. DOODLE KICKS OFF"

LUMBIA BROADCASTING SYSTEM AT 'COLUMBIA SQUARE' HOLLYWOOD



Reaching the Ears of the World's Listeners on the Short-Wave Bands

Columbia's international station W2XE today occupies a position well to the fore among the short-wave stations of the world

▣ The international short-wave division is today receiving more attention than any other non-commercial department in radio, thanks to a lesson taught American broadcasters by the European dictators, whose warped political philosophies have been carried to this continent, particularly the Latin Americas, by short-wave.

It was but a short time ago that American broadcasters belatedly began to do something about counteracting the flow of poisoned thought emanating from the antennas of the dictator nations. The antidote is now being administered in full measure, and it isn't being done with propaganda, but with programs of good music, news of worldwide and local interest, and broadcasts of general cultural and educational value.

Columbia's international short-wave station, W2XE, has made rapid strides since it became a distinct unit on May 2, 1937, and has forged ahead until today it occupies a position well to the fore among the short-wave stations of the world.

W2XE was established on May 20, 1929, mainly as a short-wave relay for programs of the Columbia network. But then a modern, high-power transmitter and directional antenna system were added to its equipment in 1937, and its existence as a unit began with a broadcast to Latin-America of the British Coronation ceremonies.

Two days later, a special broadcast to Latin-America was sent out. Miss Elizabeth Anne Tucker, formerly of the engineering department, was put in charge of the programs, and under her direction W2XE's schedule, which started with two programs a day, has been expanded so that CBS's international station averages several programs a day now, and frequently puts as many as ten a day on the air. W3XAU picks up and relays most of them.

Three foreign-language commentators were added to the staff for special broadcasts sent to Latin-America. On Fridays, A. Pinto-Tameiro speaks in Portuguese, from 7:00 to 7:15 P. P., EST, to Brazil. Alberto Zalamea, speaking Spanish, is heard every evening, Mondays through Fridays, from 6:45 to 7:00 P. M., and Americo Lugo-Romero, most recent addition to the staff, broadcasts a news program on Wednesdays from 7:45 to 8:00 P. M., EST, and on Saturdays and Sundays from 6:45 to 7:00 P. M., EST.

In addition, Senor Lugo-Romero makes the announcements in Spanish for the following programs: Wednesdays, Andre Kostelanetz's program; Thursdays, Victor Bay's Essays in Music; Fridays, Coca Cola's Song Shop; Saturdays, The Hit Parade, and Sundays, The Ford Sunday Evening Hour.

Broadcasts to Europe are given in English, but whenever the occasion calls for them, translations in French, German and Italian are also short-waved. A fortnight ago a Press Radio news and morning stock prices program was added, directed across the Atlantic every day, Mondays through Fridays, from 1:30 to 1:35 P. M., EST.

That W2XE's broadcasts are attracting an ever-increasing audience is testified to by the steadily growing volume of mail which keeps coming in to Miss Tucker. E. K. Cohan, director of general engineering for CBS, also got first handed evidence, on his recent trip to Europe, of the rapidly growing interest in W2XE's short wave news broadcasts.

Europeans and people in the Eastern Hemisphere are discovering, Cohan declared, that American short-wave news broadcasts are a medium whereby they can get world news uncensored and unflavored by nationalistic propaganda as it is in most of the foreign broadcasts and in the foreign press.

"When I left for Cairo," he said, "I had only the vaguest hope that I would be able to find someone in Egypt who listened to Columbia's international short-wave station.

"But, as it turned out, I had a real job to find someone who wasn't a constant listener to it, both in Cairo and throughout Europe, wherever I traveled.

"Because of my position, I was deluged with requests that Columbia increase the length and add to the number of its daily short-wave news broadcasts." Columbia's engineering chief reported that W2XE is heard clearly and powerfully at Cairo.

W2XE'S SIGNAL STRENGTH

▣ Cohan's findings corroborated the results of a six months' series of exhaustive tests completed several months ago by the Union Internationale de Radiodiffusion from its headquarters in Brussels. These tests, conducted by expert radio technicians to determine the relative increase or decrease of the intensities of a large number of short-wave stations when they switched to and from antennas directed toward Europe and other parts of the globe, while employing the same frequency band, definitely showed that W2XE's directional antenna systems were the most efficient of all.

The graphs of signal intensity drawn by the engineers in the tests disclosed that the CBS international station showed a greater increase at Brussels, when it switched from South American to European antennas, than did any other station cooperating.

The letters Miss Tucker gets from England, India, Tasmania, Australia, Brazil and many other parts of the world tell how avidly foreign audiences listen for the broadcasts short-waved them by W2XE and W3XAU.

W2XE's equipment incorporates the very latest developments in radio, developments which heretofore had been applied only to transmitters operating at conventional intermediate or low broadcast frequencies. These developments include such features as all A-C operation, high level modulation, elimination of fuses in all power and control circuits, substitution of ceramic coils in place of the rubber hose coils previously used for insulating the high power vacuum tubes from the water supply, and the elimination of all wood insulation from the equipment.

OPERATING PLANT

▣ The plant at Wayne has exceptional fidelity characteristics. The audio frequency characteristic of the transmitter is substantially flat between from 30 to 10,000 cps. the response is uniform within 1 db from 100 to 5,000 cps and with plus or minus 1.5 db from 30 to 10,000 cpbs. the r-m-s values of audio harmonic distortion, within the range of 50 to 7,500 cps, do not exceed 4 per cent for any single modulating frequency between 0 and 100 per cent modulation.

The unweighted overall noise level at this transmitter is more than 50 db below 100 per cent modulation. This low level is partially secured through A-C filament operation. Low level audio frequency amplifier tubes are provided with indirectly heated uni-potential cathodes. All radio [illegible] audio stages are connected in [illegible] pull, and an additional reduction in hum is obtained by connecting the tube filaments in the last radio stage on a two-phase supply, thus partially cancelling the hum. Hum compensating apparatus is employed which introduces into the audio stages 60 120 and 180 cps, 180 degrees out of phase, with similar frequencies generated by the transmitting equipment.

W2XE is primarily interested in serving Europe and Central and South America. To increase the field strength of this station in these directions, antennas were erected capable of giving an average gain of 10 per cent in desired areas.

European coverage, from direction antenna design standpoint, is not as difficult as South American coverage since the great circle paths from New York to most of the important cities in Europe lie within a relatively narrow angle; whereas coverage over the great part of South America requires antennas which have an appreciable gain over an angle of from 35 to 40 degrees. Non-directive and semi-directive antennas are also available for use when directivity is not required. Each of the antennas is fed by transmission lines which are matched and balanced.

These lines are connected to a unique rotary switch which permits a rapid selection of any one of six antennas now available.

Returning to the program aspect of short-wave broadcasting, there is every reason to believe that despite the present step-up in service, it will be further increased shortly. CBS has made no mention of what it is planning, but it is reported that its international department is due shortly for further acceleration.

Bob Bradley, Al Packard and Vern Taschner, members of the technical staff of W2XE, are pictured operating a transmitter during a recent broadcast. Columbia's short-wave station is located in Wayne, New Jersey.

COLUMBIA CONCERTS CORPORATION

of

COLUMBIA BROADCASTING SYSTEM

Divisions:

EVANS & SALTER, INC.
METROPOLITAN MUSICAL BUREAU, INC.
CONCERT MANAGEMENT ARTHUR JUDSON, INC.
HAENSEL & JONES
WOLFSOHN MUSICAL BUREAU OF N. Y., INC.
COMMUNITY CONCERT SERVICE

Columbia Concerts Corporation is the largest management of opera and concert artists in the world, and from the many artists and attractions under its management is able to supply all demands, however great or modest, of every opera company, radio sponsor, music club, school or college, organization, individual entrepreneur, and motion picture producer in need of outstanding musical artists. Requests for dates and quotations will be promptly answered.

◆

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113 West 57th Street, New York City
(Steinway Building)
Cable Address: COLCONCERT

◆

Inquiries regarding availability and fees for motion pictures or radio engagements originating from Hollywood or any other California city should be addressed to Columbia Management of California, Inc., Columbia Square, Hollywood, California.

Jose Iturbi
Richard Crooks
Wilbur Evans

Organizations Affiliated with Columbia Concerts Corporation

Concert Management Arthur Judson, Inc.

▣ In accordance with long-established policy the combined list of Concert Management Arthur Judson, Inc., and the Wolfsohn Musical Bureau of New York, Inc., represents a judicious balance between established and rising artists, international celebrities and home-grown favorites. All in all, there are 57 artists including the pianist Vladimir Horowitz, who does not return until the season after next.

Under the Judson-Wolfsohn aegis for many seasons and announced again for 1938-39 are such personalities as soprano Lucrezia Bori, violinist Jascha Heifetz, baritone Nelson Eddy, pianist Jose Iturbi, violinist Joseph Szigeti, 'cellist Gregor Piatigorsky, pianist Robert Casadesus, contralto Kathryn Meisle, flutist Georges Barrere, and the duo-pianists Ethel Bartlett and Rae Robertson. Nelson Eddy will continue to divide his time between the cinema, radio and concert tours. Heifetz's fame will find a new public next year following his film debut. He makes his first picture for Samuel Goldwyn this summer. The motion pictures have also made offers to Iturbi and Piatigorsky but neither has as yet made a decision.

Another screen candidate is Bidu Sayao, the Brazilian lyric coloratura soprano of the Metropolitan. She has scored notably in such roles as Mimi, Manon, Violetta and Juliette and has had equal success in her first American concert tour. Another singer in the Judson list who next season goes to the Metropolitan for concerts is Rose Pauly.

Pride of the bureau is the group of young artists, each of whom, in his or her own way, has grown artistically during the past year. This circle includes the pianists Muriel Kerr and Eugene List, the violinists Iso Briselli, Marjorie Edwards, Joseph Knitzer and Stephan Hero, the sopranos Agnes Davis, Rosa Tentoni of the Metropolitan, Helen Marshall and Carolyn Urbanek, and the Metropolitan contralto Anna Kaskas.

New on the list are: Lucy Monroe, soprano; Edwina Eustis, mezzo-soprano; Eyvind Laholm, tenor; Lansing Hatfield, baritone; the pianists Daniel Ericourt, Reginald Stewart, Ida Krehm, Boris Golschmann and Julius Katchen; the 'cellist Joseph Schuster. Miss Monroe the past season has sung with the St. Louis Municipal Opera, the Metropolitan Opera Spring Season, with the Philadelphia Orchestra, in addition to considerable radio work. Miss Eustis is now engaged in concerts and opera in Europe. Laholm is the American born tenor of the Berlin State Opera who came back to his native land this past season after an absence of 14 years, to sing opposite Flagstad in "Lohengrin" and "Walkuere" with the Chicago Opera. Lansing Hatfield is a promising young southern baritone who played a leading role in the stage success "Virginia" in New York City last year.

Three American tenors of the Metropolitan continue to do active concert and radio work as well as on the dramatic stage: Frederick Jagel, Charles Hackett and Charles Kullman. The latter has made one American film, "The Goldwyn Follies." New to the Metropolitan this past season but familiar to concert audiences here and both the concert and opera public abroad is the Hungarian contralto of the Vienna Opera, Enid Szantho.

Among the younger sopranos who are scoring in both fields is Hilda Burke of the Metropolitan and Charlotte Boerner who made a great success with the San Francisco Opera last autumn. A young American contralto whose career, begun abroad, should awaken interest on her return next season is Rise Stevens.

The Judson-Wolfsohn list also contains Michael Bartlett, who sang the tenor lead in "Three Waltzes" this season, Lanny Ross, tenor of the air who has just returned from a winter in Hollywood followed by an extensive concert tour, and the tenor Edouard Grobe; British baritone Keith Falkner who has made several English pictures for Warner Brothers, the American baritones Wilbur Evans and Ray Middleton—the former has been singing weekly on the Vicks Hour with Jeanette MacDonald, and the latter, who was under contract to Paramount, is making a spring concert tour of the Coast.

Three pianists remain to be accounted for: Amparo Iturbi, Ernest Hutcheson, dean of the Juilliard Graduate School, and Jose Echaniz.

The Barrere Little Symphony, the unique Barrere-Britt "Concertino," the Coolidge String Quartet and the Gordon String Quartet, the solo dancers Lisa Parnova and Carola Gitana complete Judson-Wolfsohn's "57 Varieties."

Metropolitan Music Bureau

▣ Important new attractions are conspicuous on the list of the Metropolitan Musical Bureau for season 1938-39. Foremost among them is the transcontinental tour of Beniamino Gigli, who returns to America after an absence of several years, appearing in early October on the Pacific Coast with the San Francisco Opera Co., and later appearing with the Chicago City Opera Co., and in recital in many cities.

Also making her debut with the San Francisco Opera Co. in the fall will be the new lyric soprano from La Scala of Milan, the Royal Theatre of Rome and the Salzburg Festivals, Mafalda Favero.

In early November the Hungarian violinist, Robert Virovai, will make his American debut as soloist with the New York Philharmonic-Symphony, followed by an extensive tour.

The Spanish pianist, Eduardo del Pueyo, will make his American debut as soloist with the New York Philharmonic Symphony next February.

After a successful New York debut on January 26th, the Mozart Boys Choir of Vienna will have its first transcontinental tour next season under Dr. Georg Gruber, conductor.

Starting next October, a new edition of the Mordkin Ballet will make a second transcontinental tour under the management of Columbia Concerts Corp. Among the new dancers in a company of 60 will be Patricia Bowman. Others who will have leading roles include Lucia Chase, Leon Varkas and Dimitri Romanoff. A special orchestra will be conducted by Mois Zlatin. Mikhail Mordkin will appear in every performance. The company has a repertoire of eight complete ballets for which the scenery and costumes have been designed by Serge Soudeikine. The repertoire includes the

ARTHUR JUDSON, Director of Concert Management Arthur Judson, Inc.; President, Columbia Concerts Corp.

F. C. COPPICUS, of the Metropolitan Music Bureau; Executive Vice-President, Columbia Concerts Corp.

WILLIAM S. PALEY, president of CBS, who is also the Chairman of the Board of Columbia Concerts Corp.

FITZHUGH W. HAENSEL, of Haensel and Jones, and Vice-President of Columbia Concerts Corp.

FREDERICK C. SCHANG o the Metropolitan Musica Bureau, Sales Manager o Columbia Concerts Corp

More than 50 per cent of all the artists who tour the United States are booked through the offices of Columbia Concerts

world premiere of "Trepak," the [illegible] creation of Mordkin to music specially written by Alexandre Tcherepnine.

The dancer, La Meri, whose "Dances of Many Lands" have won unanimous praise, will also make her first American tour next season.

Lily Pons, coloratura soprano, will again fill a crowded season of concert and radio, in addition to her appearances with the San Francisco, Los Angeles, Chicago and Metropolitan Opera Companies.

Richard Tauber, the Viennese tenor, will return for a two months' tour in February and March, 1939.

Grace Moore, favorite of opera, concert, cinema and radio, will again appear with the Metropolitan and Chicago Operas, also in concert and radio.

Lotte Lehmann, Lieder and opera singer of four continents will appear again in opera, with orchestras and in recital.

Sigrid Onegin, contralto, returns for a transcontinental tour in January, February and March, 1939.

Richard Bonelli, American baritone, will again appear in opera, concert and on the air; James Melton, American tenor, will have his first Coast to Coast recital tour.

Other singers who will divide their time between opera and concert are Joseph Bentonelli, tenor; Rosemarie Brancato, coloratura soprano; Helen Olheim, contralto; Chase Baromeo, bass. Messrs. Bentonelli and Baromeo, together with the Misses Josephine Antoine and Helen Olheim, all American-born members of the Metropolitan Opera Company, will join in a tour as the Metropolitan Operatic Quartet.

Important instrumentalists on this list available all season are Albert Spalding and Harold Bauer. Others who will spend a half-season are Gaspar Cassado, cellist; Andres Segovia, guitarist; Vronsky and Babin, duo-pianists; Simon Barer and Emile Baume, solo pianists, and Callimahos, the Greek-American flutist.

The fascinating personality Angna Enters, will have her fourteenth consecutive coast to coast tour in her program of episodes, based on contemporary and ancient life.

Community Concerts Association

Through the medium of the Community Concert Assocation plan, membership audiences have been organized in cities of all sizes throughout the entire United States and Canada. Over 400 cities are now operating concerts on a permanent basis with capacity audiences. This has created an unprecedented interest in musical celebrities, enhancing their value manyfold when they are engaged for radio or in motion pictures, having a prepared audience awaiting their performance on the radio and in motion pictures.

Evans and Salter

"Great musical artists of the opera and concert stages create the same public appeal in radio and motion pictures," is the conviction of Evans & Salter. "For a great personality registers always. Through the magic of radio, tens of millions, instead of tens of thousands, thrill to the performances of such artists as Tibbett, Menuhin, Martini, Jepson, Gorin, Bampton—to mention a few from our personal list.

"We believe that these artists and many others under the various managements have an even greater message to give through the medium of the motion pictures. Our experience has been that 75% of those transcendent qualities in an artist which make for great mass appeal in his personal appearances, are other than his singing or playing viz., his personality, magnetism, and that indefinable something called 'The Divine Spark.' We claim that the motion picture, even more than radio, is better able to portray to unlimited millions this combination of gifts that make up the musical genius.

"A glance at the Hollywood picture production record proves eloquently that a majority of the most successful pictures are those having a musical background.

"For instance, Yehudi Menuhin, who is now stirring England and the continent with his glorious playing, having drawn the other night in London's Albert Hall over $15,000 in a single performance at a $5.00 top, or Lawrence Tibbett, who is now sweeping vast audiences in Australia to unbounded demonstrations, or again Nino Martini, who is singing to sold-out auditoriums in America, will be able to appear in person in only a comparatively few of the major cities of these countries.

"It stirs the imagination to visualize the untold millions in the great cities throughout the world, and the many smaller cities, never visited by such artists, who would flock to see and to hear them through the medium of the motion pictures at a 75c top. But, such artists must be presented in the type of production which would portray their unique artistry and the individualism that has raised these artists to fame. That is the problem of motion picture production, insofar as great music on the screen is concerned, and undoubtedly the production genius of Hollywood will solve it. There certainly is a vast, eager market awaiting them. Who would have believed a short while ago that 'Snow White' could be successfully produced?"

Haensel and Jones

The roster of artists under the management of Haensel & Jones for the season 1938-39 comprises many distinguished in concert and opera, on the air and in pictures.

There are six sopranos. Natalie Bodanya is now making recital appearances; next season she will again devote herself to recital before and after her regular engagements with the Metropolitan Opera. She has appeared over the air as guest artist on the Kraft Hour and in a 13 weeks series over WJZ. Winifred Cecil, former prima donna of "Show Boat," this season on Lucky Strike and Coca Cola broadcasts, makes her debut in the current Gala Spring Season of the La Scala Opera in Milan, Italy; she returns to the United States next fall for concerts and radio. Elen Dosia, beautiful leading soprano of the Chicago City Opera, will be introduced to American concert audiences in January, 1939, in a tour of joint recitals with her husband, Andre Burdino. Jessica Dragonette, "America's Queen of the Air," who has supplemented radio with the success of her first concert tour, will continue to combine recital appearances with radio in 1938-39. Gunda Mordan's bookings embrace re-engagements and new appearances with Frederic Baer in their popular duet programs. Jeannette Vreeland, an established concert favorite, includes many appearances with major symphony orchestras and choral societies on her current schedule and for next year. She recently gave a recital over the Columbia network.

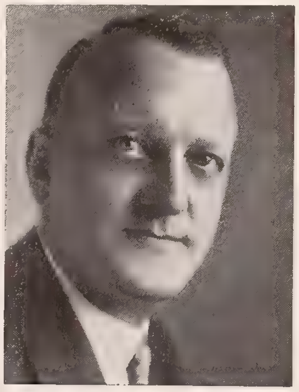
Bruna Castagna's contralto art is as popular on the radio as in recital and opera; within the present 12 months her engagements include appearances on the RCA-Magic Key,

(Con't. on page 46. CBS—KNX Edition)

LAWRENCE EVANS, of Evans and Salter, and Vice-President of the Columbia Concerts Corp.

JACK SALTER, of Evans and Salter, and Vice-President of the Columbia Concerts Corp.

WARD FRENCH, who is General Manager of Community and Cooperative Concert



CALVIN M. FRANKLIN, Assistant Secretary and Associate Sales Manager of Columbia Concerts Corp.

HORACE PARMELEE, of Haensel & Jones.
(Columbia Concerts Photos, Courtesy of Musical America)

ELECTED
AMERICA'S
FAVORITE SOPRANO
NO. 1 in the
HEARST RADIO EDITORS
ANNUAL POLL

Monterrey
Paris

Grace Moore

ON THE AIR
"CHESTERFIELD TIME"
Every Wednesday Evening at 9, E.S.T.
CBS • COAST-TO-COAST

Management: METROPOLITAN MUSICAL BUREAU, INC.
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113 West 57th Street
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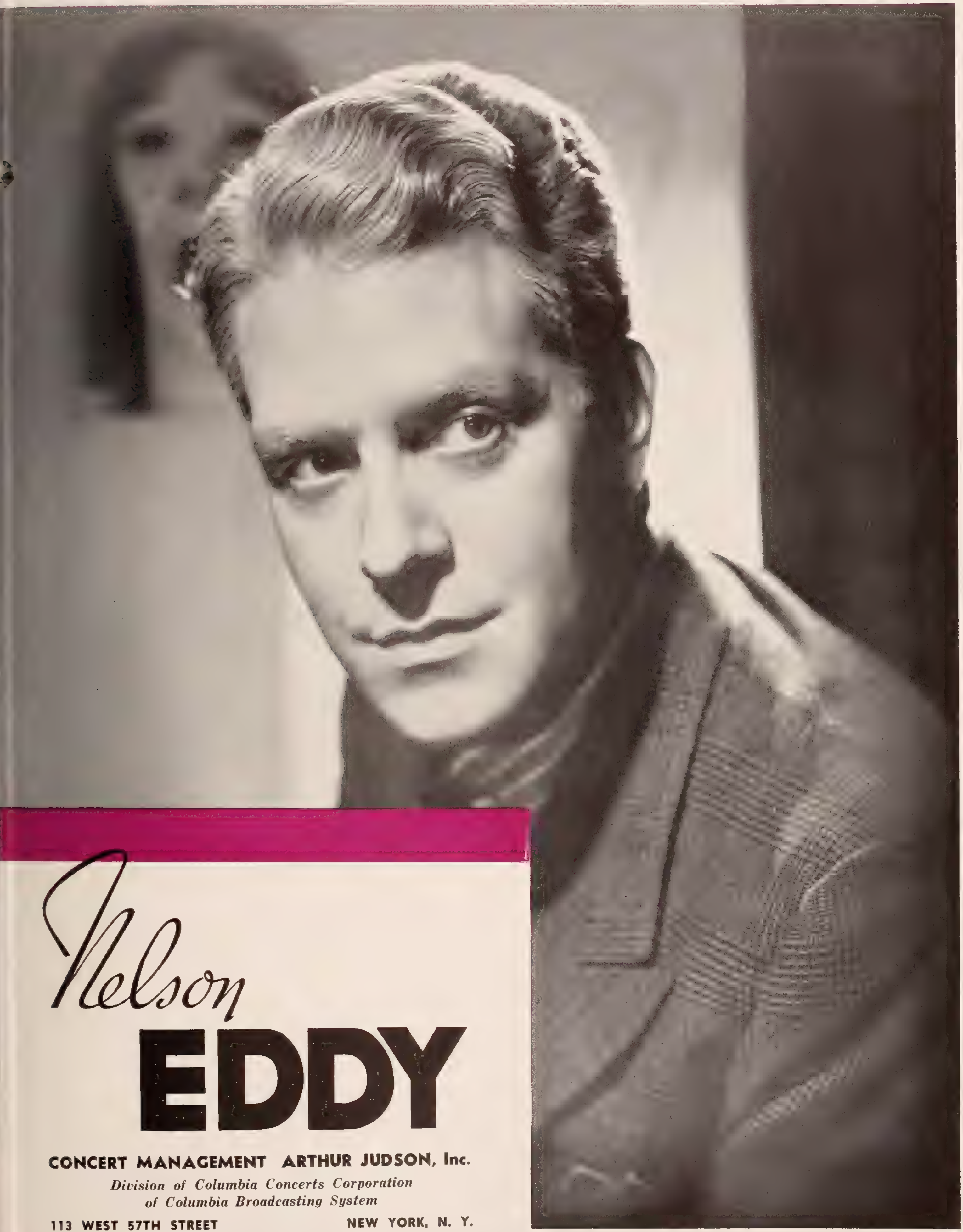
SELL-OUTS COAST TO COAST IN CONCERT

AMERICA'S GREATEST CONCERT DRAW



Nelson

EDDY

CONCERT MANAGEMENT ARTHUR JUDSON, Inc.

Division of Columbia Concerts Corporation
of Columbia Broadcasting System

113 WEST 57TH STREET NEW YORK, N. Y.

Lily Pons

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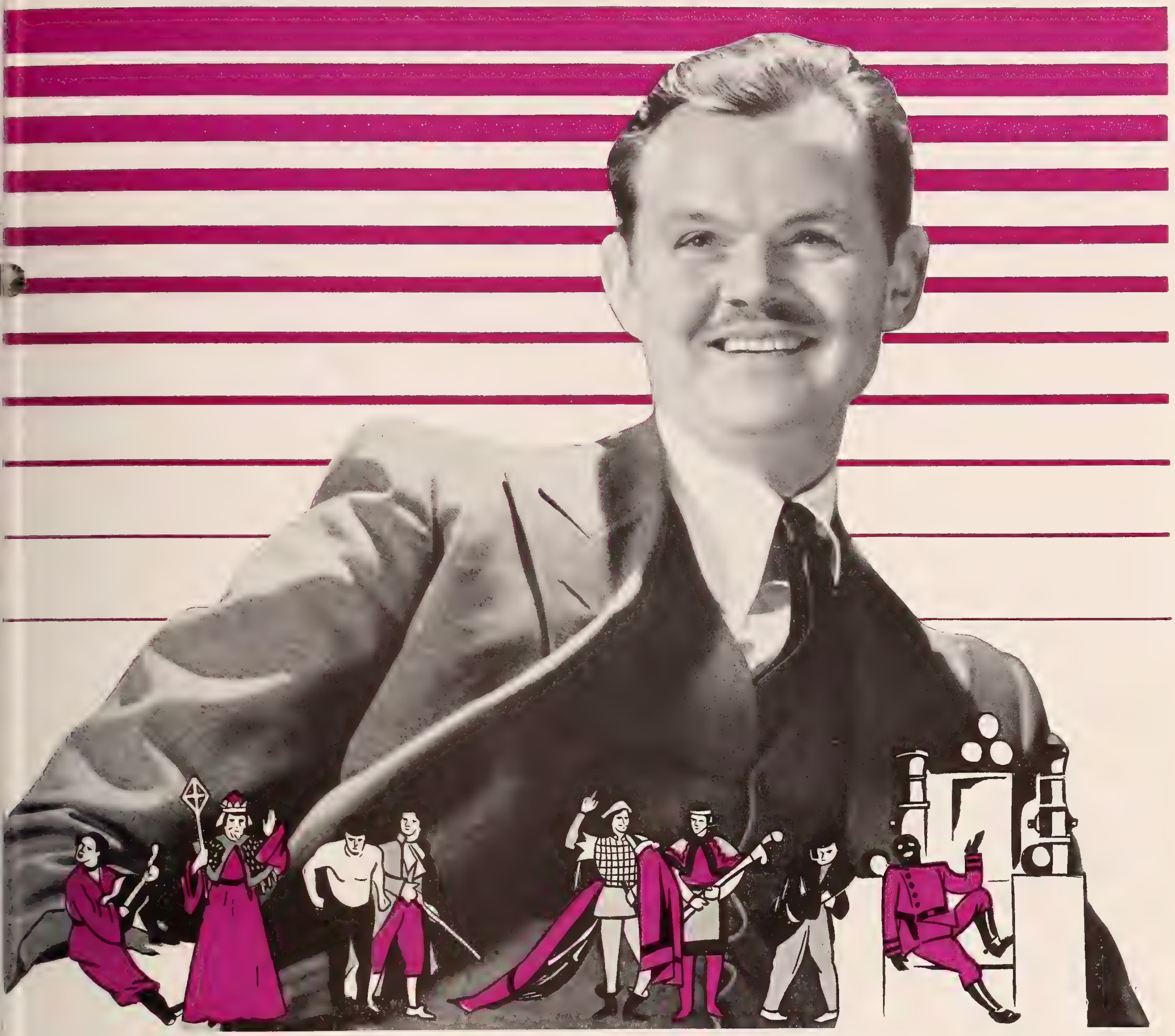
BALDWIN PIANO

VICTOR RECORDS



TIBBETT

ALWAYS on TOP—*Winner for 4 years of Nationwide Radio Poll . . .* Tibbett continues to tower head and shoulders above the musical horizon—a dominating personality in opera, concert, pictures and radio . . . an all-time audience favorite.

His is the rare faculty of making
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Ageless Genius

THE MAGIC HANDS OF YEHUDI and HEPHZIBAH MENUHIN

Despite the world-wide demand to hear these supreme artists in joint recital, since their first triumphant public performance together in Paris, October 15, 1934, only eight world centers have had the privilege. — Yet millions thrilled to their genius through the magic of radio when they performed on the Ford Symphony Hour last December!

EXCLUSIVE MANAGEMENT *Evans* AND *Salter* 113 WEST 57th ST., NEW YORK CITY

Victor Red Seal Records DIVISION COLUMBIA CONCERTS CORP. OF COLUMBIA BROADCASTING SYSTEM Steinway Piano

NiNO MARTiNi

The Golden Voiced Tenor

OF THE
METROPOLITAN OPERA
MOTION PICTURES
RADIO
AND THE
CONCERT STAGE

Innate Artistry God-given Voice
Irresistible Romantic Appeal

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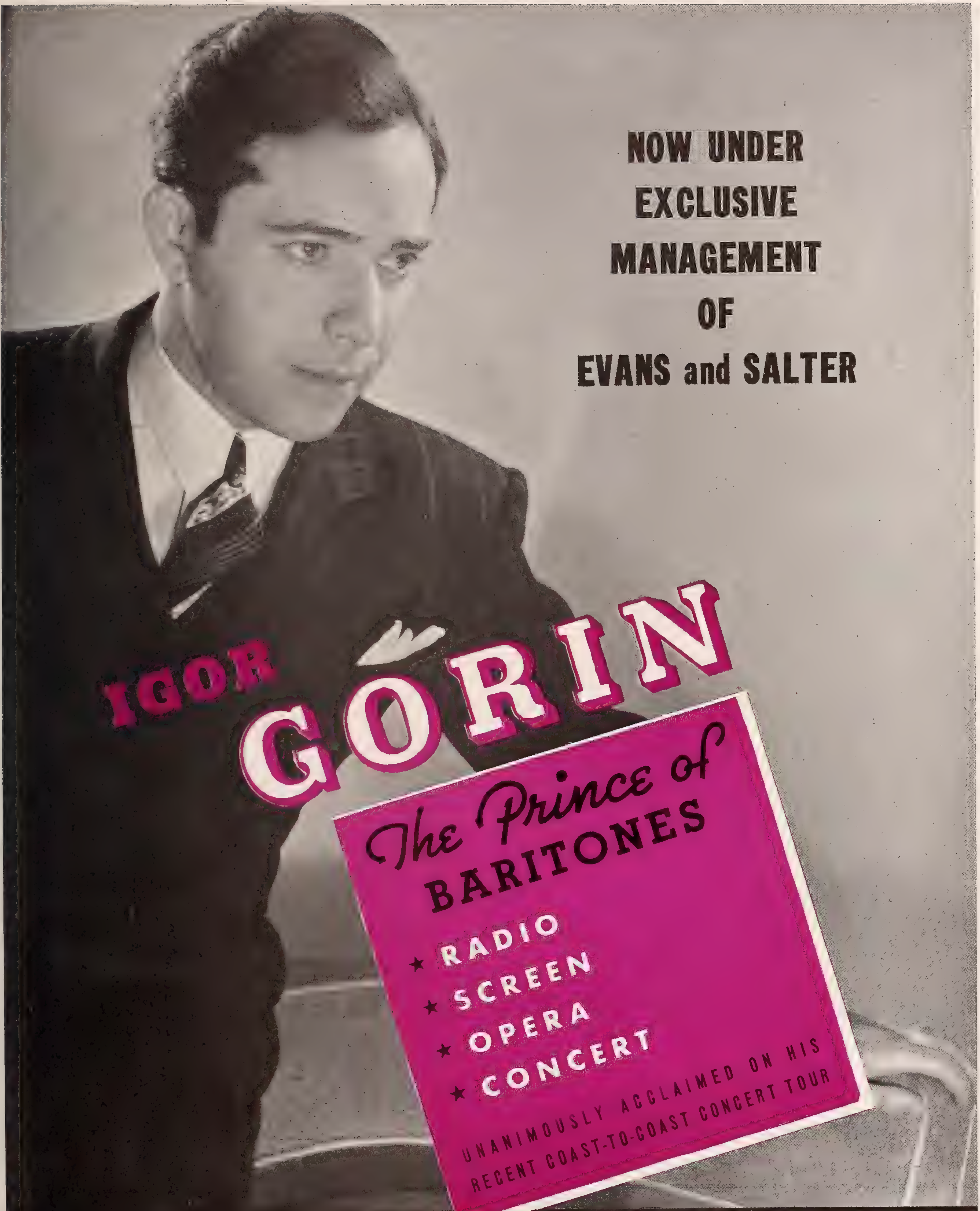

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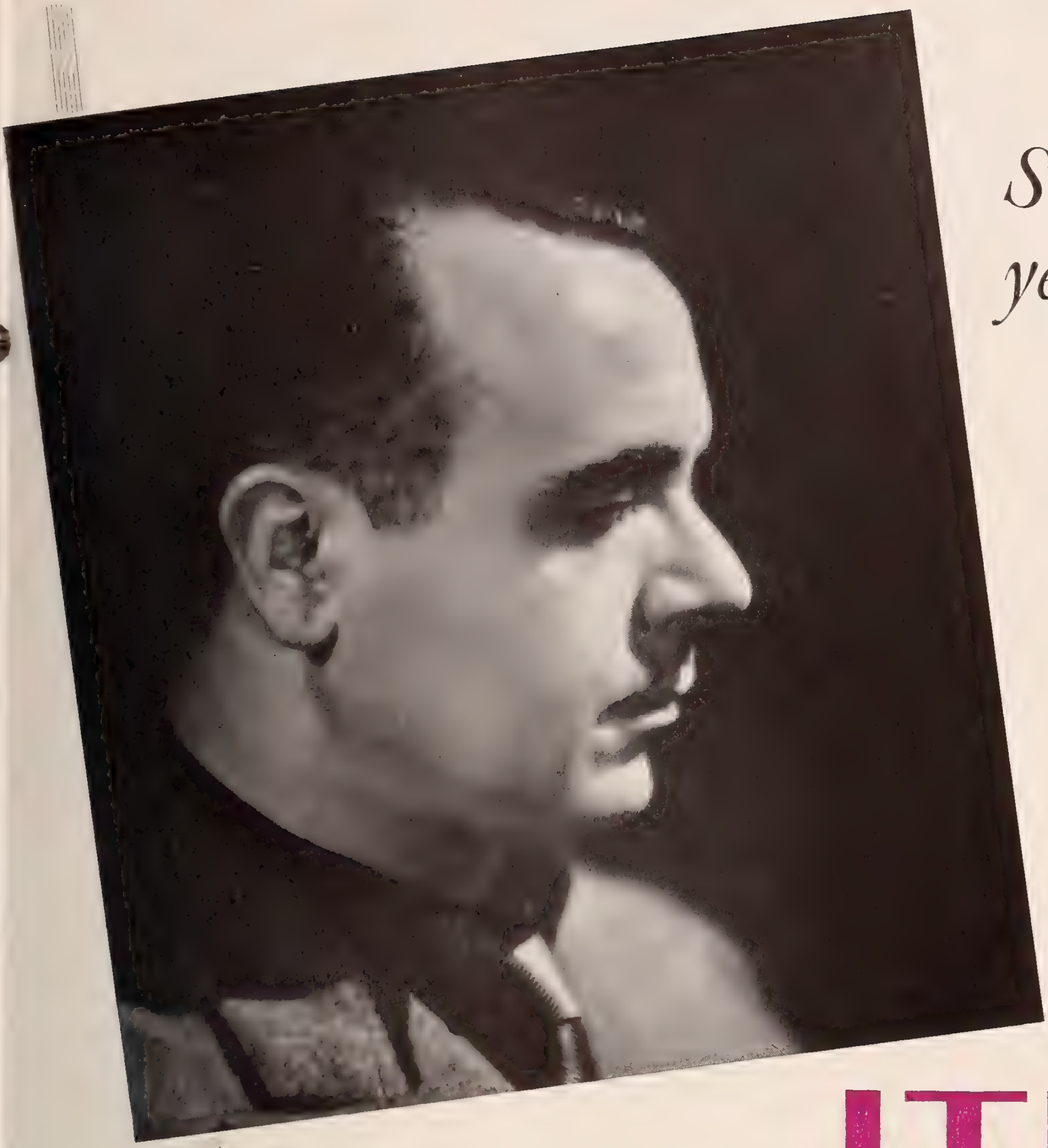

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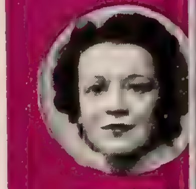
Dalies Fran

Rose Bampt


Helen Olhe

Albert Spald

Natalie Boda

John Brown

Hilda Burk

[illegible]

Richard Bonelli

Rose Pauly

Lucy Monroe

Richard Tauber

Ruth Slenczynski

Josephine An

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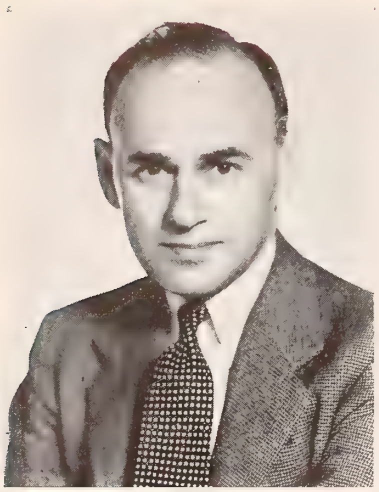
TELEVISION VEIL DRAWN BY SELDES

Gilbert Seldes, well-known author and critic and Columbia's television program head, describes television as it is today and its future possibilities



GILBERT SELDES
Television Program Director

Dr. PETER GOLDMARK
Chief Television Technician

Motion picture people will probably understand better than anyone else the exact position of the development of television. Every time a better camera was built, an improvement in programs became possible. Development of film, lenses—everything down to cutters' tools and drying racks, ultimately have an effect on what the public will see in the theatre. Satisfactory lighting made it possible to go indoors in the early days and process shots make it possible to extend the range of the camera without going out of doors nowadays. The two things—technical invention and program work—hang together.

The situation in television is this: the inventors are still at work and are convinced of two things—that they have got the basic problem of television solved and that a considerable amount of work remains still to be done before the instruments are perfected. Nearly everybody agrees that the way to create animated images to be sent through the air is by using a stream of electrons and that the best method so far developed is some form of the cathode ray tube. So much has been done in the few years since this method was discovered that the scientists and engineers are confident that they can make the picture you receive clearer and brighter or, if it is desirable, larger. The common size of a television receiving screen is about eight by ten inches; screens half this size have been made and at the same time screens double this size and even larger.

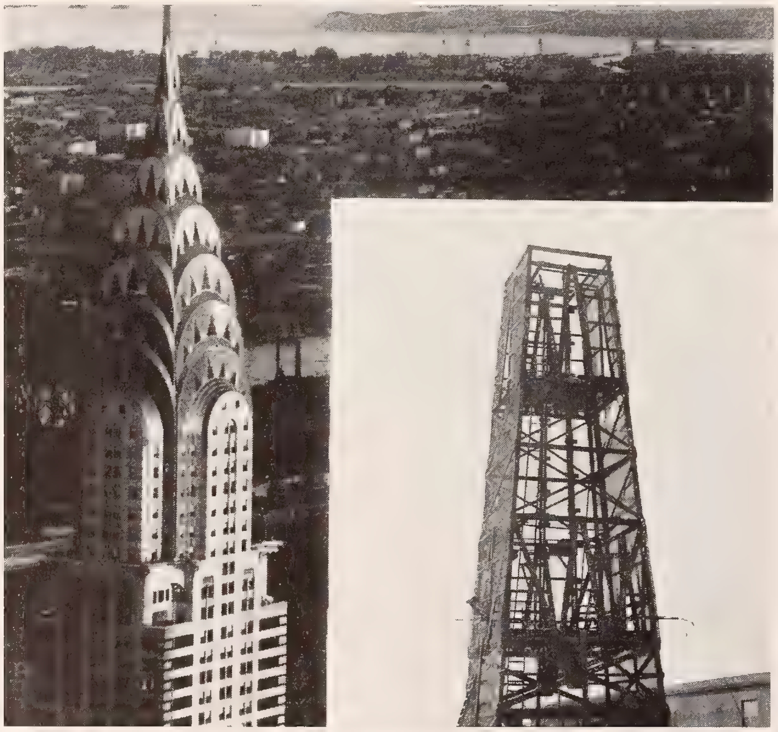
NEW DEVELOPMENTS

These developments affect the program department directly. If we were limited to the tiny four by five screen, we might not dare to put more than two people before the television camera at any one time—a third and fourth character might be nothing but a blur. If we have an 18 by 20 screen, we can probably populate the studio with a reasonable number of individuals—not a Hollywood mob scene, but five or six people of moderate size, moving freely without crowding one another. As the camera becomes more sensitive, our range again will increase and our handling of sets and costumes will become more effective. During the past year vast improvements have been made in vital respects. Cameras have increased sensitivity several times over and the method of projecting on to a large screen has reached a point of practical demonstration.

Programs are being constantly planned and transmitted in various parts of the world. In England they are done publicly and at public expense; the British Government levies a tax on every radio instrument and part of the receipts are used for television—about one and one-half million dollars a year. This has been going on for more than 18 months now and although there have been some spectacularly successful transmissions and the cost of receivers has been cut in half, the total number of individually owned sets in England has been, by their own reports, rather disappointing to the British. And their critics complain that the entertainment value so far offered them simply does not justify individuals in buying receivers.

In America the experiments are being done privately and at private expense. Programs are transmitted and for the most part are seen by those who are working on television. No one who has seen so much as a single transmission has any doubt of the ultimate place of television in the field of American entertainment, making a trio with radio and the movies, displacing neither of them, probably drawing from both of them, and certainly developing independent qualities. And similarly, we working in television for Columbia feel that you cannot offer the American people, with its very high standards of technical excellence and entertainment value, a new form of entertainment which is still imperfect and undeveloped. As it stands now, the sum total of engineering plus program experience does not quite add up to the requirements of popular entertainment. That is basically the reason, I think, why it has not been offered to the public—and it is a good reason. To hurry an immature television would be to put back the development of satisfactory television by many years.

Television is neither a novelty nor a toy, but a highly complicated enterprise which must proceed gradually to establish itself. At the present time the effective range of transmission is between 30 and 40 miles. There are various ways of increasing the coverage, but network television is an extremely expensive operation. Here again the relation between the engineers and the Program Department is very close. If a miracle should happen and network television should become possible overnight, we would still have problems to solve, but the enormous multiplication of our potential audience would make a vast difference for the future. We would still have to be sure that television was technically right—but if it was right, we would have the millions who live all over America to back us up instead of the far smaller number of millions who live around one of the three or four great centers in which television will probably make its beginnings.



Columbia's television transmitter when completed will be housed in the spire of the Chrysler Building. The inset is not an oil-well derrick. It is an exact "electrical reproduction" of the top of the New York skyscraper, erected for experimental purposes at Camden, N. J., where the transmitter is being built.

NO FILM RIVALRY

People keep inquiring how television will affect the movies and seem rather disappointed to hear that the chances are 10 to one against any sudden effect of any sort taking place. (Remember that 20 years after the motor car was invented there were still as many horses in the United States as there had been before the first man got under his car to find out why the darned thing didn't go.)

It is true that you can take any black and white film and put it in front of television scanner and transmit it with excellent results. We cannot yet satisfactorily transmit color film and the prospects of reception in color are very distant indeed. This is a fact of great importance to us because it means that when we need an outdoor scene connecting two studio sequences, we can have one made and insert it into a program as easily as a film cutter would do it with film alone. This practical possibility may lead to some interesting forms of collaboration between movies and television and if you want to look 100 years ahead, you may guess that theatres will cease to exist because every man will have a theatre in his own home. But I would not encourage that form of guesswork as a practical matter. The physical conditions of television make rivalry with film studios difficult and the financial differences make rivalry virtually impossible. I am not speaking of either the movies or television

(*Con't. on page 46, CBS—KNX Edition*)

MARY MARGARET McBRIDE

CBS Columnist of the Air

for

General Foods

Minute Tapioca—LaFrance—Satina

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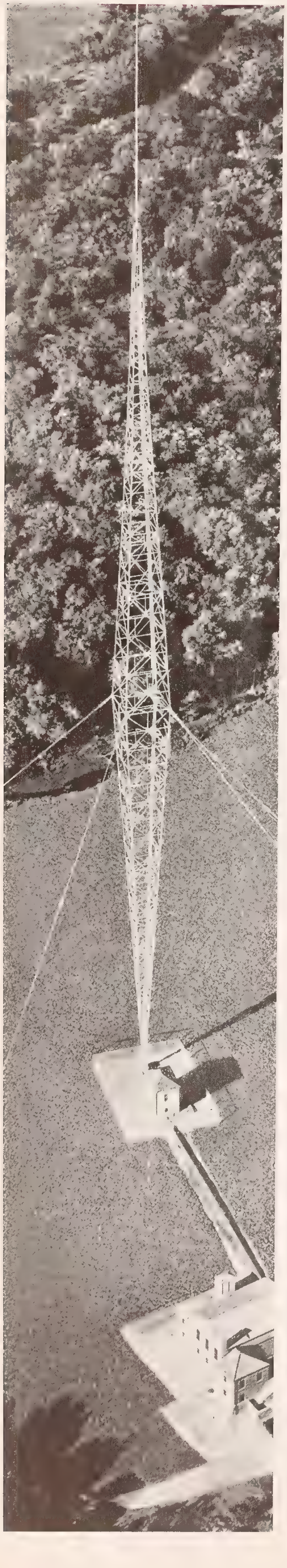


FOCUSING THE SPOTLIGHT ON THE RADIO ENGINEERS

To keep the ether steadily bombarded with radio impulses 16 hours a day without interruption is a seeming miracle. The miracle is accomplished by the engineers

▣ Sixteen hours every day, anyone, anywhere in the United States, can sit down and enjoy a CBS broadcast. The engineering facilities which make possible this seeming miracle comprise the largest radio network in the world—113 stations joined together for better service to America and serving both Europe and South America through the powerful, international short-wave transmitter, W2XE.

Responsible for the perfect functioning of this vast communications organism is the CBS general engineering department operating under the direction of E. K. Cohan and A. B. Chamberlain.

The department falls into five divisions, charged respectively with the audio, radio, short-wave, station construction, and network operations aspects of broadcast engineering.

It is the department's collective duty to keep the ether steadily bombarded with a vast army of radio impulses, traveling 186,000 miles per second and succeeding one another at the rate of from 550,000 to 1,600,000 cycles per second.

To accomplish this, day in, day out, without a second's interruption. is one of the most complex and far-reaching tasks ever undertaken by any body of engineers. In terms of concrete activity, it means that CBS directly supervises the manifold engineering activities of the nine stations directly owned and operated by Columbia; renders a consulting service to the remaining 104 broadcast stations in the chain; operates international short-wave station W2XE on a daily program schedule to Europe and South America; supervises the operation of some two dozen short-wave and experimental transmitters throughout the country, and carries on un-remitting laboratory research to improve broadcast equipment and operating efficiency.

In addition, Columbia's engineering executives take an active part in co-operative efforts of broadcasters within the country and among the leading nations of the world.

The design, testing and installation of the audio equipment for the new Columbia-KNX broadcast center in Hollywood is one of the outstanding studio projects recently completed by CBS engineers.

Others are new audio facilities at the studios of WBBM, Chicago; WKRC, Cincinnati; KSFO, San Francisco; WCCO, Minneapolis; WJSV, Washington, and KMOX, St. Louis.

Some idea of the complexity of these installations may be gained from statistics on the new Hollywood projects. For the seven studios and radio auditorium, there are 50 microphones, 100 amplifiers, 250,000 feet of connecting wires and cables, over 1,000 tubes, indicating lights, and relays.

Activity in transmitting plant co
struction has reached a new pe
with work going on apace at
Angeles for the relocation a
stallation of a new 50,000-watt
plant, including a 490-foot vertic
antenna.

Transmitter installations recent
completed include 5,000-watt plan
at WEEI, Boston; WKRC, Ci
cinnati, and KSFO, San Francisc
the first two of which are equipp
with 2-element, directional antenna

Preliminary steps have been tak
looking toward the installation
new 50,000-watt transmitting plan
at KRLD, Dallas, and WJS
Washington, both projects includi
2-element directional antennas.

Columbia's laboratory experime
tation keeps pace with its constru
tion and improvement program, f
in building for the future, present i
stallations must be brought to a sta
of perfection which cannot be su
passed for many years.

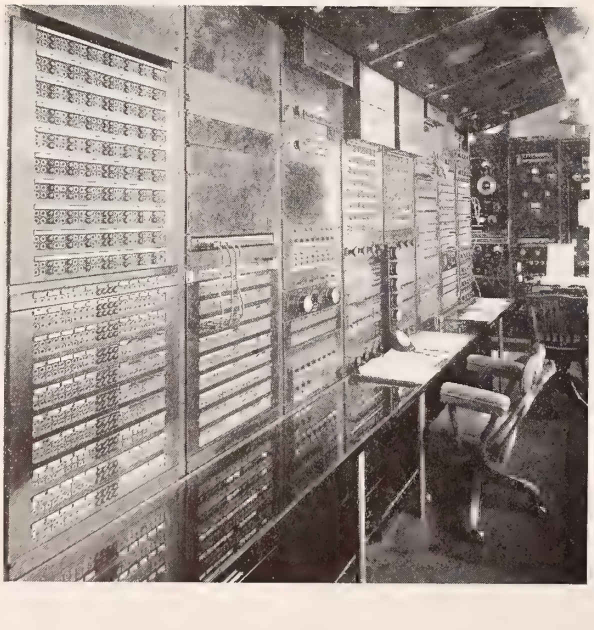
To formulate and test new pri
ciples in studio acoustics and desig
Columbia's engineering departme
erected "Studio X" in the huge bal
room of New York's Liederkra
Hall. Here, technicians worke
daily for a year to draw up fin
control-rooms and studio specific
tions for the new Hollywood struc
ure. Notable among the new de
signs tested at Studio X were slan
ing walls for acoustical purposes an
an elevated type of control-roon
bayed out into the studio behin
shadowless, sound-insulated glas
windows.

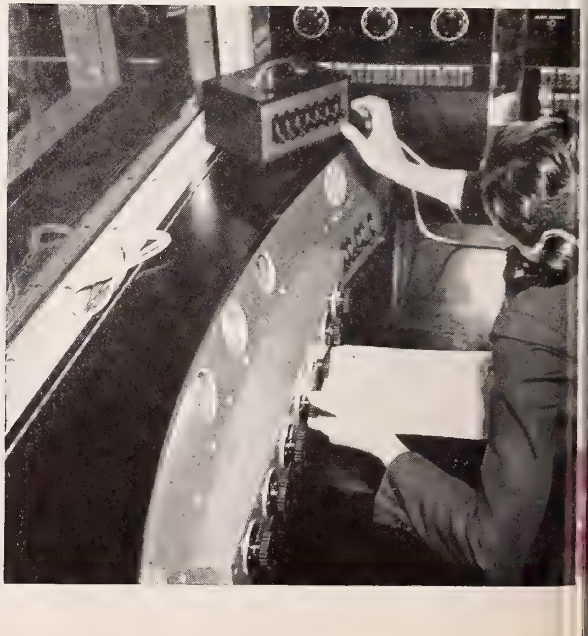
Unremitting laboratory researc
under the direction of Howard A
Chinn has produced results in th
form of a constant succession of ne
devices for smoothing the path c
efficient radio operation.

Notable among these has been

(Con't. on page 46, CBS-KNX Edition

WABC's vertical radiator antenna, standing 625 feet high and located in Wayne, New Jersey, is pictured at left. Center, is the master control panel, through which all programs to the network are routed. A studio control console at the CBS studios in New York is at right. The small portable device is a special electrical sound and sound effects filter





HILLTOP HOUSE

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featuring

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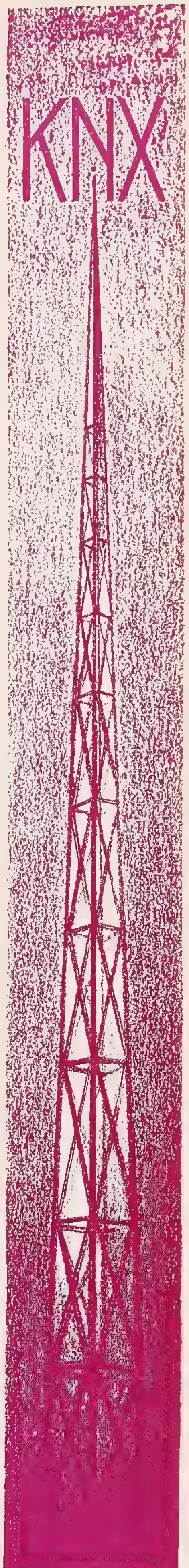
John Moore ~ David Barton
Jay Jostyn ~ Mister Klabber
Janice Gilbert ~ Jean
Jimmy Donnelly ~ Jerry
Geegee James ~ Tulip
Natasha Lewis ~ Mrs. Rodnick

tory by ADDY RICHTON / LYNN STONE } ADELAIDE MARSTONE

Directed by Carlo De Angelo

n ED WOLF *Production* • *Presented by* BENTON & BOWLES, Inc.

LUMBIA BROADCASTING SYSTEM AT 'COLUMBIA SQUARE' HOLLYWOOD



CBS

CBS INGENUITY SOLVES STUDIO PROBLEM

Lacking a centre such as Radio City to house the studio audience, CBS engineers convert three tenantless theatres in New York and two in Hollywood

▣ Fears of modern engineering ingenuity have been accomplished by CBS technicians in turning three New York and two Hollywood theaters into the Radio Playhouses used by Columbia for audience broadcasts.

Control rooms were carefully constructed where boxes had been before. Special listening rooms where the programs could be seen through glass windows and also heard just as they were going out over the air, were specially built—at the side of the stage if possible, or in the rear of the house as was necessary at Playhouse Number One, the former Golden Theater.

All three of the New York Playhouses—the former Golden, the Avon, and the Hammerstein—were chosen because of their excellent acoustical properties.

Acoustical excellence in a theatre is not judged by any haphazard method. For two days staff engineers are assigned to the prospective Playhouses to make tests.

Two or three engineers, armed with equipment, spend hours in the auditorium, checking on sound reverberation. They determine, by instruments, what the echo is likely to be. They listen, record, chart, and diagram.

One of the most difficult theaters to treat was the Hammerstein. A subway runs underground, elevated trains roar past the stage door, and there is an electric power plant nearby. All of these noises had to be eliminated in order to use the building for radio broadcasting.

They literally created a "floating" radio studio at the Hammerstein.

Under the original flooring they placed a layer of felt, a layer or wooden beams, another layer of felt and another layer of beams. The crevices were filled with rock wool. Next came a layer of asbestos, a wood floor, a third layer of felt and a final cover of linoleum. By this elaborate treatment, the stage was made completely free of vibration.

The wall next to the elevated was lined with pressed rock wool to offset the roar of the trains.

To combat the vibration and noise from the subway and the neighboring power plant, the beams upon which the interior of the house are built were rested on blocks of cork.

And to make completely sure that no outside noise could creep in, all exits were given double lead-lined rubbed sealed doors, known technically as "sound locks."

Huge modernistic baffleboards have been built over the stage to prevent any audible "kick back" into the microphones of noises from the auditorium.

About the only thing left intact were the seats and the high Moorish ceiling.

In the Hollywood playhouses, many of the same technical developments have been used. In the Music Box, on Hollywood Boulevard near Vine Street, the control room has been built seven feet above the stage to give increased visibility to the directors of the Radio Theater of the Air who use the Music Box every Monday night.

Columbia owns the CBS Radio Playhouse on Vine Street, from which Joe Penner, Edward A. Robinson, Al Jolson, and the Hollywood Hotel cast broadcast.

Sometimes supplementary playhouses are used—the Wilshire-Ebell on the Coast, for instance. And, in New York, the New Amsterdam, the Apollo, and the auditorium of the Barbizon Plaza Hotel.

A good-sized staff is necessary to operate these elaborate radio playhouses.

In Hollywood theatre operations are in the hands of George McCaughna. In New York, George Lehman has charge of all studios outside the CBS building. Lehman has three house managers—Thomas Malone in Number One, Jack Paige in Number Two, and John Wallam in Number Three.

Jack Page came to the managerial position from the regular CBS maintenance staff. John Wallam had a long background of managing legitimate theaters, for the Selywns, among others.

Besides the manager, each playhouse staff includes the following: three stage hands (a prop man, an electrician, and a carpenter), a stationary engineer and fireman, a page boy who acts as stage door man, and nine or ten additional pages to usher at the actual program.

Lehman has a list of about 36 college students on whom he calls for broadcast ushering. There are also two regular Playhous porters to each house, and a matron.

Lehman himself is a graduate architect who was in charge of construction at CBS before he took over the theater operations.

Lehman has found that managing a network of theaters brings up many problems that wouldn't occur to an architect right off.

Sometimes there will be two shows in one playhouse, each of them using a different stage set, on the same day. This means seeing that the stage hands understand which set belongs where and getting it up in plenty of time, without interfering with the program's orchestra or cast.

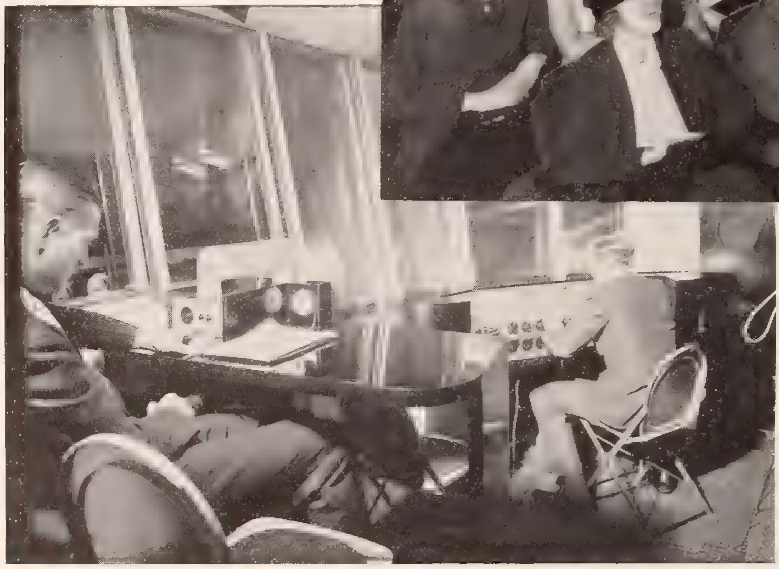
The radio playhouse idea grew o of two main considerations.

Columbia received many request from listeners who were much i terested in seeing a broadcast tak place. Before the setting up of th playhouses, these requests were im possible to take care of because mos studios were not big enough to han dle a large audience.

Then, too, many radio stars wer used to an audience. They foun it more stimulating to work in th presence of a number of peopl Comedians like Eddie Cantor, Be Bernie, Phil Baker, Joe Penner, A Jolson all say it's easier to get you stuff over when you can gauge i effect on an audience.

Today, many of the radio pro grams give performances for tw audiences. They have a pre-view the actual broadcast for an aud ence, and make extensive changes i their program on the basis of ho the pre-view audience has reacte

This, they feel, gives them a bett opportunity of sending out over th air a program that has been teste on real people.



The above vista of laughing faces was caught by the cameraman from the stage of the Hammerstein Theatre, now Playhouse No. 3, during a broadcast. One of the most difficult theatres to treat was the Hammerstein. A subway runs underground it, and elevated trains roll past its doors. To eliminate these noises the engineers literally created a "floating" studio. Shown at left is a control room.

THE O'NEILLS

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Story by

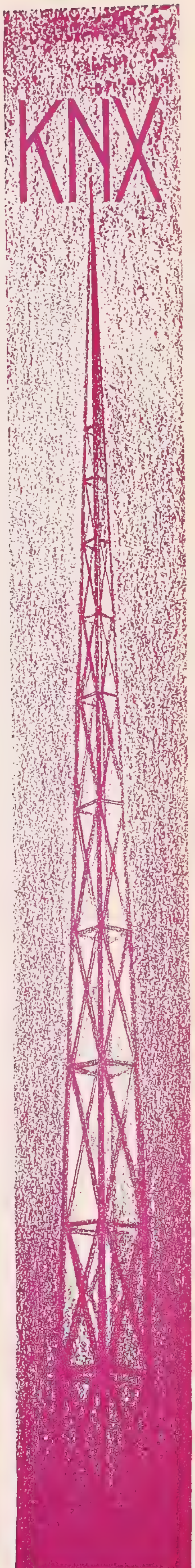
JANE WEST

featuring

Kate McComb	Mother O'Neill
Jimmy Tansey	Danny O'Neill
Vi Dunn	Peggy O'Neill Kayden
Chester Stratton	Monte Kayden
Jane West	Mrs. Bailey
Jack Rubin	Morris Levy
Janice Gilbert	Janice Collins
Jimmy Donnelly	Eddie Collins

Directed by Carlo De Angelo

An ED WOLF *Production* • *Presented by* COMPTON ADVERTISING AGENCY



CBS

COLUMBIA BROADCASTING SYSTEM AT 'COLUMBIA SQUARE' HOLLYWOOD

KNX AT COLUMBIA SQUARE HAS SUPERLATIVE NEW HOME

First major construction in the land of motion pictures ordains radio the brother of the cinema in the entertainment world

By VANCE KING

Columbia has built for the present—and the future—of Hollywood as a point of emanation of transcontinental radio programs.

From the 100 foot square copper matting imbedded far underground to the penthouse gymnasium on the fifth floor of the main structure, the group of buildings at Columbia Square is as modern as tonight's "bulldog" edition of tomorrow's newspaper.

Yet they were planned for the future, as was the entire layout of Columbia Square.

The present group of buildings occupies only a portion of the tract of ground, but the foundations have been so strengthened as to permit the addition of other structures as time and necessity may demand.

Equipment of the most modern type—$750,000 worth, in fact—has been installed, but room has been left for short wave and television experiments.

A little more than a year ago, ground was broken by Columbia Broadcasting System for the new building. It signalized the first major network construction program in Hollywood, thereby unofficially ordaining the community long upheld as the land of motion pictures as one of the most important centers in radio broadcasting—brother of the cinema in the entertainment world.

The principal building is a five-story structure at Sunset Boulevard and El Centro Street which houses seven studios, two audition rooms, and many offices. Set back the width of it, in the center of the tract, is a theatre seating 1050 persons, with a balcony. On the Gower Street corner is a two story building which will house offices of the Columbia Concerts Corp. and Columbia Artists, Inc., and, on the ground floor, a branch of the Bank of America, and the Radio Center restaurant.

First step in the construction was the burying of a 100 foot square copper matting to serve as an electrical ground. In the basement above that, space was set aside for the power and heating equipment and maintenance work and storage rooms.

The entire set of buildings is built of reinforced concrete insulated against shock, sound-proofed, and air-conditioned, utilizing the latest methods devised by expert technicians and consulting engineers.

Most modern, too, is the use of a color scheme planned to avoid unconscious loss of nervous energy, under a theory once laughed at but now recognized by industry as an axiom of employe comfort and efficiency values. Even the furniture is is sympathy with the general color scheme, in which grays, blues, and yellows predominate.

Approach to the main entrance of Columbia Square is via a walk and driveway through a patio already abloom with flowers and shrubs. After passing through one of the many glass doors, the visitor can see the glass-enclosed master control room, with its plugs, lights, switches, wire, dials, and interstudio communications system.

The control room, located on the ground level, is visible from the patio and the street sidewalk.

An information booth and public telephones are near the two elevator doors on the first floor, and reception rooms for the four studios, as well as dressing rooms for performers, are also on the ground level. So is a radio equipment workshop at the rear of the building.

Two of the studios in the main building are two stories high. These will seat 250 spectators on the same level with the entertainers. The second floor allows windowed rooms for sponsors to watch the broadcast in progress beneath them.

Three smaller studios are on the second floor, adjoined by offices.

The largest of the broadcast theatres has its entrances on the ground level to the right of the master control room. The entire ground floor of the auditorium is covered with rose-peach carpet on which are placed 610 orchestra chairs, wider and deeper than usual seats and with longer arm rests. In the balcony, which extends quite close to the stage, 308 similar chairs are in rows between carpeted aisles.

THE STAGE

The stage opening is 50 feet wide by 27 feet high, draped by a grey curtain upon which blue letters spell CBS and KNX. Noticeable is the absence of footlights, which eliminates the difficulty some actors have in reading their scripts in the glare of the light shining upward. Besides standard lights in the wings, the set is lit by three overhead borders, the one nearest the audience being also equipped with spotlights for principals in each radio company as well as a series of white, amber, red, and blue lights which are controlled on a separate electrical circuit. Spotlights over the two booths—one on each side of the stage and above portions of the audience—provide additional illumination.

The booth on the left hand side is used by technicians operating controls of the broadcasting apparatus and the booth on the right is intended for sponsors.

Each booth is glass enclosed, with the glass set at an angle from the perpendicular so as to prevent distracting reflection of light and to eliminate possible sound distortion as well. Each window consists of two panes a few inches apart so that the space between them can serve as sound insulation and the double glass is joined without mouldings to interrupt vision.

All lights are controlled from a switch room on a backstage mezzanine.

On the floor of the stage are placed the microphone outlets. Connections are available for 10 microphones, a number far in excess of any normal quantity required to broadcast a show.

At the rear of the ground floor, a narrow window, at eye height, permits late comers to watch proceedings on the stage without disturbing the audience or performers bv entering the theatre. The glass is double with sound insulating air space between. Overhead are loud speakers.

The standing room is in itself a sound lock. A wall separates this narrow space from the general foyer of the theatre, making it possible to admit the tardy to rear seats without admitting street noises to the theatre studio.

On the fifth floor are the offices of Donald Wayne Thornburgh, CBS vice president in charge of Pacific Coast operations, and those of his assistant, John Mather Dolph, reception rooms and two audition rooms.

Atop this floor is the penthouse gymnasium, to be in charge of Dick Kline, former Paramount studio physical conditioner, who will eliminate jaded executive paunches, stenographers' flattened hips, and publicity men's "morning afters." Rowing machines, stationary bicycles, exercising devices, rubbing tables, table tennis, and showers are included among the equipment. A space has been set aside for sun bathing.

In the basement is a curious room "full of nothing." It is called a reverberation chamber, to be used exclusively for creating echo effects. When a script calls for a speaker to address a crowd in a large auditorium, his voice will be reproduced in the chamber and picked up again by a microphone there. On the air, the hollow tones suggest vast space.

William Lescaze, one of the most distinguished of contemporary architects, designed the Hollywood buildings, incorporating in them may advanced ideas. First to introduce from Europe the use of glass brick in American building, Lescaze has made the east wall of the five-story building bright with lateral continuous windows. All offices have horizontal windows.

Walls of all studios are "floating." That is to say the walls are not attached rigidly to the floor and ceiling of the building. In this way jolting of street traffic will not set up wall vibrations to affect the sound of programs being broadcast from the studios.

Calling in Dr. Vern O. Knudsen, professor of acoustical engineering at the University of California at Los Ageles, as consultant for the project, Lescaze made a startling innovation. None of the walls of any studio are parellel with the opposite wall. Even the window of the monitor room is set at a single angle. Sound reflected from any of these surfaces is thereby diverted away from the mircophone and interfering echoes are eliminated. Sound proofing material of the newest design also is used throughout each studio.

The walls slant inward from floor to ceiling. The angle at which they are slanted is scientifically determined to neutralize "flutter," even that attendant upon sudden, loud noises.

ACCOUSTICS

The studios are built with "live" ends, where sound is reflected, and "dead" ends, where much of the sound is absorbed. Sound absorbent curtains are arranged at the live ends to permit easy modification of the studio's acoustical properties in accordance with program requirements.

Studio walls and floors are double, the outer surface being "floated" on the inner. In some instances walls are built of glass brick, each unit of which contains a vacuum pocket to deaden all noises and vibration. The glass brick walls also serve the added function of admitting a soft, even light.

In the lighting, the studios have been designed to save the eye from the strain of constant re-adjustment over the wide range of light intensities characterizing ordinary illumination. Indirect light sources are built into the walls and ceilings to produce an even, shadowless distribution of illumination.

The color scheme has been figured scientifically. Pale hues take away the sense of a closed in, windowless space; while the use of two or more colors for the wall of the same studio gives a feeling of greater space. Lightest colors are used where the most reflection is required.

The huge air conditioning machines needed for their extensive job are on the third floor, which is otherwise devoted to additional office space. Sharing the fourth floor are the sales force and the CBS photographic gallery and portrait studio.

In use now and perhaps years ahead of general architectural developments are the buildings and equipment of CBS's new Hollywood buildings.

When changes do come, Columbia is prepared.

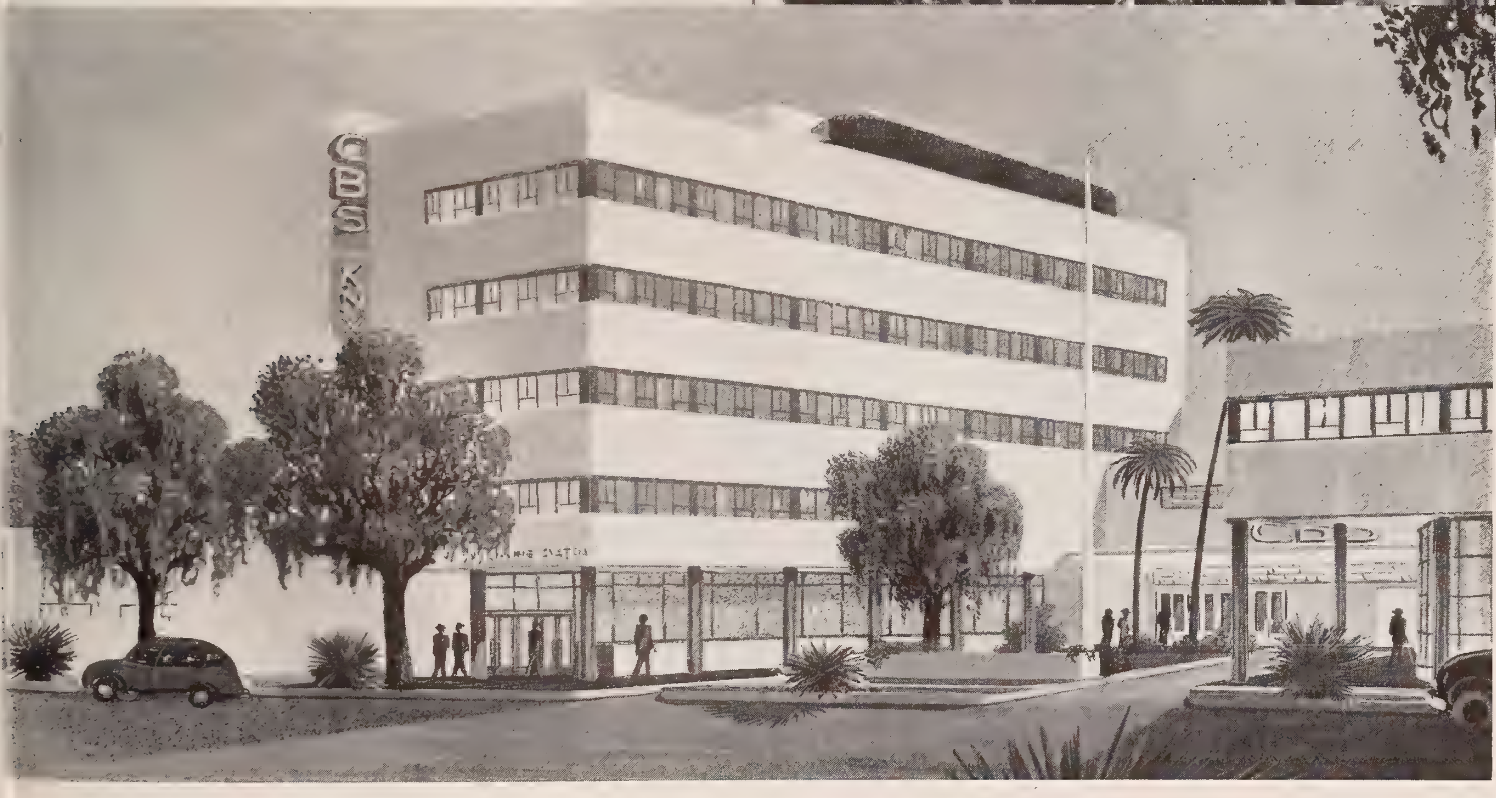
There still remains a huge portion of ground, now used as a parking lot for CBS employes and visitors, on which new structures can be built.

THE CAMERA SCANS A NEW RADIO CENTER

THE MASTER CONTROL

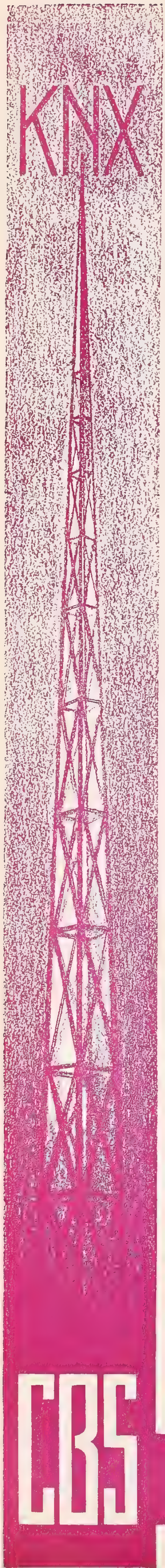
THE SHOW STUDIO

STUDIO CONTROL ROOM



AT SUNSET BOULEVARD AND EL CENTRO STREET, HOLLYWOOD, THE CBS—KNX BUILDINGS

COLUMBIA BROADCASTING SYSTEM
uses *CORNELL - DUBILIER CAPACITORS*
in its far - flung networks!



When the layman thinks of radio, he thinks of personalities—famous names. But ask the broadcast engineer, who the REAL performers are.

He'll give you great names, but not of entertainers. He'll mention names like Cornell-Dubilier. He'll talk of the solid, in-built dependability of C-D's. And should you ask him, "Why always Cornell-Dubilier condensers?", he'll tell you that in radio there is no substitute for a reputation built on engineering experience.

When radio men specify C-D's you know they are thinking of the twenty-eight years Cornell-Dubilier has devoted exclusively to the building of condensers and of the world-wide reputation those years have won for the product behind the C-D emblem.

. . . take Dykanol Transmitting Capacitors for instance: impregnated and filled with non-inflammable Dykanol, these capacitors are available in a complete capacity range from 600 to 100,000 volts. . . . C-D heavy duty mica capacitors are scientifically designed to operate under conditions of full load duty, abnormal temperatures and high voltages. For complete listing of C-D Capacitors, send for catalog No. 150.

WORLD'S LARGEST & OLDEST EXCLUSIVE MANUFACTURER OF CAPACITORS
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CORNELL-DUBILIER
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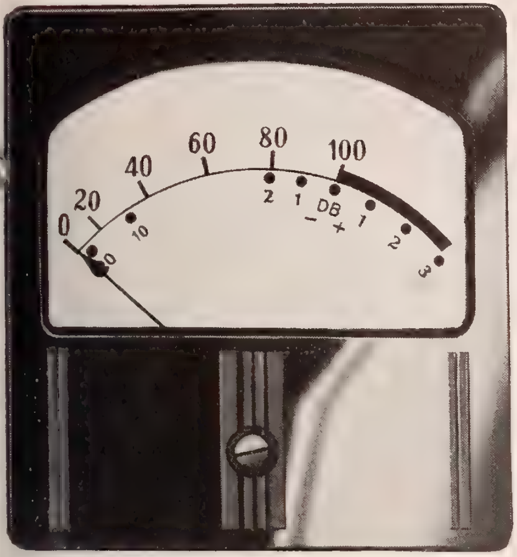
COLUMBIA BROADCASTING SYSTEM AT 'COLUMBIA SQUARE' HOLLYWOOD

Monitored by WESTON



WESTON
Instruments

. . . instruments engineered to the job guard volume level at KNX

Volume Level Indicators in the new Hollywood Studio of C.B.S. have been specially designed by WESTON engineers working in collaboration with Columbia's technical staff.

Precise monitoring of programs is a vital element in assuring a high standard of signal quality, and these specially-designed WESTONS go a long way to aid the monitoring operator at this critical point. The instruments have a speed of response rapid enough to show modulation peaks, but at the same time sufficiently under control to reduce fluttering to a minimum, and forestall eye-fatigue on the part of the operator.

WESTON Volume Level Indicators are available in more than a dozen standard types, with characteristics closely attuned to the needs of broadcasting and other communications work. In addition, the WESTON engineering staff has an unexcelled background of experience in meeting other instrument requirements in radio, motion picture work and allied fields. Weston Electrical Instrument Corporation, 641 Frelinghuysen Avenue, Newark, N. J.

DAVE ELMAN'S 'HOBBY LOBBY'

Will Be Back on the Air Soon . . . In the Meantime

WATCH for
"HOBBY LOBBY" syndicated news columns and strips

WATCH for
"HOBBY LOBBY" in book form

WATCH for
"HOBBY LOBBY" in Motion Pictures

WATCH for
"HOBBY LOBBY" in Stage Units

Thank you, COLUMBIA, for helping make
"HOBBY LOBBY" the outstanding new radio idea of the year

and thanks to
HEARST RADIO EDITOR'S POLL for naming it "The Outstanding Radio Program Idea of the Year."

DAVE ELMAN'S
"HOBBY LOBBY"
485 MADISON AVENUE
Musical Direction . . . **HARRY SALTER**

LEW (Dribble Puss) LEHR

◀

PICTURES

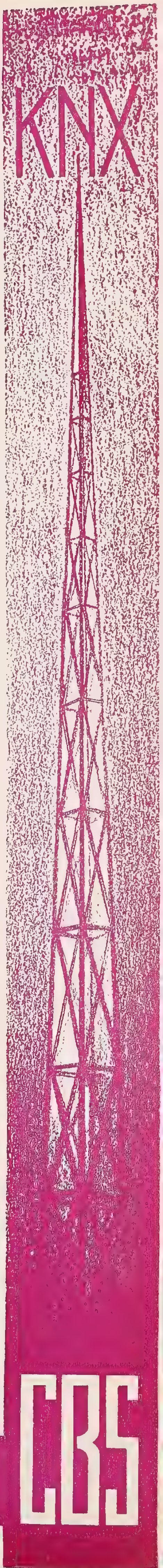
"Movietone News"

RADIO

"U. S. Rubber"

◀

"Monkeys Is the Cwaziest People"



OLUMBIA BROADCASTING SYSTEM AT 'COLUMBIA SQUARE' HOLLYWOOD

HE'LL "SELL" NEW STUDIOS

D. W. THORNBURGH, Vice-President in charge of Pacific Coast Operations

By VANCE KING

Most of Donald Wayne Thornburgh's life has been linked with salesmanship.

Now, as vice president and general manager of Columbia Broadcasting System's Pacific Coast operations, he is faced with the greatest selling task of his career.

He is going to "sell" the public a knowledge of the inside workings of broadcasting.

For the first time in the history of radio broadcasting, an effort will be made to place a comprehensive idea of the inner machinations of this portion of show business, by explaining the production of programs from idea through technical details to receiver, in the hands of the general public.

This will be done at the new $2,000,000 building housing CBS' new Hollywood home, Columbia Square, where visitors will be shown about the offices and stages, participate in a specially prepared broadcasting script and hear themselves on the microphones and on records, hear technical details explained, see and take part in sound effects demonstrations, watch the effect of their voices on an oscillograph, and generally have unveiled for them the "mysteries" of the airlanes.

"We're going to 'sell' radio to the public, and thereby create a greater bond between network and listener," Thornburgh explains.

"Radio has been too much of a mystery to listeners. They turn on their sets, hear a program, and turn them off. They know nothing, or little, of the production, the writing, the preparations, the technical details, the sound effects.

Thornburgh, who in 1930 "got into radio by accident" and in seven years was promoted to one of the highest posts in the Columbia system, goes about things directly.

"We have found by a series of experiments of our own and those conducted by guide services that the success of holding tours of any kind depends on the number of stops which permit the visitors to participate in some phase of the activities.

"Therefore we have prepared a script which the visitors will enact for their own amusement. A director in a sound booth will supervise the program. The visitors, who will be taken about in parties totalling not more than 15 in a group, will see their voices registered on the oscillograph.

"The insulation of the air conditioning ducts which lead from studio to studio will be illustrated by actual practice. In the sound effects room, another script will be enacted, with a complete demonstration of all the sound effects instruments being made.

"Then the final microphone appearances of the visitors will be recorded, and the platters given the visitors to take home."

Another innovation in radio circles will be the establishment of an information bureau on the second floor. There from eight o'clock in the morning until 10 o'clock at night will sit a staff of operators, to answer every conceivable question about radio. A huge filing system containing information of stars, producers, writers, free gift offers made on the air, down to final copies of the scripts of radio show will be kept there to aid the operators in replying to the queries.

Thornburgh disclaims personal credit for the project. In characteristic modesty he describes it as "a conglomeration of ideas of the staff which just grew into something big."

Thornburgh's entry into broadcasting came, he says, as an "accident." Identified with selling and advertising since 1915, except for a two-year period during which he served in the United States Army during the World War, Thornburgh was recommended to the officers of the old Cosmos Broadcasting Co. in Chicago in 1930 by a friend.

He took the job proferred him—a combination of selling radio time and arranging programs.

"I never had any idea of getting into radio, but this job looked interesting," he said. "The Cosmos organization was closely allied with Columbia Broadcasting in that it purchased two hours of time, and then resold it.

"Then Columbia offered me a job, and in April, 1931, I went to work for CBS."

Several years later, he became assistant manager to Leslie Atlas, western manager of Columbia, and last July was sent to California as vice president in charge of Columbia's activities on the Pacific Coast.

Now 44 years old, Thornburgh, a former captain of the field artillery of the Army, is a very quiet person whose placidness belies his forceful personality. Under his direction, the Columbia network has greatly expanded its Pacific Coast activities and the Hollywood studios have become one of the most important points in the network's structure.

But despite his many duties as Columbia's Pacific Coast head, he still remains a master salesman.

He has arranged for merchandising displays of products being advertised on CBS programs and the displays will be placed along the routes taken by visitors on the conducted tours through the studios.

SOME NOTES ON ART RUSH

By WILLIAM R. WEAVER

"Tall, dark and handsome" is Hollywood's phrase for men who look like Arthur Rush. "Big" is its word for men who do his kind of job. He is 31 and down 16 pounds, to a 170 that would do for ringside, as we meet him on his first day at work after 10 in hospital. Affairs of the Columbia Management Corp., which include the Pacific Coast affairs of some 300 artists under contract to Columbia Concerts Corp. and Columbia Artists, Inc., must have knotted at least a few minor snarls while the surgeons were having their way with the managing director, but his desk is clear and his brow's uncreased.

Art Rush is young, but not boyish. He is big, not bulky. Handling a temperamental tenor would be easier for him than most. He handled big men and little, temperamental and just plain beefy, at Bethany College in West Virginia, which he left a four letter man, to go to the University of Chicago in 1925. He learned more about all kinds of men, big and little, inside and out, at that institution's Rush School of Medicine, founded by one of his forebears and a sort of scholastic home-sweet-home to this descendant.

Radio looked good to the graduate from the day he was handed his sheepskin and strolled down the Midway to find out what the world was like down there past Lorado Taft's slightly discouraging Procession of Time. A lot of young men who became great writers had strolled down this Midway before him. Most of them—Ben Hecht, Theodore Dreiser, Carl Sandburg and such—had settled down in the neighborhood foregathering nightly in one or another of the dingey World's Fair, and launched a mail attack on the world of literature. Art Rush went to Buffalo later to Shreveport, writing, directing and producing radio shows, any kind, place or time, and all this devotion led, of all places, to a Hollywood motion picture studio—a big one—and a post in the production department thereof.

In 1934 Art Rush took charge of Victor recordings and electrical transcriptions on the Pacific Coast. Electrical transcriptions were not then a vital item in the Victor scheme of things. He made it one. Jeanette MacDonald, Nelson Eddy and a host of varied talents came under his direction, for recordings. Many or most of them are under his direction in Columbia Management Corp., which he established in September of 1937 with a staff of one secretary and operates today with an office personnel of 10. With removal of the offices from the Equitable Building at Hollywood and Vine to new and larger quarters in Columbia Square, the staff will grow some more.

Back of Art Rush's broad right shoulder as he sits at an unlittered desk two pictures challenge notice. One is an enlarged closeup of a particularly happy baby's face. That is Junior, aged 19 months. The other is of Junior's mamma, although an uninquisitive visitor might go away with the impression she is an actress. She is. She was Mary Jo Matthews before she became Mrs. Art Rush and the happy baby's mother.

The Rush family lives in Beverly Hills. He keeps that physique Bethany used to root for in track trim by golfing some and riding somewhat more. He's a Mason and something of a joiner, dividing his social activities between the Uplifters Club of Santa Monica, the Los Angeles Advertising Club and (for this is, after all, California) the Junior Chamber of Commerce.

ARTHUR RUSH, manager of Artists Bureau and Col. Concerts, Pacific Coast

Art Rush has ideas about what's to become of radio. And motion pictures. He thinks they're going to experience, whether, by plan or force of mutual interest, a gradual but impressive and ultimately congenial fusion of identity. He thinks screen talent will be used more rather than less in radio as time passes and regards the present tapering off of radio commitments as a not disproportionate manifestation of the general business trend. His brow is as uncreased, saying this, as when we came in. We leave and a blond soprano with trouble in her eye takes our chair. We don't think she'll ruffle him much.

Gustave Haenschen

Congratulations

KNX

DEL SHARBUTT

MASTER OF CEREMONIES

THE SONG SHOP

Sponsored by

THE COCA-COLA COMPANY

CBS FRIDAYS . . . 10-10:45 P.M. . . . E.S.T.

CONGRATULATIONS

Columbia Broadcasting System

TOM FIZDALE, INC.

Publicity and Radio Relations

485 Madison Avenue, New York City

Telephone: ELdorado 5-5580

CHICAGO	HOLLYWOOD	LONDON
360 N. Michigan Ave.	8532 Sunset Blvd.	102-5 Shoe Lane, EC-4
Telephone: Central 7571	Tel.: Woodbury 6-3101	Telephone: Central 4176

MYRT

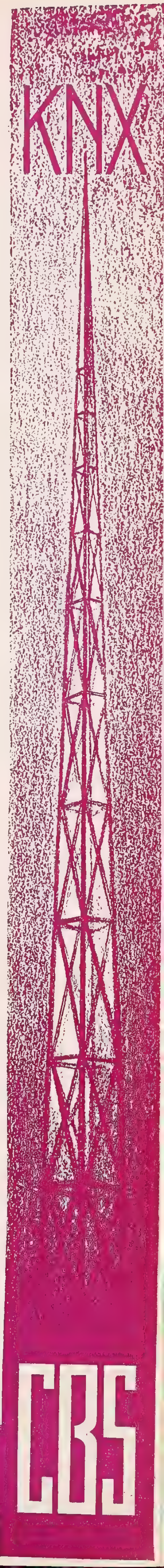
MYRTLE VAIL

and

MARGE

DONNA DAMEREL

SEVEN YEARS ON COLUMBIA BROADCASTING SYSTEM



OLUMBIA BROADCASTING SYSTEM AT 'COLUMBIA SQUARE' HOLLYWOOD

MOTION PICTURE
DAILY

CBS GROWTH

(*Con't. from page 3, CBS-KNX Edition*)

Columbia, but for the entire radio industry.

One of radio's earliest commercial successes was the "La Palina" Hour, which in 26 weeks of broadcasting on CBS increased the sale of the product from 400,000 to 600,000 units a day. The Congress Cigar Co. was owned by Samuel Paley and Paley's son, William, was the company's advertising manager.

The success of the "La Palina" hour caught the eye of Young Paley, and this interest led him to a consideration of the commercial possibilities of radio. An added reason for his interest in radio was the fact that Dr. Leon Levy, whose station WCAU had been the very first one to join the United Independent Broadcasters, Inc., had become his brother-in-law. By this time Dr. Levy had given up his dental practice to devote his full time to the now profitable business of broadcasting.

PALEY BUYS CBS

Accordingly, when Louchheim indicated his willingness to dispose of the bulk of his holdings, the Paleys, Junior and Senior, and the two Levy brothers, took them over. The price has never been divulged. In September, 1928 a short time after he acquired control, Paley was elected President of United Broadcasters. Three months later Paley made the network a definite and vigorous broadcasting and advertising factor by expanding the network to a chain of 49 stations. At the close of the year he combined United and Columbia into one corporation under the name of the Columbia Broadcasting System, and in January of 1929 he became president of the network.

A volume the size of "Gone With the Wind" could easily be filled if one wanted to do complete justice to Columbia statistically. However, a chart on page three of this section will give a clear idea of how prodigious the network's development has been.

Organizations in Affiliation with Columbia Concerts Corporation

(*Continued from page 17, CBX-KNX Edition*)

Shell Chateau, Standard Brands, Lucky Strike and Ford broadcasts. Elizabeth Wysor, who has been heard over the Columbia system and other networks, will give her third New York recital next fall.

Among the tenors, Paul Althouse, is a member of the Metropolitan Opera Association, a recitalist, and in radio. Andre Burdino, tenor of the Chicago City Opera, will share with his wife, Elen Dosia, in their initial concerts here next January. Richard Crooks, of opera, concert and radio, long associated with the Firestone Hour and other major networks programs will sing in all three of these mediums next year. In the summer of 1939 the tenor goes to Australia for his second tour there. Santo Di Primo, new young dramatic tenor, has demonstrated in his frequent appearances this season that there is a need in the American music field for his particular type of voice. Allan Jones continues his career in motion pictures and in radio. Because of his Hollywood commitments, he is available for only a limited number of concerts. Ernest McChesney has made steady progress as one of the important young tenors.

The baritone category holds five singers. Edgar Allan is now active on the Pacific Coast, where he is appearing on the radio and negotiating with motion pictures. Frederic Baer, prominent for recital and appearances in oratorio and with orchestra, has a full schedule next year, besides his duet recitals with Gunda Mordan. John Brownlee, baritone of the Metropolitan Opera Association, has signed a contract with Haensel & Jones. He will appear in recital and concert and over the air next year, as well as with the opera. Norman Cordon is one of the most promising and frequently heard of the younger Metropolitan Opera artists in recital and on the radio. Julius Huehn, heard in major roles at the Metropolitan Opera all winter and spring, goes to Europe this summer for concert engagements. Huehn has sung over the radio on the Ford Hour and other high-ranking programs.

The Haensel & Jones list of pianists holds Guiomar Novaes, Brazilian artist; Serge Prokofieff, the Russian composer-pianist-conductor, and Ezra Rachlin, young American keyboardist. Mme. Novaes' tour here this winter, which included recitals and appearances with orchestra, was over-subscribed, and so she will lengthen her stay here next season from October to December 15 and from February 15 until late in the spring. Prokofieff, now concertizing in Europe after an extensive American concert tour, returns here next February. Rachlin, who won successes abroad last fall, has followed this up with a full schedule of American appearances. The Canadian two-piano team of Malcolm and Godden are among the most popular of concert attractions in their own country and in the States.

Violinists under this management include Mischa Elman, known to music lovers the world over for his concert and radio triumphs. Elman will spend the first half of next season in Europe, and his subsequent schedule in America is a crowded one. Toscha Seidel will divide his time between the two continents, first in Europe and later in America. His radio calendar for 1937-38 included the Kraft Music Hall. Patricia Travers, phenomenal nine-year-old violinist, is soon to make her debut under special auspices.

Marcel Hubert, 'cellist, who gave a successful New York recital in Town Hall in January, will devote 1938-39 to a tour in solo programs. Hubert is known to the radio public through appearances on CBS and over WOR as soloist with Alfred Wallenstein and symphony orchestra.

TELEVISION

(*Con't. from page 34, CBS-KNX Edition*)

from the point of view of profit, but from the point of view of balance between cost and result. If you spend one hundred or one million dollars to make a movie, you can afterward make one hundred or theoretically even one million prints, and show them at any time; whereas a television program cannot be duplicate and once it is off the air, it is gon

It is clear that television will have to develop to a great extent along its own lines and its real connection with the movies is that we can learn a great deal about the art of production from the pictures and then adapt what we learn to a different medium. One thing to remember is that the movies have never stood still but have changed and progressed year after year, sometimes by gradual development and sometimes—as when sound came in—by startling and revolutionary changes. After twenty-five years of being an enthusiast about moving pictures, I see no reason to think now that they will suddenly stagnate. So that if television manages in a generation to absorb all the knowledge that the movies have now, the movies will again be working on new material, with new methods, and exploring new fields.

ENGINEERING

(*Con't. from page 36, CBS-KNX Edition*)

new type of volume indicator for more accurate monitoring of programs being transmitted; devices for readily determining transmitter performance; and a new, high-speed, semi-automatic recorder for measuring the acoustical characteristics of studios and studio equipment.

Many new designs are turned over each year to manufacturers—thus made available to the entire industry. A number of CBS-designed units are now standard equipment in all U. S. broadcast stations.

In others of Columbia's research fields, advances were made in developing new types of portable low-power relay and high-frequency broadcasting equipment.

It's the Gibson Girl Again!

FREDDA GIBSON

After only one year . . . .

LUCKY STRIKE HIT PARADE
May 1937—

NEHI ROYAL CROWN REVUE
March 1938—

LUCKY STRIKE MELODY PUZZLES
Dec. 1937—

STUDEBAKER CHAMPIONS
Feb.-May 1937—

LEITH
STEVENS

Conductor of

Saturday Night
Swing Club

FRED
FEIBEL

organist

•

Many Years of Happy
Association with

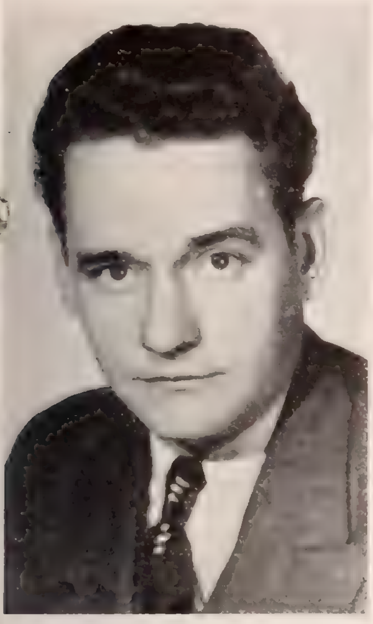
CBS

Best 73's
To CBS
ON THEIR LATEST
ACHIEVEMENT

KNX
IN HOLLYWOOD

•

SOUND REPRODUCTION
CORPORATION
SEVENTEEN WEST FORTY-SIX
NEW YORK CITY



JIMMY TANSEY

C B S

FOUR YEARS
as
DANNY O'NEILL
of
THE O'NEILL'S
Management: ED WOLF

HOWARD PHILLIPS

RECORDERS OF

90%

of
Columbia Broadcasting
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(Lyn Murray's Musical Gazette)
Monday . . . . . . **3:45 P.M.**

BRUNSWICK RECORDINGS

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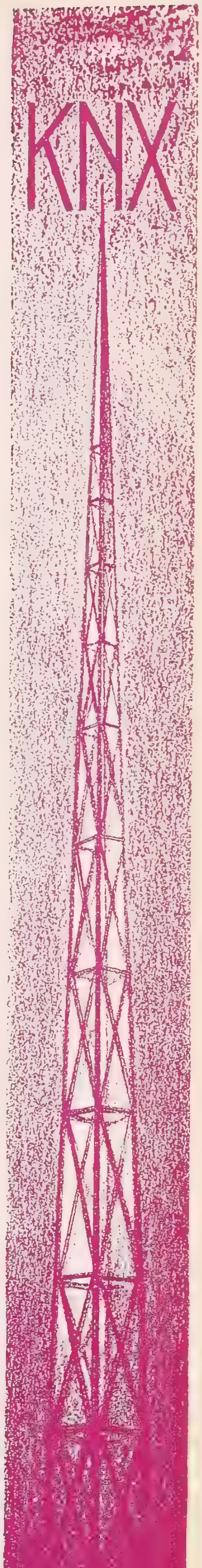

CBS

NBC

Salutes

CBS

for its newest achievement in Hollywood

Once again, fast growing radio, mindful of its obligation to listeners, steps up facilities so that those listeners may at once discover every added joy that new advances in the scientific branches of broadcasting offer.

NBC, busy in the work of building its new Hollywood Radio City, pauses to congratulate CBS on the opening of its new Hollywood headquarters.

NATIONAL BROADCASTING COMPANY
A SERVICE OF RADIO CORPORATION OF AMERICA

Around the Country

Albany

Lithgow Osborne, Commissioner of Conservation, is making a series of talks over WGY, Schenectady, on state-paid program entitled "New York State the Beautiful." Program comes under publicizing the state. . . . Sherb Herrick and Grenfell Rand are sharing the mike for Albany Eastern League Club broadcasts. . . . Wheaties have the road games and Atlantic Refining the home contests. . . . Tydol has renewed Sportcaster Leo Bolley's three-a-week programs over WGY for another year effective May 13, despite the fact that he follows the Chesterfield program directly it closes. . . . Professor Granville Hicks, heard under sponsorship of the Communist Party Sundays over WABY, has toned down his program since elevation to a "fellowship" at Harvard. . . Bill Slocum, former New York sports writer now associated with Wheaties, due in Albany within a few days. . . . Slocum is listening to the various Wheaties aircasters and his wide knowledge of baseball is expected to prove valuable to his firm. . . Rexall Music Hour will be heard over WOKO. . . . WOKO and WABY will again stagger the baseball game schedule according to air commitments. . . . General Manager Harold E. Smith of WOKO due back from Florida next month.

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Chicago

Daylight time makes it possible for WJJD to be on the air two hours more each day . . . Harvey Hays is the newest addition to the cast of "Don Winslow of the Navy." . . . Robert Shoverock, Fred Haake, Willis Ware and Ernest Graham are the latest additions to the engineering staff at WJJD. . . . Truman Bradley is getting plenty of baseball knowledge in a hurry. He took over for Pat Flanagan at WBBM on a few hours' notice and broadcast baseball for the first time last week.

WIND has Ted Weems, Freddy Martin and Henry Busse scheduled for Saturday night dance broadcasts every week. . . . J. Oren Weaver is on a speaking tour. His topic is "Radio, the Press and Free Speech" Weaver, WBBM news editor, will speak at Northwestern University of Illinois and other colleges throughout this territory.

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Lincoln

John Conrad, formerly a radio free-lance dramatic performer in St. Louis, has joined KFAB-KFOR as an announcer. He takes the place of Cliff Connway, who resigned to take a selling job . . . Lucy Hughes has joined KFOR with a children's program called "Toyshop Lady" . . . Art Carnebey, Dave Haun and Irma Perry have formed a new KFOR musical unit and they call themselves "The Gypsy Singers" . . . Ed Cunliff, Lincoln manager of the Central States Broadcasting Co., has issued instructions to the KFAB-KFOR publicity department to locate all the station personalities who can swing a ball bat. He wants them to play softball as a promotional idea . . . Jack Hanssen took the "Mr. Yes and No" man-on-the-street variation off KFOR. . . . John Edwards, KFAB-KFOR newscaster, had his first play, "Hades Ladies," produced by the University of Nebraska all-male Kosmet Club.

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Oklahoma City

Lester Tucker, WKY engineer, has been ill with the flu. . . . Tom McGinnis, who plays Sargeant O'Leary on the WBW, Topeka, Kan., "Crime Patrol" serial visited George Hamaker, continuity writer at WKY last week. Hamaker has been the author of the "Crime Patrol" serial for the past six years. . . . M. H. Bonebrake, WKY advertising manager, was in Wichita last week on business. . . . Edgar T. Bell, president of WKY, has just returned with Mrs. Bell from a two-week vacation trip on the coast. . . . Terry O'Sullivan, WKY newscaster has swapped places with Ben Bezoff of the announcing staff. Bezoff will handle newscasts in the future. . . . George Hamaker has written a new song, "Blue Blonde," with Morris Stock co-authoring. . . . "Terry and the Pirates," a disc show, will be sponsored 100 times, three times a week, by the Oklahoma Co-Operative Milk Distributors Association and the South Side Dairy, with commercials plugging their milk chocolate, on KTOK.

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Pittsburgh

The Dot-Pat-Bernie Armstrong show on KDKA every Sunday morning has been renewed for 13 additional weeks. . . . Stephanie Diamond of the WCAE dramatic staff has been invited to New York by an M-G-M scout for a screen test. He saw her in the current musical, "Hold Your Hats," at the Pittsburgh Playhouse. . . . Leonard Kapner, manager of WCAE, has been named to the World's Fair advisory committee on radio. . . . KQV carried George Seibel's interview with Hardie Albright from WMCA in New York. . . . Herman Middleman's band has returned to its KDKA-NBC spots from the Nixon cafe. . . . Announcers Johnny Davis, WWSW, and Carl Dozer, WCAE, are both preparing for June weddings. . . . William Bickel, pianist with Baron Elliott's band, has just announced his marriage to Irene Lazarus. . . . Jack Craddock, former sportscaster at WWSW, is now assisting Rosey Rowswell in his broadcasts of the Pirates baseball games over KDKA-WWSW.

Too Many Seniors

Lincoln, May 1.—Mention of the word "senior" almost drives KFAB's chief announcer, Chuck Miller, out of his mind.

The reason is that he's interviewed 900 so far this spring from 40 high schools while in Lincoln on their annual senior sneak days. It's a station good will idea.

KVSO Sales Jump 100%

OKLAHOMA CITY, May 1.—KVSO, Ardmore, Okla., has shown a 100 per cent increase in local time sales as of April 29 compared with local time sales as of January 1, 1938, says James Griffith, station manager.

May and June Hearings Are Set by F.C.C.

WASHINGTON, May 1.—The Federal Communications Commission has tentatively assigned dates for hearings during May and June on a number of broadcasting applications, as follows:

May 12, before the commission: Applications of Sherman V. Coultas, Milton Edge & Hobart Stephenson for a new 1,310-kilocycle, 100-watt station at Jacksonville, Ill.; Y. W. Scarborough & J. W. Orvin, for a 1,210-kilocycle station at Charleston, S. C., with 100 watts night, 250 watts day; Piedmont Broadcasting Corp., for a 1,500-kilocycle station at Salisbury, N. C., with 100 watts night, 250 watts day, and WDNC, Durham, N. C., for change of frequency from 1,500 to 600 kilocycles and increase of power from 100 to 1,000 watts.

May 16, before an examiner: Application of WFIL, Philadelphia, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day.

General Electric Plea Up

May 26, before an examiner: Applications of General Electric Co. for television stations at Albany and Schenectady, N. Y., and Bridgeport,

May 27, before an examiner: Application of KTEM, Temple, Tex., for increase of time from day to unlimited with 100 watts night, 250 watts day.

June 2, before the commission: Applications of The Birmingham News Co. for a 590-kilocycle, 1,000-watt station at Birmingham, and KTSM, El Paso, for change of frequency from 1,310 to 1,350 kilocycles and increase of power from 100 watts night, 250 watts day to 500 watts.

Seek Missouri Station

June 3, before an examiner: Application of Charles Porter & Edward T. Eversole for a 1,420-kilocycle, 100-watt daytime station at Festus, Mo.

June 8, before an examiner: Applications of Sentinel Broadcasting Corp. for a 620-kilocycle, 1,000-watt station at Salina, N. Y.; Eugene DeBogory for a 1,500-kilocycle, 100-watt daytime station at Dallas: WOC, Davenport, Ia., for change of frequency from 1,370 to 1,390 kilocycles and increase of power from 100 watts night, 250 watts day, to 250 watts night, 1,000 watts day, and WQDM, St. Albans, Vt., for increase of time.

June 13, before an examiner: Applications of KYW, Philadelphia, for increase of power from 10,000 to 50,000 watts, and WCAZ, Carthage, Ill., for increase of day power from 100 to 250 watts.

June 14, before an examiner: Applications of WCBA, Allentown, Pa., for increase of power from 500 to 1,000 watts; WSAN, Allentown, Pa., for increase of power from 500 to 1,000 watts; KNEL, Brady, Tex., for change of frequency from 1,500 to 1,340 kilocycles; WHP, Harrisburg, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day, and WRTD, Richmond, for change of frequency from 1,500 to 590 kilocycles and increase of power from 100 to 500 watts.

FCC Widens Scope Of Power Hearings

WASHINGTON, May 1.—In suspending the hearing on rules governing the possible increase in the present power maximum for clear-channel stations, the Federal Communications Commission has broadened the scope of the hearing to include all of the new regulations which have been drafted for broadcasting stations relative to power in excess of 50,000 watts.

The Commission's action was taken as a result of petitions of NBC, General Electric and a number of clear-channel stations for delay in the hearings to give them time to correlate information which they will present.

"The action is intended to conserve expense and time on the part of both applicants and other participants interested in the question of powers in excess of 50 kilowatts, as well as to facilitate progress in the industry as a whole," it was explained. "Inasmuch as practically all stations are interested in the question of 500 kilowatts as well as in new regulations, and inasmuch as many issues of an economic character are inherent in both the new regulations as well as in the question of power in excess of 50 kilowatts, the Commission felt that unnecessary effort on the part of all concerned could be avoided by adoption of the course it has taken."

FCC Sets Week's Hearings

WASHINGTON, May 1.—The Federal Communications Commission has disclosed its calendar of broadcasting hearings for the current week as follows:

May 3, before an examiner: Applications of Nathan Frank for a 1,500-kilocycle, 100-watt station at New Bern, N. C., and Greenville Broadcasting Co. for a 1,500-kilocycle, 250-watt daytime station at Greenville, N. C.

May 4, before an examiner: Application of United States Broadcasting Co. for a 1,310-kilocycle, 100-watt station at Washington.

May 5, before the commission: Applications of Floyd A. Parton for a 1,170-kilocycle, 250-watt daytime station at San Jose, Cal.; WMFR, High Point, N. C., for increase of time from day to unlimited; Madison Broadcasting Co. for a 1,450-kilocycle, 250-watt station at Madison, and KWOS, Jefferson City, Mo., for increase of time from day to unlimited and increase of day power from 100 to 250 watts.

Axton-Fisher Deal Closed on WHN Spot

Axton-Fisher Tobacco Co. has entered into a contract with WHN for Spud cigarettes for eight weeks to participate in Sam Taylor's "Sound Stage." The Lawrence Gumbiner agency handles the deal.

Willis-Lane Studios have signed with WHN for 39 weeks, starting Aug. 21. The program, consisting of a weekly children's show, was placed by the Midtown agency.

Rites for Galvin Held

CINCINNATI, May 1.—The funeral of Wesbery Galvin, nephew of L. B. Wilson, president of WCKY, was held here yesterday. Galvin was an engineer-operator at the station and associates on the station staff were pallbearers.

"Test Pilot" $23,000 Smash Hit at Frisco

San Francisco, May 1. — "Test Pilot" soared to a huge $23,000 at the Warfield, passing par by $10,000, in a week when the average for first runs dropped generally to a new spring low.

"Adventures of Tow Sawyer" held up to $8,000 in its second week at the United Artists. This was $1,000 over par. "Her Jungle Love," with "Penrod and His Brother," at the Paramount, took $13,000.

Total first run business was $81,800. Average is $87,800.

Estimated takings:

Week Ending April 26:

"JOY OF LIVING" (RKO)
GOLDEN GATE—(2,850), 35c-40c-55c, 7 days, 2nd week. Stage: vaudeville. **Gross:** $12,500. (Average, $16,000)

"I MET MY LOVE AGAIN" (U.A.)
"GAIETY GIRLS" (U.A.)
EMBASSY — (1,400), 15c-35c-40c-55c, 4 days, 2nd week. **Gross:** $2,000. (Average, $5,000)

Week Ending April 27:

"GIRL OF THE GOLDEN WEST" (M-G-M)
"MR. MOTO'S GAMBLE" (20th-Fox)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $10,000. (Average, $17,000)

"HER JUNGLE LOVE" (Para.)
"PENROD AND HIS BROTHER" (W.B.)
PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 7 days. **Gross:** $13,000. (Average, $13,000)

"THERE'S ALWAYS A WOMAN" (Col.)
"RECKLESS LIVING" (Univ.)
ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days. **Gross:** $7,500. (Average, $8,500)

"FOOLS FOR SCANDAL" (W.B.)
"DANGEROUS TO KNOW" (Para.)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 2nd week (moved over from Paramount). **Gross:** $5,000. (Average, $7,000)

Week Ending April 28:

"TEST PILOT" (M-G-M)
WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $23,000. (Average, $13,000)

Week Ending April 29:

"ADVENTURES OF TOM SAWYER" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days, 2nd week. **Gross:** $8,000. (Average, $7,000)

"VICTORIA THE GREAT" (RKO)
CLAY—(400), 15c-35c-40c, 7 days, 3rd week. **Gross:** $800. (Average, $1,300)

Birmingham Celebrates

Birmingham, May 1.—Opening the way for celebration of Birmingham Day, annual bargain event of leading Birmingham stores, free picture shows were screened at the Ritz, Empire, Pantages and Strand between 8 and 9:30 A.M. This was just one of several attractions including free street car rides financed by the merchants.

May Quit Grading Plan

London, May 1. — British Lion Corp., independent distributor, has intimated to the Cinematograph Exhibitors' Association that it will withdraw from the grading plan of the Kinematograph Renters' Society (distributors).

Sues on "Citadel"

London, May 1.—Elizabeth Allan has filed suit against M-G-M British claiming damages for alleged breach of contract, loss of publicity and damage to her professional reputation. The action is relative to the impending production of "The Citadel."

Out Hollywood Way

Hollywood, May 1.—Sol Lesser has signed to a long term contract five-year-old Irene Dare, a St. Paul girl known for her skating, after viewing her in a newsreel. . . . John Litel will play the lead in "John Paul Jones," another historical short in color. . . . Larry Darmour has borrowed Bobby Jordan, one of the "Dead End" kids, from Warners for a featured role in "Orphans of the Law," to star Jack Holt. . . . Warners are considering "We Are Not Alone," recently purchased James Hilton novel, as a vehicle for Paul Muni. . . . Katharine Brown, Selznick International's New York representative, is in town for conferences.

Akim Tamiroff, Gail Patrick and Lloyd Nolan draw leading roles in Paramount's "Underworld," from the Ben Hecht story. It was made in 1927 as a silent picture, with George Bancroft, Evelyn Brent and Clive Brook heading the cast. Robert Florey will direct. . . . Fred Wilcox, erstwhile script clerk and recently M-G-M test director, has been made a director. His first assignment will be the historical mystery short, "Joaquin Murietta." . . . In M-G-M's "Give and Take," Robert Taylor plays the role of "Killer McCoy," a product of the slums, who battles his way to the boxing championship by killing an opponent in the ring. . . . Warners' new series, to star Ronald Reagan in Secret Service pictures, is scheduled to start May 30, with William McGann directing. . . . Universal will bring out Helen Greco, 13-year-old singer, in "Little Lady," Sophia Cleugh original, which Edmund Grainger will produce.

Jack Carson draws an important role in RKO's "Carefree," Astaire-Rogers vehicle. . . . Joan Fontaine is playing opposite Richard Dix in "Ground Crew," RKO. . . . Ben Judell has signed "Buck," St. Bernard dog, to a two-year contract.

Warners is planning a picture, "The One Hundred Days," dealing with Napoleon during the period which followed his escape from Elba and ending in his defeat at Waterloo. Crane Wilbur, the writer-director, may play "Napoleon." . . . Victor McLaglen has been borrowed from 20th Century-Fox for RKO's "Gunga Din."

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Story Buys—RKO has purchased "The Inside Room," from Edwin Olmstead, former Columbia publicity director, and signed him to write the screenplay. . . . M-G-M has purchased an original story from James Edward Grant titled "Milady Goes Along."

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Casting — Edward Brophy and Barnett Parker in "Hold That Kiss," M-G-M. . . . Gilbert Emery and Doris Lloyd in "Tracking the Sleeping Death," M-G-M short. . . . Gloria Dickson will have the leading role of "Girls on Probation," Warners. . . . Penny Singleton will co-star with Johnnie Davis in "Campus Cinderella," color short for Warners. . . . Leonard Penn in "Enemy Territory," M-G-M. . . . Herbert Rawlinson, Trevor Bardette in "Valley of the Giants," with Nat Carr, recently signed to a term pact. . . . Nat Pendleton in M-G-M's "Shopworn Angel."

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Title Changes—Warners has changed the title "Because of a Man" back to "Sister Act," name of the Fannie Hurst novel from which the picture was taken. . . . Walter Wanger has retitled "The Adventuress" as "The Rising Tide." . . . "Artists and Models Abroad" is the release title on the Jack Benny vehicle at Paramount heretofore known as "Artists and Models of 1938."

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Contract—Paramount has extended the pact of Frank Butler, writer, for one year. . . . M-G-M has given Joseph Mankiewicz a new contract. . . . Other new M-G-M extensions were given Don Stannard, actor; Robert Sinclair, director, and Dmitri Tiomkin, composer.

Byrne Succeeds Peters

Toronto, May 1.—E. J. Byrne, for years branch manager of Associated Screen News, Ltd., has been appointed office manager of Dominion Sound Equipments, Ltd., Montreal, in succession to F. E. Peters who has been promoted to the post of general manager. Dominion Sound Equipments looks after sales and service of Western Electric and RCA sound systems in Canadian theatres.

Heywood Reports Loss

Boston, May 1.—The Heywood-Wakefield Co. has reported a loss of $104,725 after deductions for taxes and charges for the quarter ended March 31, against a profit of $101,664 for the same period in 1937.

Talbot Buys in Tulsa

Tulsa, May 1.—Sale of the Akdar Temple building to Ralph Talbot, head of Ralph Talbot Theatres here, for $106,667, has been approved by Judge Franklin E. Kennamer in Federal Court.

M-G-M Men Shifted

Cleveland, May 1.—Eugene Vogel, M-G-M salesman in this territory, has been transferred to the Albany office. Bryant D. Stoner, office manager, has moved up to salesman, covering Vogel's territory. Philip Harrington, head booker, has succeeded Stoner as office manager, with Dorsay Brown named head booker, Al Herzenberg as assistant booker and John Coyne as number three booker.

20th-Fox Buys Story

Hollywood, May 1. — Twentieth Century-Fox has bought "By the Dawn's Early Light," an original story by Gene Markey, as its first Edward Kauffman production. Gregory Ratoff will direct and Alice Faye will be starred.

Change Title of Western

Hollywood, May 1. — 'West of Cheyenne" is the new title which Columbia has chosen for the film formerly called "Swingtime in the Saddle."

"Boy" $7,200 Detroit Lead On Dual Bill

Detroit, May 1. — "Boy of th Streets," dualed with "My Old Kentucky Home" at the Adams, turne in the best performance in ano dull week. The take was $7,200, o average by $2,200.

The Fox was slightly above normal getting $21,000, over the line by $1,000 with "There's Always a Woman" an Wayne King's orchestra on the stage The others were weak.

Total first run business fas $67,60 Average is $70,000.

Estimated takings for the week ending April 28:

"BOY OF THE STREETS" (Monogram
"MY OLD KENTUCKY HOME" (Monogram)
ADAMS—(1,770), 10c-40c, 7 days. **Gros** $7,200. (Average, $5,000)

"THERE'S ALWAYS A WOMAN" (Col
FOX—(5,100), 15c-65c, 7 days. Stag Wayne King's orchestra, Ames & Arn Robert Neller, Gower & Jeanne. **Gros** $21,000. (Average, $20,000)

"WOMEN ARE LIKE THAT" (F.N.)
MICHIGAN — (4,100), 15c-65c, 7 day Stage: Gene Dennis, Boris Karloff, Bilbe Bros., Ada Brown. **Gross:** $14,300. (Ave age, $20,000)

"ARSENE LUPIN RETURNS" (M-G-M
"DANGEROUS TO KNOW" (Para.)
STATE—(3,000), 10c-40c, 7 days. **Gros** $4,600. (Average, $5,000)

"TEST PILOT" (M-G-M)
UNITED ARTISTS—(2,070), 15c-65c, days. **Gross:** $10,000. (Average, $10,000)

"ADVENTURES OF MARCO POLO" (U.A.)
MADISON — (2,000), 15c-65c, 7 day **Gross:** $10,500. (Average, $10,000)

"Golden West" Is Strong at Buffal

Buffalo, May 1. — "Girl of t Golden West" led a strong bull mov ment in the first run market th swept all houses over average. T Eddy-MacDonald song-fest pump $13,400 into the Great Lakes' trea ury to bat par around by $5,400.

The Hippodrome dug up a nugg in "Adventures of Tom Sawyer which turned in $10,300, in the bla by $2,800 and a stout enough attra tion to earn a second week. "Wom Are Like That" earned $19,400 f the Buffalo where $14,000 is norm

"Snow White and The Seve Dwarfs" played a return engageme this time to the Century, and gross $8,200, $1,900 above the house ave age.

Total first run business was $5 700. Average is $42,300.

Estimated takings for the week en ing April 23:

"WOMEN ARE LIKE THAT" (W.B.
BUFFALO — (3,000), 35c-60c, 7 da **Gross:** $19,400. (Average, $14,000)

"GIRL OF THE GOLDEN WEST" (M-G-M)
GREAT LAKES—(3,000), 30c-50c, 7 da **Gross:** $13,400. (Average, $8,000)

"ADVENTURES OF TOM SAWYE (U.A.)
HIPPODROME—(2,500), 30c-50c, 7 da **Gross:** $10,300. (Average, $7,500)

"SNOW WHITE AND THE SEVE DWARFS" (RKO)
CENTURY—(3,000), 25c-35c, 7 days, run. **Gross:** $8,200. (Average, $6,300)

"START CHEERING" (Col.)
"WHO KILLED GAIL PRESTON?" (Col.)
LAFAYETTE—(3,300), 25c-35c, 7 da **Gross:** $6,500. (Average, $6,500)

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eneral Loses ppeal in Old Patent Action

preme Court Upholds Circuit Decision

ASHINGTON, May 2.—The Su- ne Court today disposed of the last case on which it will render a nal opinion this term, affirming a sion of the Second Circuit Court Appeals holding General Talking tures Corp. guilty of patent in- gement in using in sound motion ure equipment amplifiers to which e attached patent notices limiting r use to amateur, experimental broadcast radio uses.

n a dissenting opinion holding that lower court verdict should have n reversed, Associate Justice Hugo ck asserted that the majority de- on "will inevitably result in a eping expansion of the statutory ndaries constitutionally fixed by gress to limit the scope and dura- of patent monopolies."

he majority opinion held that the lifier manufacturer, operating un- license from the patent owner,

(Continued on page 3)

KO Is Planning No Studio Slash—Levy

ORTLAND, ORE., May 2.—RKO ns no curtailment of production, has three films scheduled for t season which are in the $1,000,000 get class, "Gunga Din," "Room vice" and "Right Angles," Jules y, general sales manager, told a cific northwest regional meeting of s representatives here on Satur-

e stated that the depression was ponsible for double features and t it will be some time before they

(Continued on page 3)

o Deal on for G. N. ale, Says Goldstone

There is no deal on with E. W. mmons and Nat Levine for the sale an interest in Grand National, said il Goldstone, who arrived here yes- day from the coast. Goldstone was prime mover in the company's rganization in its early stages of 3.

The company has no intention of

(Continued on page 7)

Radio News—P. 7

Strikes Now Unpatriotic, Boycott Mexican Theatres

By JAMES LOCKHART

MEXICO CITY, May 2.—A new angle has developed in Mexican film industry labor relations, as a result of the Government's recent expropriation of the previously foreign-owned and operated petroleum industry.

The point is that in view of the necessity of everyone backing the Government in its attempt to operate the privately-owned industry, it is considered unpatriotic to strike.

The result is that the boycott has replaced the strike—at least for the time being. Labor unionists in Puebla City have invoked a boycott against the company headed by Manuel Espinosa Iglesias, which will be maintained unless the firm makes new contracts embodying higher wages and other economic benefits.

The boycott may have the effect of closing two theatres which the company operates in Puebla City, and may be extended to houses also controlled by the company in Oaxaca and Tlaxcala, nearby. The Federal Cinematographic Workers' Union has been asked to support the Puebla group.

Universal Adjourns Talks on Product

Universal officials yesterday adjourned home office conferences on the company's new season production schedule with plans for renewing them at the studio within a week. Nate J. Blumberg, president, who arrived from the studio last Thursday, plans to return there today.

The discussions here were participated in by W. A. Scully, Joseph Seidelman, Marshall Grant and John Joseph, who are expected to follow Blumberg to the studio within the next few days.

The new season schedule, which is expected to be comprised of 40 feautres, 12 westerns and four serials, was fairly well set in general prior to the departure of Blumberg from the studio last week after lengthy conferences with Charles R. Rogers. The conferences here, however, were on titles, cast and directorial problems which remain undetermined.

The home office discussions also considered whether Universal will

(Continued on page 3)

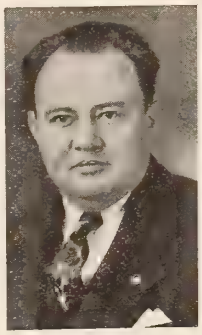
Ross Says Grosses Are Now Holding Up

Box-office receipts are holding up "to a marked degree" despite adverse business conditions generally, and this is due to the superior product being released, yesterday declared Densmore A. Ross, vice-president of Ross Federal Service, who has returned from an eight-week survey of conditions in the east, midwest and south.

As a theatre checking service, Ross Federal is in a position to gather information on the status of theatre business throughout the country. The field survey made by Ross covered 23 key cities located in states east of the Mississippi.

"Were it not for the large number of outstanding films, the industry undoubtedly would find itself in a serious economic condition," Ross reported. "Actually what is happening is that the industry is holding off the recession better than most industries due to the high quality of its productions. There is no doubt that the studios have their fingers very closely on the public pulse."

SHOWMAN IS MAYOR THIRD TIME



The townspeople of Oxford, Miss., have selected Robert X. Williams as their mayor for the third successive term. His constituents gave him a very comfortable majority over his two opponents in the race.

Williams is the president of the M.P.T.O. of Arkansas, Mississippi and Tennessee, affiliated with the M.P.T.O., of which he is a member of the board, and is president of the Mississippi Theatre Owners.

In Oxford since 1917, when he arrived as owner and manager of the Lyric, Williams holds a law degree. He was a delegate to the last national Democratic Convention, is collector of funds for the Second Congressional District for the Democratic Party and is a member of the national advisory committee for Mississippi for the World's Fair in New York in 1939, among other things. In between, he manages to keep the Lyric operating smoothly.

Dembow Asks High Quality Summer Films

Says Theatre Conditions Make Them Necessary

The quality of product to come from Hollywood in the next three or four months will determine theatre conditions this summer, and once the seasonal slump is weathered, the fall will show a marked upturn, declared Sam Dembow, Jr., vice-president of Fanchon & Marco, on his return yesterday from the midwest.

Dembow was in St. Louis for a survey of F. & M. theatres and stopped off in Chicago en route east. He said he found theatre operators in the midwest hoping that the studios will deliver films of box-office potentialities to help them overcome conditions this summer.

In this connection he recalled that in the summer of 1932, at the depth of the depression, the studios came through with pictures which proved good box-office attractions and which helped many exhibitors stay in business. Dembow at that time was in

(Continued on page 3)

North Dakota Test Trial Starts June 1

Paramount attorneys here were advised yesterday that the trial of the company's action to test the constitutionality of North Dakota's affiliated theatre divorcement law will get under way on June 1 before a Federal statutory court of three judges in Fargo. Indications are that the trial will consume 10 days or two weeks. A decision from the court is not expected before fall.

A conference among attorneys for both sides and a representative of the court in Minneapolis yesterday resulted in the decision to start the trial on June 1. Meanwhile, an injunction restraining North Dakota officials from enforcing the divorcement law continues in effect.

Republic Delegates On Coast for Meet

HOLLYWOOD, May 2.—More than 200 franchise holders, salesmen and other Republic personnel today arrived by special train for the three-day convention in Hollywood, the largest in the history of the company. Arriving with them were Herbert Yates and Moe Siegel, who met the train at Dallas to ride to the coast

(Continued on page 3)

Technicolor's Net For '37 $468,169

Technicolor, Inc., and its subsidiary, Technicolor Motion Picture Corp., showed a net profit of $468,169.36 for 1937, after deduction of all charges, according to the report of Dr. Herbert T. Kalmus, president.

The profit for the combined companies, before depreciation, amortization, Federal taxes and life insurance premiums on a $1,000,000 policy taken out by the company on Dr. Kalmus, amounted to $930,284.58, compared with a corresponding profit for 1936 of $880,650.59.

Provision for depreciation of plant and equipment, amortization of the research and development account and patent costs for the year totaled $299,565.96, resulting in a net profit before Federal taxes and life insurance premiums for the combined companies of $630,718.62 for 1937, compared with a 1936 profit of $591,585.23. The net profit is arrived at by deducting $59,322.70 premiums paid for insurance on the life of Dr. Kalmus, Federal income taxes of $102,750.15 and undistributed profits tax of $476.41.

Net sales for 1937 amounted to $3,133,266.84, a record since the company started operations in 1934. Contracts with major producers here and abroad currently on the company's books constitute the largest volume in the company's history, Dr. Kalmus reported.

Technicolor is expanding its facilities at a cost estimated not to exceed $1,000,000, of which $750,000 has been appropriated.

Korda on Normandie

Passengers on the *Normandie,* sailing at noon tomorrow, will include Alexander Korda, Irving Asher, Madeleine Carroll, Bert Wheeler, Eric Maschwitz, M-G-M writer; Val Gielgud, drama director for the British Broadcasting Corp.; Derrick de Marnery, actor under contract to RKO, and Alfred Lunt and Lynn Fontanne, who will stage a play in London.

Whitford Drake Stricken

Whitford Drake, president of Erpi, who has been in London on company business for the past few weeks, is reported to be seriously ill. Mrs. Drake was sent for and sailed last night for London.

John D. Clark "Resting"

John D. Clark, 20th Century-Fox general sales manager, was reported "resting comfortably" at Mountainside Hospital, Montclair, last night.

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M. H. LAVENSTEIN, counsel to the H. J. Yates enterprises, and Ralph Poucher, head of the Consolidated Film Laboratory, are attending the Republic coast convention.

●

Gene Morgan, actor, has been signed by Republic to a contract negotiated through Fanchon & Marco, and will report to the studio May 8.

●

Joe Hummell, Warners' foreign sales manager, is now in the Far East and is not expected back until early in July.

●

Myron Selznick, head of the talent agency, arrived yesterday from the coast for conferences at the local office.

●

Frank Phelps, Warners' labor contact, is in Washington today on company business, to return tomorrow.

BERNARD SOBEL of Howard Dietz's M-G-M publicity department, will give a talk today on "Modern Movie" before the English Club of Hunter College.

●

Claudette Colbert, vacationing in Europe, will sail from Havre on the *Normandie* May 11, and is scheduled to arrive in New York on May 16.

●

Leo Spitz and George Schaefer indulged in a curbstone conference in front of the RKO Building after lunch yesterday.

●

Neil Agnew, Paramount vice-president and distribution chief, returned yesterday from sales conferences at Dallas.

●

Tina Kreisberg of the M-G-M publicity department has become engaged to Jonas Wilfand.

Decision for UA in Hart Case Is Upheld

United Artists Corp. won a victory in the U. S. Circuit Court of Appeals yesterday when the high court upheld a decision of District Judge John W. Clancy, dismissing the complaint of William S. Hart and Mary Hart in their $185,000 damage suit against United Artists. The decision of the Circuit Court, which was unanimous, was rendered without an opinion.

The Harts had brought suit claiming that after United Artists had entered a written contract with them to distribute their picture, "Tumbleweeds," it had distributed the picture at prices calculated to bring in returns to the Harts of far less than the $300,000 which they were allegedly spending to produce "Tumbleweeds."

Would Examine Col. Books

Application for a writ of mandamus directing Columbia Pictures Corp. to allow Betty Davis, an alleged stockholder, to inspect the books and records of Columbia since its inception in 1924, was filed yesterday in the N. Y. Supreme Court. Justice Julius Miller will hear argument of the application before him today. The inspection plea is based upon charges that Jack and Harry Cohn and Joseph Brandt, original incorporators, mismanaged the affairs of the corporation. At the same time Columbia filed answering papers in which it was claimed that Miss Davis was not a bona fide stockholder and had no power to institute suit.

To Offer N.Y. Betting Bill

Albany, May 2.—The sixth proposal to loosen New York State's anti-gambling laws is seen in the statement that Senator John J. Dunnigan will offer a pari-mutuel bill in the constitutional convention sessions drafted along the same lines as his legislative resolution. It is scheduled to become the center of much discussion.

On March 18, Senator Dunnigan was able to squeeze a pari-mutuel bill through both the Senate and the Assembly. However, if enacted in the constitutional convention, a year's time would be saved, as the other bill has to go through two successive houses, elected in different years.

G. B. Midwest Staff Meeting at Chicago

Chicago, May 2.—Details of G.B.'s 24-picture release schedule for 1938-'39 together with sales plans for the new season, will be given to the company's central and southern sales representatives at a two-day regional sales meeting which will open at the Blackstone on Tuesday.

Arthur Lee, G.B. vice-president and general manager, and Clinton M. White, assistant general manager, will preside at the meeting, the second of three regional sessions being held this year. The first was concluded in New York on Sunday, while the third will be held in Denver on Thursday.

At the Chicago meeting are A. H. Fischer, local manager, and his staff; Herman Booth, Cincinnati; Melvin Levinson, Indianapolis; H. Harlan Starr, Detroit; R. G. Seager, Milwaukee; Max Mazur, Minneapolis; Andrew Dietz, St. Louis; Scott Chesnutt, Atlanta; Marion Jack, Memphis, and Henry Brunies, New Orleans. From the home office, in addition to Lee and White, are Arthur Greenblatt, eastern division manager, and Albert Margolies, advertising and publicity director.

Exhibitor Victim of Blast Laid at Rest

Harrisburg, May 2.—Andrew Potts, owner of the recently reopened Hollywood at St. Clair, Schuylkill County, was buried yesterday in a triple funeral service with two others of the eight victims of the explosion in the St. Clair Coal Co. mine Wednesday.

Potts, employed as a fire boss in the mine, had just spent several thousand dollars remodeling the theatre which had been closed for 10 years.

Services Held for Giannini's Nephew

San Francisco, May 2.—Dr. A. H. Giannini, president of United Artists, attended services here this morning for his nephew, Virgil Giannini, 38, son of A. P. Giannini, chairman of the board of directors, Bank of America.

Dr. Giannini will return to Hollywood tomorrow for conferences with Maurice Silverstone, chairman of the U. A. executive committee.

H. M. Warner Going To London Openin

Harry M. Warner is scheduled sail for England for the opening the new Warner Theatre in Londo which is being erected on the site the old Daly. Sam E. Morris, vic president in charge of foreign acti ties, will probably accompany Warne

While the opening is scheduled f September, it probably will be pos poned to October. "Adventures Robin Hood" will be the attract

Herman Maier, head of the War construction department, will sail f London in July or August to supe vise final phases of construction, r maining until the opening. The th atre will have 1,800 seats.

Film Carriers Meet Gets Started Her

The fifth annual meeting of N tional Film Carriers, Inc., got und way yesterday, at the Park Centr Hotel. The meetings will last thr days. Approximately 25 members re resenting film transportation firn throughout the country are attendir the sessions.

The first day's activities, aside fro such routine as registration, wei given over to a general discussion phases of the Interstate Commer Commission's activities.

Today's program will include th nomination and election of office and a luncheon to be attended various distribution and shipping off cials from film companies.

Wilder Pulitzer Winner

"Small Town," Thornton Wilder play, has been awarded the Pulitz Prize for the best American play the year. The award was $1,000.

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Pu lisher; J. M. JERAULD, Managing Edito JAMES A. CRON, Advertising Manager. ED TORIAL STAFF: Charles S. Aaronson, Jack Ba ner, Al Finestone, Thomas Fitzsimmons, Sherw A. Kane, Irene Kuhn, Joseph Priore.

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General Loses Appeal in Old Patent Action

(*Continued from page* 1)

. T. & T., had no license to sell nplifiers for use in talking picture uipment and, knowing its restric[illegible]s, infringed the patents. But, the t added, General Talking Pictures orp., "having with knowledge of the cts bought at sales constituting iningement, did itself infringe the patts embodied in the amplifiers when leased them for use as talking picre equipment in theatres."

In his dissent, Associate Justice lack pointed out that "the area of e patent monopoly is expanded by e holding that the exclusive right anted an inventor to 'make, use and nd' his patented commercial device, ermits the inventor's corporate asgnee (and other 'patent pool' parcipants) to control how and where e device can be used by a purchaser ho bought it in the open market."

Associate Justices Roberts, Cardozo ıd Reed took no part in the consideron or decision of the case.

ttorneys Confer on Dallas Case Opinion

WASHINGTON, May 2.—Assistant ttorney General Henderson and eorge S. Wright, attorney for the nterstate Circuit, are here conferng on the formal findings and sepaate statement of conclusions at w in the Interstate case, in which e U. S. Supreme Court sent the acon back to the U. S. District Court.

If they can concur on stipulations ı the original trial of the action they ill bring their findings before Judge V. H. Atwell in Dallas, who must le a revised finding with the U. S. upreme Court.

Ask Tampa Suit Detail

TAMPA, May 2.—Attorneys for ivoli Theatre, Inc., in their suit gainst several distributors and others r damages in the amount of $262,000 r their alleged refusal to supply serice to them, filed a petition in Ciruurt Court here asking the court to equire Casino Enterprises, which perates three theatres in Ybor City, e Latin section of Tampa; Consoliated Theatres, Inc., which is a part f the Sparks Circuit, and Frank ogers, vice-president and booking ead of the circuit, to produce certain vidence regarding the control of the everal theatres and the booking of lms for them.

Belford Forrest Dead

HOLLYWOOD, May 2.—Belford Forest, 60, playwright and film comeian under the name Fenton Ford, ied here today.

Will Distribute "Call"

Best Film Co. has sold distribution ights on 'The Call," for the Illinois erritory, to A. Teitel, Chicago.

Patterson Recovered

Willard C. Patterson, theatre executive in the Warner home office, is ack following a 15-month illness.

Philadelphia Game Hearing Due Today

PHILADELPHIA, May 2.—The hearings on a writ to delay enforcement of the ban on Bank Night and other games, scheduled for today in the State Supreme Court, was postponed until tomorrow. Meanwhile, the police department, acting on instructions received from headquarters, are planning to proceed tonight against all theatres using games.

Assistant City Solicitor Ryan stated that all paraphenalia and prize money will be seized at the theatres, which number about 30, both independent and units in the Warner circuit. It is not believed that any houses will attempt to oppose the law by using games.

Keating Leaves on Bank Night Appeal

John M. Keating, attorney for Affiliated Enterprises, left last night for Washington with the intention of filing an application with the Postoffice Department for a rehearing of the action in which Bank Night was declared a lottery and the copyright owners in Denver denied use of the mails.

Keating said that the papers would be put in final form in Washington at a conference with Myron Blaylock of Marshall, Tex., who has been retained by Affiliated Enterprises as associate counsel in the case.

The appeal, Keating said, will contend that the Postoffice Department solicitor erred in his conclusions and will cite court cases to show that Bank Night is within the law.

Among the court decisions incorporated in the appeal is expected to be one given by Judge Brennan in the Essex County Court of Special Sessions at Newark in a case brought against the American Theatre, Newark, and Walter Horn, manager. The county charged the defendants with operating a lottery in conducting Bank Night. Judge Brennan held the game was not a lottery and dismissed the charge.

Extends Duals' Use After Ban on Games

OKLAHOMA CITY, May 2.—The Circle, Standard Theatres' suburban house, which went to double bills for the first time a month ago when Bank Night was banned, and then ran duals on Wednesdays and Thursdays, has extended the policy to the full seven days resulting in full houses during the weekends.

Double bills, which are slow to come to Oklahoma City are now at their peak, with all of Standard's neighborhood second run theatres using them. Of the downtown first run houses only the Liberty runs double bills. The downtown Warner, running second run pictures, is on a dual policy. The Tower, first run suburban house, has retained singles.

Greenthal to Studios

Monroe Greenthal, United Artists director of advertising and publicity, left by train yesterday for the coast where he will confer with U. A. producers on plans for forthcoming pictures.

Universal Adjourns Talks on Product

(*Contniued from page* 1)

concentrate its major advertising and publicity forces at the studio instead of here. Blumberg and Joseph are known to favor the establishment of several functions of the advertising and publicity department at the studio. The move has been under consideration for several months. A decision will also be made at the studio on the dates and places for regional sales meetings.

Republic Delegates On Coast for Meet

(*Continued from page* 1)

with the delegation. Eight buses, with police escort brought the delegates to the Roosevelt Hotel headquarters.

Business sessions will open tomorrow on a converted stage on the lot.

Franchise holders met late today.

Product will be discussed at the first business session tomorrow with Bill Saal, Yates and Siegel the principal speakers. During the afternoon district managers will discuss treatment of the new campaigns and G. C. Schaefer, comptroller, will talk on exchange operation.

Al Adams will talk on advertising campaigns and appropriations on Wednesday morning and a general product discussion will be held in the afternoon, following which an employes' dance is scheduled for the evening.

On Thursday the introduction of studio talent will precede the formal dance which will close the convention.

Conciliation by KRS Expected on Grading

By AUBREY FLANAGAN

LONDON, May 2.—Exhibitors here expect conciliatory action by the Kinematograph Renters' Society (distributors) as a result of the vigorous campaign waged by the Cinematograph Exhibitors' Association against the K.R.S. plan to grade features.

It is considered likely that the distributor organization may issue a statement shortly relative to the exhibitor campaign, and a K.R.S. meeting is expected to be held this week. D. E. Griffith, president of the K.R.S., and Sam Eckman of M-G-M will meet Arthur Jarratt of the G.B. circuit, at an informal luncheon tomorrow. Jarratt has been an outspoken supporter of the C.E.A. in its opposition to the grading plan.

Mexico Spots Feel Quake

MEXICO CITY, May 2. — Pacified by the coolness of managers and musicians, most of the audiences attending film theatres here tonight sat calmly throughout the course of an earthquake sharper than has been experienced in the last four years. Even among those audiences which left the theatres there were no casualties reported.

Selznick Casts Lombard

HOLLYWOOD, May 2.—David O. Selznick today signed Carole Lombard to star in "Made for Each Other," the new title for the film version of the Rose Franken novel, "Of Great Riches."

Dembow Asks High Quality Summer Films

(*Continued from page* 1)

charge of Paramount theatre operations. The same situation, though to a lesser extent, holds true today, he said.

"If the distributors this summer deliver superior pictures with great boxoffice appeal, the exhibitors will have little to worry about," he said. "The main problem will be getting over the warm weather conditions, for I look for a decided upturn beginning in September.

"The four billion dollar spending program by Government agencies will have no immediate effect, if past experience is a criterion, but as soon as this vast expenditure filters into public channels it will be translated immediately into buying power and the theatres will be the first to benefit. Business did not feel the effect of the previous large spending program until two or three months after it was launched. Therefore, by early fall conditions should be much improved."

RKO Is Planning No Studio Slash—Levy

(*Continued from page* 1)

are out of style. Levy, on a tour of the leading cities of the United States, has visited 38 states since leaving the home office.

With Levy was his assistant, Walter Branson. Those attending the meeting were Harry C. Cohen, western district manager; W. S. Jones, Vancouver, B. C.; E. A. Lamb, Seattle, and M. E. Cory, Portland branch manager.

Levy Confers at Studio

HOLLYWOOD, May 2.—Jules Levy reached here by plane today on the first lap of a 'round the country jaunt spurring the RKO Depinet sales drive. He will remain here one week conferring with Pandro Berman on forthcoming product and with Harry Cohen, western district sales manager.

Wall Street

RKO, Col. Gain Fractionally

	Open	High	Low	Close	Net Change
Col.	10⅝	11	10½	11	+ ¾
Cons.	1⅛	1⅛	1⅛	1⅛	— ¼
Cons. pfd. .	5½	5½	5½	5½	.....
E. K.	145	145	145	145	—2½
E. K. pfd...	170	170	170	170	—1
G. T. E.....	11	11	11	11	— ⅛
Loew	40	40	39¾	39¾	.....
Para.	7½	7½	7⅜	7⅜	— ⅛
Para. 2.....	8½	8½	8⅜	8⅜	.....
Pathe	4¾	4¾	4¾	4¾	— ⅛
RKO	2¾	2¾	2¾	2¾	+ ⅛
20th Fox ..	21	21	20⅞	21	— ¼
20th pfd ..	30	30	30	30	.....
W. B.	4¾	4¾	4¾	4¾	— ¼

Little Trading on Curb

	Open	High	Low	Close	Net Change
Sonotone ..	1½	1½	1½	1½	.....
Tech.	18⅝	18¾	18⅝	18⅝	.....

Bond Market Quiet

	High	Low	Close	Net Change
Loew 3½s '46....	99½	99¼	99¼	.....
Para. Pict. 6s '55...........	88	88	88	.....

(Quotations at close of May 2)

JUST WHAT THE BOX-OFFICE DOCTOR ORDERED . . . FOR GREAT ENTERTAINMENT!

N. Y. DAILY NEWS:

"Slick comedy film . . . DOUGLAS gives a performance that for smoothness and perfect timing hasn't been equalled since Powell's swell performance in 'After The Thin Man'."

N. Y. TIMES:

"Ingratiating comedy . . . one of the lightest and most engaging affairs of recent months."

N. Y. HERALD-TRIBUNE:

"So shrewdly staged . . . so comically performed . . . it achieves a blend of melodrama and rough-and-tumble romance."

N. Y. DAILY MIRROR:

"Fine comedy . . . generously spangled with laughs."

N. Y. SUN:

"Sets the Music Hall audience off into gales of laughter."

N. Y. WORLD-TELEGRAM:

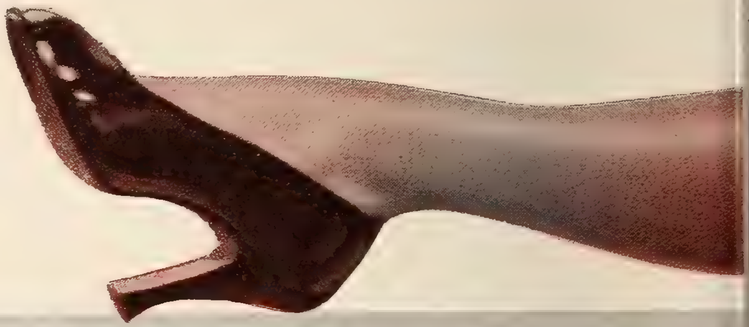
"JOAN BLONDELL and MELVYN DOUGLAS superb, eminently satisfying. Refreshing entertainment."

N. Y. JOURNAL-AMERICAN:

"DOUGLAS-BLONDELL team rivals to Powell-Loy. One of the season's slickest comedies."

N. Y. POST:

"The things that made 'The Thin Man' an amusing and exciting mystery drama make THERE'S ALWAYS A WOMAN, now at the Radio City Music Hall, similarly amusing and exciting."



JOAN BLONDELL proves t

"THERE'S AL

with **MARY ASTOR • FRANCES DRAKE • JEROME COW**

Screen play by Gladys Lehman • Directed by Alexander H

MELVYN DOUGLAS that

YS A WOMAN”

rom the popular American Magazine Story by Wilson Collison

roduced by William Perlberg • A COLUMBIA PICTURE

MOTION PICTURE DAILY'S HANDY BOOKING CHART

[*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]

	COLUMBIA	G. B.	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
April 8	The Overland Express (G) (O) *Buck Jones* *Reynolds*			Land of Fighting Men (O) *Jack Randall*		Call of the Yukon (G) (O) *Roberts* *Arlen*	This Marriage Business (G) (C) *Victor Moore* *Lester*	Rawhide (G) (O) *Gehrig* *Ballew*		Reckless Living (G) (D) *Wilcox* *Grey*	Accidents Will Happen (G) (D) *Reagan* *Gloria Blondell*
April 15	Flight Into Nowhere (G) (O) *Jack Holt* *Wells*	Sailing Along (G) (M) *Jessie Matthews* *Roland Young*		Female Fugitive (G) (D) *Venable* *Reynolds*	Her Jungle Love (G) (C) *Lamour* *Milland*	Outlaws of Sonora (O) *Livingston*	Joy of Living (G) (C) *Dunne* *Fairbanks, Jr.*	In Old Chicago (G) (D) *Power* *Faye*	Divorce of Lady X (A) (C) Marco Polo (A) (D)	Nurse From Brooklyn (G) (D) *Eilers* *Kelly*	Fools for Scandal (G) (C) *Lombard* *Gravet*
April 22	There's Always A Woman (A) (C) *Joan Blondell* Extortion (D)		Test Pilot (G) (D) *Clark Gable* *Myrna Loy* *Spencer Tracy*		Heart of Arizona (G) (O) *Boyd* *Natalie Moorhead*	Under Western Stars (G) (O) *Roy Rogers* *Burnett*	Go Chase Yourself (G) (C) *Ball* *Penner*	Battle of Broadway (G) (C) *McLaglen* *Hovick*		Lady in the Morgue (D) *Preston Foster* *Patricia Ellis*	Women Are Like That (G) (D) *Kay Francis* *Pat O'Brien*
April 29	Call of the Rockies (O) *Starrett*	To the Victor (G) (D) *Will Fyffe* *Loder*	Swiss Miss (C) *Laurel and Hardy*	Two Gun Justice (O) *McCoy*	College Swing (G) (C) *Burns & Allen* *Raye*			Four Men and A Prayer (D) *Loretta Young*	Return of Scarlet Pimpernel (G) (D) *Barnes*		Beloved Brat (G) (D) *Granville* *Dolores Costello*
May 6	The Main Event (D) *Paige* *Wells*		Three Comrades (D) *Robt. Taylor* *Sullavan*		Doctor Rhythm (G) (C) *Crosby* *Carlisle*	Romance on the Run (G) (D) *Donald Woods* *Patricia Ellis*	Law of the Underworld (A) (D) *Chester Morris* *Shirley*	A Trip To Paris (G) (D) Life Begins at 40 (D) (G) *Will Rogers*			Torchy Blane in Panama (G) (D) *Paul Kelly*
May 13	Law of the Plains (O) *Starrett* *Iris Meredith*	The Show Goes On (D) *Neagle* *Carminati*	Hold That Kiss (C) *O'Keefe* *O'Sullivan*	Gunsmoke Trail (O) *Jack Randall*	Stolen Heaven (G) (D) *Raymond* *Bradna*	Gangs of New York (D) *Bickford* *Dvorak*	Vivacious Lady (C) (A) *Ginger Rogers* Gun Law (O) *O'Brien*	Kentucky Moonshine (C) *Ritz Bros.* *Martin*		Air Devils (C) *Dick Purcell* *Beryl Wallace*	Adventures of Robin Hood (G) (D) *Flynn* *de Havilland*
May 20			Swiss Miss (C) *Laurel and Hardy*	Private Nurse (D) *Sally Blane* *John Arledge*	Cocoanut Grove (M) *MacMurray* *Hilliard*		Blind Alibi (D) *Richard Dix* *Bourne*	Rascals (G) (D) *Jane Withers* *Robt. Wilcox*		Sinners in Paradise (G) (D) *Boles* *Evans*	Mystery House (D) *Purcell* *Sheridan*
May 27			Yellow Jack (D) *Montgomery* *Bruce*	Phantom Ranger (O) *McCoy*	Hunted Men (D) *Lloyd Nolan* *Carlisle*	Desert Patrol (O) *Bob Steele*		Kidnapped (D) *Warner Baxter* *Bartholomew*	The Rising Tide (D) *Madeleine Carroll* *Fonda*	The Devil's Party (D) *McLaglen*	Crime School (D) *Gale Page* *Bogart*
June 3		3 on a Week End (D) *Margaret Lockwood* *John Lodge*	Three Comrades (D) *Robt. Taylor* *Sullavan*		You and Me (D) *Raft* *Sidney*	Riders of the Black Hills (O) *3 Mesquiteers*	Saint in New York *Hayward* *Sutton*	Josette (C) *Simon* *Ameche*		Afraid to Talk (D)	Little Miss Thoroughbred (G) (D)
June 10	Holiday (D) *Hepburn* *Cary Grant*		The Toy Wife (D) *Rainer* *Douglas*	Marines Are Here (D) *June Travis* *Gordon Oliver*				Home Town G-Man (C) *June Lang* *Lyle Talbot*		Rocket Ship (D) *Crabbe* *Jean Rogers*	Gold Diggers in Paris (M) *Rudy Vallee* *Rosemary Lane*

Radio Personals

MARTHA DEANE will celebrate her fourth anniversary on WOR oday, and Ted Streibert, vice-presilent and general manager of the staion, will offer congratulations on today's broadcast. . . . George Raft will appear on George Fischer's "Hollywood Whispers" on Sunday. . . . Lou Frankel is out on the road in advance of Sally Rand. He'll be back in six weeks. . . . Benny Goodman's swing concert at Boston's Symphony Hall was a sellout 10 days in advance of he concert. Other cities, including Philadelphia, Pittsburgh, Cleveland and Chicago have put in bids for Goodman's services. . . "Dizzy" Dean will make his first network appearance since joining the Chicago Cubs as guest on the Allis-Chalmers "Family Party" over the NBC-Blue this Saturday.

Coca-Cola Show on Again

The Coca-Cola "Song Shop," which closed its run on CBS last Friday, will be heard again this Friday as a result of a one-week extension. A report that the series had been renewed for a new cycle of 13 broadcasts could not be verified yesterday, although it is believed that such a contract has been closed.

Charles Stuart Is Dead

LINCOLN, May 2.—Charles Stuart, 63, director of the executive committee, and one of the principal stockholders of the Central States Broadcasting System, died of a heart attack his afternoon. He is survived by a widow, two sons, a daughter and wo sisters.

Program on 7 Stations

The Charles H. Phillips Chemical Co. will sponsor "Backstage Wife" over a far western NBC network of seven stations starting June 6. The program is heard in the east under he sponsorship of R. L. Watkins Co.

Gets New KSFO Post

SAN FRANCISCO, May 2.—Warren Gilman, for four years on the engineering staff of KSFO, has been shifted to the newly created post of maintenance supervisor.

Davidson Quits Mathes

John S. Davidson has resigned as adio director of J. M. Mathes, Inc., o join the staff of the Federal Adverising Agency. His duties will cover adio and account contact.

Series Back on Air

DES MOINES, May 2.—The Betsy Ross News bulletin has returned to he air over WHO, sponsored by the Pfaff Baking Co., Fort Dodge, for hree days weekly.

EXHIBITORS, ATTENTION!
Charles Schwartz, West Coast Editor of Official Publication of the Independent Theatre Owners Association, New York, writing to Fred Wilson, says: "I am very glad to see that one of the old uard of exhibitors conceived the greeting card, irthstone, horoscope idea.
"It spells showmanship and I feel it will prove 'natural' for theatres everywhere. Congrats."
Representative wanted in every exchange center.
HOROSCOPE PUBLISHING COMPANY
1633 Cordova Street, Los Angeles, Calif.

Britain's Non-Commercial Stations Not Too Popular

Those radio editors and listeners who have long criticized the whole structure of American broadcasting under which radio entertainment is a medium for advertising the product of sponsors, have just had a favorite prop knocked from under them by a poll taken by the Philco Radio and Television Corp. to determine the British listeners' favorite station.

Whenever a listener or radio writer rebelled at over-long commercials on programs here, he would point with envy to the system in Great Britain, where the British Broadcasting Corp. controls all broadcasting stations, and where an absolute ban on all commercial programs is in effect.

But the results of the poll show that the British are far from satisfied with their own type of broadcasting. This poll covered 5,000 radio dealers and their customers in all parts of Britain as well as the general public, with approximately 500,000 reached in the poll. The station which placed first, drawing 95.6 per cent of the votes as favorite station was Luxembourg. Radio Luxembourg is not in Britain or affiliated with the BBC, but is located on the Continent across the English Channel and broadcasts sponsored programs in American style.

Second was Athlone, located in the Irish Free State, and also a broadcaster of commercially sponsored programs. Britain's own premier station, Droitwich, ranked no better than third in popularity, with other Continental commercial stations taking the great majority of places among the first 10.

Farber Band at Hotel

CINCINNATI, May 2.—Bert Farber, WLW staff pianist and composer, will take his own orchestra into the Hotel Netherland Plaza for a summer-long engagement starting May 8. He will continue at the station in his regular capacity.

Chicago Series on Mutual

Quin Ryan's "Marriage License Romance" programs, which originate in the Chicago Marriage License Bureau, will be placed on the Mutual network for a buildup once weekly starting May 9, and beginning May 23, three times weekly, from 3 to 3:15 P. M.

On Unlimited Time

ADA, Okla., May 2.—The Federal Communications Commission has granted the application of KADA here for permission to operate on unlimited time. Previously it had operated daytime only. The order will be effective May 7.

Program in Third Year

DES MOINES, May 2.—The "Humanitarian Hour," non-sectarian religious service, started its third annual summer season over WHO at 11:30 A.M. yesterday with Robert Blaylock, Sr., directing.

Plan Dedication on KOIN

PORTLAND, Ore., May 2.—A dedicatory program, in connection with the completion of a new $40,000 antenna for KOIN, will be broadcast over CBS May 5 from 5 to 5:30 P. M.

Lohr to Speak

Washington, May 2.—A discussion of the possibilities of the American system of radio broadcasting, by Lenox R. Lohr, president of the National Broadcasting Co., will be a feature of 20th annual meeting here of the United States Chamber of Commerce, which opened today.

Lohr's discussion will take place during a round table luncheon conference on new issues in transportation and communication on Wednesday.

WMCA Deal Is for 19 Hours Per Week

One of the largest blocks of time ever sold to one sponsor on an independent station was consummated this week on WMCA with the purchase of 19 hours per week by Community Opticians Brooklyn, Inc., through the Commonwealth advertising agency of Boston.

The time provides for a group of 11 different broadcasts per week, including news programs featuring Garnett Marks, Zeke Manners and Gang, "Battle of the Bands" with Don Kerr, a street forum program with Joe O'Brien, a sports resume with Dick Fischell, "Four Aces Bridge Court," "True Detectives Dramas" and "Dance Parade." The contract is for 52 weeks.

Will Audition then Wed

Bill Harding, announcer for WINS, will spend a busy day today, being due for an audition at 4 P. M. and at his own wedding at 8 P. M. in Forest Hills. The bride is Eloise Bradford, soprano soloist of Ray Campbell's Rotalists. She is a graduate of the Eastman School of Music.

No Deal on for G. N. Sale, Says Goldstone

(Continued from page 1)

selling out to anyone, and will continue as a going concern, with distribution of between 40 and 50 pictures planned for the coming season, Goldstone said. Arrangements have already been made for 28 films, a number of which will be financed by Goldstone.

Goldstone said he was here in connection with business matters other than G. N.

U.A. Prizes Shared By Fox Midwest Men

Eight managers in the Fox Midwest circuit will share the $500 prize money in the United Artists competition on the campaign for "The Hurricane," it was stated yesterday by George J. Schaefer, general manager of distribution for United Artists. and E. C. Rhoden, division manager of Fox Midwest.

A. R. Zimmer of the Lincoln, Springfield, Ill., and C. M. Morehead of the Rivoli, Beatrice, Neb., will split first prize, receiving $150 each. Third prize of $50 goes to Leon Robertson of the Gillioz, Springfield, Mo. Fourth award, also $50, was won by Ed Whaley of the Capitol, Benton, Ill.

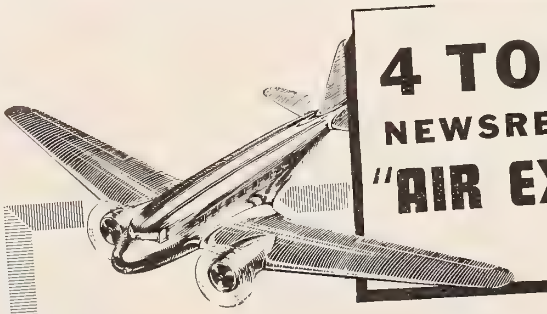
Other winners, each getting $25, were: H. L. Golladay of the Grand, Moberly, Mo.; S. J. Souttar of the Kennedy, Kirksville, Mo.; Mel Miller of the Plaza, Ottawa, Kan., and William Laughlin of the Regent, Wellington Kan.

Allied N. Y. Branch To Be Formed Today

A New York State Allied unit is to be organized here today at a meeting at the Hotel Astor with New York and Albany exhibitors attending. Abram F. Myers, general counsel; Nathan Yamins, president, and Sidney Samuelson of New Jersey are expected as speakers.

Arthur K. Howard, in charge of national Allied's expansion program, will open the sessions at 11 o'clock.

A number of Allied of New Jersey members are expected to attend.



4 TONS OF NEWSREELS FLY "AIR EXPRESS"

Biggest one-day record in motion picture history. 8,000 pounds of "hot spot" news films rushed to hundreds of theatres from coast to coast, border to border, by AIR EXPRESS—2500 miles overnight! It's a "natural" *high* speed route for reels, scripts, sound records—anything—at *low* cost. Day and night, nation-wide service; also to Canada, Latin America, Honolulu, and Far East. For service, 'phone any RAILWAY EXPRESS office—AIR EXPRESS Division.

AIR EXPRESS DIVISION RAILWAY EXPRESS AGENCY, INC.

AN OUTDOOR DRAMA OF THE WEST

ROY ROGERS

Republic's newest singing Western star. *Watch him!*

SMILEY BURNETTE

as his comic side-kick in a new-style action romance

"UNDER WESTERN STARS"

with

CAROL HUGHES · MAPLE CITY FOUR

Hear

ROY SIN

"DUST"

"LISTEN TO TH
RHYTHM OF
THE RANGE

"SEND MY MAI
THE COUNTY J

"THAT PIONEE
MOTHER OF MI

"WHEN A COWB
SINGS A SON

Directed by JOE KANE
Screen play by Dorrell and Stuart McGowan, Betty Burbridge. *Original story by* Dorrell and Stuart McGowan
Associate producer SOL C. SIEGEL

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icture
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MOTION PICTURE DAILY

First in
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Radio News
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and
Impartial

43. NO. 103 NEW YORK, WEDNESDAY, MAY 4, 1938 TEN CENTS

ayne Attacks Sarnoff, RCA For Criticism

ommissioner in Reply To Censor Speech

WASHINGTON, May 3.—Criticism by vid Sarnoff of the indirect censor- p which he alleged was exercised by Federal Communications Com- ssion through its license provisions, ight elicited from Commissioner orge H. Payne a virulent attack on Sarnoff, RCA and the broadcast- industry.

Speaking before the National Acad- y of Broadcasting, Payne com- nted that "from the head of the mpany that was responsible for the ae West broadcast, one might well ve expected a milder note."

Additional developments in radio yesterday on page 7.

Sarnoff's speech at the Town Hall ncheon in New York April 28, he d "is amazing not only because of disregard of the facts and its de- nce of public opinion, but because is evidence of the organized move- nt of the radio monopoly to mold

(*Continued on page 7*)

ee Says G.B. in Enviable Position

CHICAGO, May 3.—G. B. is in an viable position, Arthur A. Lee, e-president, told his midwest sales ce here today at their regional es meet at Blackstone Hotel.

"We have 10 pictures ready for immediate release when other companies forced to reissue pictures to meet mmitments," he declared.

Lee said the company had a "grand portunity" to get its program off to flying start in Chicago and other ritories where lack of suitable

(*Continued on page 3*)

lark Reelected as Film Carriers Head

James E. Clark of Horlacher De- ery Service, Philadelphia, was re ected president of National Film rriers, Inc., at the closing session the annual convention in the Park ntral Hotel yesterday. All the othe ficers also were renamed. They in- de: Thomas W. Gilboy, San Fran- sco, vice-president; Clint Weyer, ew York, secretary. The executive

(*Continued on page 6*)

Columbia Will Hold 4 Sales Conventions

First Here May 13; Then Chicago on May 18

Columbia Pictures will hold four regional sales meetings this year instead of a single national convention of the sales force as the company has done for the past three years, A. Montague, general sales manager, stated yesterday.

The first of the four sessions will be held in New York, Mav 13, 14 and 15, and will be followed by meetings in Chicago, May 18, 19 and 20; Dallas, May 23 and 24, and San Francisco, May 28 and 29. Grouping of the company's branches for attendance at the several meetings will not be completed for another day or two. However, branch managers and the entire sales

(*Continued on page 2*)

Talk New Product At Republic Meet

HOLLYWOOD, May 3. — Description of product for the coming season keynoted the speech of M. G. Siegel at the first business session of the Republic convention held this morning on a transformed stage of Republic studio Lot No. 4. Approximately 250 delegates and executives were in attendance.

Siegel recalled the promises of quality product made to franchise holders at last year's meeting and

(*Continued on page 3*)

Pathe Has Profit

Pathe News profit of $63,011.07 for 1937 was the first profit to be reported by the newsreel company in the past six years.

One year ago, Courtland Smith, president, and Jack Connolly, general manager, resigned, and were succeeded by Ned E. Depinet and Frederick Ullman, Jr., respectively.

Contracts Set For 40 Films In Full Color

A total of 40 features has been booked by major producers here and in England, 12 of which are expected to be released this year, according to Dr. Herbert T. Kalmus, president of Technicolor, Inc., in a discussion of prospects in his annual report.

Contracts for features are detailed as follows: Warners, eight; Loew's, Paramount, 20th Century-Fox, six each; Samuel Goldwyn, five; London Films (Alexander Korda), five; Selznick International, two; Walt Disney Productions, all color product for two years. Disney is scheduled to make one feature in Technicolor.

Of the foregoing 40 features under contract, Dr. Kalmus declares that it may be expected that the following Technicolor films will be released during the final eight and a half months of 1938:

London Films, three, of which two

(*Continued on page 6*)

Ford Acknowledges Debt to Father of Courtland Smith

Syndicated throughout the country last week, brought to millions of readers, was an interview by Boston reporter John Bradford Main with Henry Ford in which the industrialist acknowledged the greatest influence in his life to have been a book written by Orlando J. Smith.

The author of "A Short View of Great Questions" was the father of Courtland Smith of the film industry

Courtland Smith succeeded his father in the American Press Association which the elder founded. He left that to go with Will Hays in Washington and in the Association of Motion Picture Producers and Exhibitors. Following that he developed sound on film and created and developed Fox Movietone News, established the first newsreel theatre in the world, the Embassy, and today is continuing research in the further development of pictures.

Smith was not aware until he read Henry Ford's recent statement that his late father had been such a profound influence in the motor magnate's life. He has yet to meet Ford, who said of the elder Smith's book: "It gave me the answer I was seeking. It changed my whole life. From emptiness and uselessness it changed my outlook upon life to purpose and meaning."

End Is More Vital than the Means: Yamins

Return Exhibitor Rights, Says Allied Head

Allied States does not intend to cooperate with the major distributors in a conciliation move or further such a program unless it receives concrete proof from the companies that they will "restore the independent exhibitors' rights," Nathan Yamins, president of national Allied, declared here yesterday.

"It is not only sufficient that they give us assurances for the future, but that they restore to us everything in the way of rights that they have taken from us in the past," he said.

Yamins, here for the organization meeting of Allied Theatre Owners of New York, was referring to a statement made by William F. Rodgers, general sales manager of M-G-M, at a banquet of the Independent Exhibitors in Boston last week. Rodgers urged conciliation in the place of Government intervention.

"We are interested in substance, not in form," Yamins said. "It makes no difference to us whether we attain our aim through conciliation, litigation or

(*Continued on page 6*)

Form N.Y. Allied Unit; Cohen Head

Organization of the Allied Theatre Owners of New York, Inc., was effected at a meeting at the Hotel Astor yesterday with the election of temporary officers and directors and adoption of a constitution and by-laws.

Max A. Cohen, head of the Cinema Circuit Corp., operating theatres in the metropolitan area, was named chairman; William C. Smalley, circuit operator of Cooperstown, first vice-chairman; Charles Wilson, Troy, sec-

(*Continued on page 6*)

Asher-Korda Deal To Await Return

The deal whereby Irving Asher will produce several pictures for Alexander Korda's London Films next season will not be concluded until the principals return to London, it was stated here yesterday on the eve of their departure from New York. Korda and Asher will sail for England today on the *Normandie*.

Although the preliminary talks here

(*Continued on page 3*)

Columbia Will Hold 4 Sales Conventions

(Continued from page 1)

forces under them will attend the sessions, which will be conducted by home office sales executives.

All four sessions will be presided over by Montague, and, in addition, Rube Jackter, Louis Astor, Louis Weinberg and Max Weisfeldt will attend the New York and Chicago meetings. Jack Cohn, vice-president, and all other home office executives will attend the New York meeting, at which the company's new season production schedule will be announced first. Heading the New York sales delegation will be Nat Cohn, New York division manager, and Sam Galanty, mid-east division manager. Phil Dunas, mid-central division manager, and Carl Shalit, central division manager, will head the Chicago delegation. Sam Moscow, southern division manager, will head the sales forces attending the Dallas meeting, and Jerome Safron, west coast division manager, those attending the San Francisco meeting.

Serials for Studios

Simultaneously, Columbia announced that its own studio would produce the company's serials for new season release, four of which have been set. They are: "The Spider," "Mandrake, the Magician," "Adventures of Kit Carson" and "Flying G-Men." The first serial to be produced by the studio, instead of by outside producers as heretofore, will be "Wild Bill Hickok," to be released in June. The company asserts that production values will be increased through the casting of top-line players in the serials, and the assignment of the company's better directors and writers to the productions.

World Has "Illusion"

The French-made "Grand Illusion," which won Goldwyn praise, is being released with English language titles in the United States by World Pictures Corporation. Walter Wanger is not remaking it, but is engaged in a remake of the other Goldwyn-praised French offering, "Pepi Le Moko."

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OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
SOUTHERN ALL-YEAR ROUTE
MERCURY—Lv. 5:10 pm ; SOUTHERNER—Lv. 9:00 pm.
Call your Travel Agent, or VAnderbilt 3-2580
Ticket Offices: 45 Vanderbilt Ave. and
Rockefeller Center, 18 W. 49th St.

AMERICAN
AIRLINES INC.

Purely Personal

GEORGE J. SCHAEFER plans to leave for the coast before the end of the week for conferences on new season product and plans for the company's annual sales conferences. The day of his departure is still indefinite.

•

ISABEL TURNER of the Warner home office publicity department is in Washington arranging details of tonight's special screening of "The Adventures of Robin Hood" for an audience of Congressional leaders at the Interior Department Auditorium.

•

BASIL RATHBONE and ERROL FLYNN on May 12 will attend the world premiere of "The Adventures of Robin Hood" at the Music Hall. Flynn is en route from Havana aboard his yacht, *Sirocco.*

•

EARL JAMESON of Exhibitors' Film Delivery in Kansas City flew in via TWA for the National Film Carriers annual meeting here, accompanied by GEORGE HARTTMAN, Kansas City exhibitor.

•

JACOB WILK head of Warners' story department, tonight will discuss the documentary film before the class in history and journalism at the New School for Social Research.

•

J. H. HOFFBERG leaves today for Baltimore and Washington in connection with the openings in these cities of "Kathleen." He will return to New York in about a week.

•

NATE J. BLUMBERG, Universal president, was delayed in his planned departure for the coast yesterday. He may leave today although his plans are still indefinite.

•

LEON LEONIDOFF, senior producer at the Music Hall; RAY NOBLE'S orchestra and TILLY LOSCH are among the passengers due to sail on the *Normandie* today.

•

EDGAR KENNEDY, comedian, will sail on the *Washington* today for England, where he is cast for a leading role in G. B.'s "Chicago Ben."

•

BARNEY and MRS. FINEGOLD have a new 6½-pound heir, born at Unity Hospital. FINEGOLD is assistant manager of the RKO Alden, Jamaica.

•

WALTON C. AMENT, news editor of RKO Pathe News, left yesterday for a month's visit at the newsreel's Washington office.

•

J. T. EVERITT, associate editor of the March of Time, has returned from a business trip to Pittsburgh.

•

PHIL GOLDSTONE says his Alexandria Hotel in Los Angeles, refurbished, will open July 1.

•

HERB BERG and TOM WALLER of Paramount's publicity department are vacationing.

Leda Bauer Story Editor

Leda Bauer has been named eastern story editor for RKO. She succeeds Lillie Messinger, now studio story editor.

"Rousing Drama"

London, May 3.—London Films' "The Challenge," press-previewed here today, is a rousing human drama of the 19th Century conquest of the Matterhorn.

The production is notable for its thrilling mountain climbing sequences against a background of almost breath-taking ruggedness. The story, strongly told, is of the Italo-British rivalry for the conquest of the peak. A highlight performance is that of Luis Trenker as a guide, while the characterizations of Robert Douglas and Ivan Gardner are good. Gunther Stapenhorst directed and Trenker collaborated on the Alpine episodes.

It is unusual and arresting entertainment.

FLANAGAN

Lab Union to Meet On De Luxe Contract

Refusal of Alan Freedman, president of De Luxe Laboratories, to accede to salary increases demanded by Motion Picture Laboratory Technicians' Union, Local 702, will be discussed at a meeting of De Luxe employes at the Piccadilly Hotel tonight.

The union said that a decision on "further action" will be made. A meeting between Freedman and the union's negotiating committee on Monday resulted in a statement by the union that Freedman's refusal to meet salary demands "made strike action inevitable." Such action would have to be approved by the I.A.T.S.E. About 350 workers would be affected.

Exchange Pact May Be Signed on Friday

Ratification of the master agreement covering conditions for exchange employes is expected to be completed on Friday at a meeting of I.A.T.S.E. representatives and distributor spokesmen. A meeting was held at the Warner home office yesterday, but due to the absence of some company representatives little was accomplished, it was said. Lou Krouse and John Gatelee, union officials, were here for yesterday's session.

J. D. Clark "Unchanged"

The condition of John D. Clark, 20th Century-Fox director of sales, was described as "unchanged" last night by physicians at Mountainside Hospital, Montclair, where the executive underwent an operation last week.

Settle Hepburn Contract

HOLLYWOOD, May 3.—Katharine Hepburn's contract with RKO, which had six months still to run, today was amicably settled, the studio stated. Story material was said to have caused the differences between studio and star.

Associates to Meet

The Motion Picture Associates will meet tomorrow at 12:30 in the Hotel Lincoln. Among matters to be discussed are insurance and the possibility of a boat ride for the members.

Para. Stock Buy of Richards Reporte

WASHINGTON, May 3.—Film con pany officers and directors continue t make few changes in their securit holdings, with few transactions r corded since the turn of the year, was disclosed today by the Securiti and Exchange Commission.

The commission's semi-monthly r port shows that the only change picture stock holdings in March the acquisition of 2,500 shares of Par mount Pictures second preferr stock by E. V. Richards, New O leans, director, through the Rochel Investment Corp., which held 7,5 shares at the close of the month; a quisition of 450 shares of Loew Boston Theatres common stock Loew's Inc., bringing its holdings 99,002 shares, and disposition of 2 shares of Loew's Boston Theatr common by John H. Devlin, offic and director, whose holdings we thereby reduced to 45 shares.

The S.E.C. summary also disclos that Samuel I. Posen, New Yor elected a director in Universal Pi tures on March 16, held 45 shares the company's first preferred stoc and that Edward A. Golden, Ne York, elected an officer in Monogra on March 18, held none of that con pany's equity securities.

See No Games Appeal

PHILADELPHIA, May 3.—No appe was asked on the writ to delay e forcement of the ban on Bank Nig and other games in the State Supren Court here today. It is rumored th the case may not be appealed, ina much as a refusal by the state cou would ban games all over the stat Counsel for the various interests ha been in session and may take acti later.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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alk New Product At Republic Meet

(*Continued from page* 1)

ated, "I keep my promises, as you
n see from the product offered and
now promise even greater improve-
ent for the new season." On the
ifting of studio personnel during the
ar, he said that all changes had been
the best and that Republic con-
es to seek the best of talent.

An official welcome to the delegates
as extended by Mayor Frank Shaw
Los Angeles, who was introduced
E. H. Goldstein, studio manager.
ldstein, acting as presiding officer,
en presented Sol C. Siegel, who de-
ribed the exploitation possibilities of
octors Don't Tell," "Evangeline,"
wo Years Before the Mast" and
ne Woman's Family," anniversary
ecials, and "Army Girl," with Pres-
n Foster, Madge Evans, Paul Kelly,
mes Gleason and H. B. Warner,
so "Wagons Westward."

Charles E. Ford, who recently re-
aced Sol Siegel as western serial
pervisor when Siegel was elevated
feature production, told of the
rthcoming 24 westerns and four
rials. There will be eight Autrys,
ght Roy Rogers and eight Three
esquiteers, with John Wayne signed
r the latter series.

Timeliness Stressed

Al Cohen, scenario editor, disclosed
at Republic is seeking up-to-the-
inute stories from the newspaper
adlines and that attempts will be
ade to present pictures based on cur-
nt news. He cited as an example
ly By Night," a story of racketeer-
g tourist agencies which leave
avelers stranded. He requested
legates to send in stories or items
itable for plots to him for study
connection with new material.

John H. Auer, James Gleason, Ben
ivar, Herman Schlom, William
erke, Bob Beche, Harry Grey and
l Colombo also spoke, telling of their
rious activities on the lot.

J. R. Grainger, who on June 1 takes
e post as Republic president, is
unofficial attendance at the conven-
on. Bill Saal, special sales depart-
ent representative and aide to Her-
rt Yates, spoke during the afternoon
ssion.

Vincent Speaks

During the afternoon session Walter
incent, retiring president of Repub-
, talked facetiously of his experi-
ices, Al Adams recounted advertis-
g and publicity appropriation in-
eases and Dan Bloomberg spoke on
und recording. Other speakers and
eir subjects were: C. L. Lootens,
und equipment; Ed White, trailers;
urray Selden, editing; Al Wilson,
ts; Howard Lydecker, miniatures;
hn Victor Mackay, art direction,
d Walter Compton, studio publicity.

ennsylvania Court Upholds Rights Law

HARRISBURG, Pa., May 3.—The
vil right law passed by the 1935
ennsylvania legislature, guaranteeing
ual treatment in theatres and other
blic places to all persons, regardless
race or color, was declared con-
itutional in an opinion handed down
the Dauphin County Court today
Judge C. V. Henry of the Le-
non County Courts, specially pre-
ding.

The Newsreel Parade

Movietone News

Vol. 20, No. 67

(*20th Century-Fox*)

A group of personalities in the news, shown in quick succession, opens the reel in interesting fashion. They include: President Roosevelt starting on a fishing trip, Governor La Follette of Wisconsin launching the new Progressive Party, War Minister Hore-Belisha of England reviewing French troops on a visit of importance, Admiral Byrd crowning the Virginia apple Queen, the King, Queen and Princesses of England reviewing a Boy Scout Troop, Col. Robert Olds, U. S. Air Corps flight leader, receiving a medal, and the Texas poetess who has been selected the "American Mother" of 1938.

The fashions this time are for elderly women, and the clip is executed in expert style. The fleet arrives on the coast to a chorus of feminine squeals from the dock, a huge blast takes the side out of a quarry in Virginia, Lew Lehr opens a pet zoo in Philadelphia for youngsters in amusing fashion, and the sporting division shows the highlights of the Penn Relays at Philadelphia, a Des Moines track meet, and Sea Biscuit and War Admiral warming up for that Decoration Day sprint with $100,000 hanging on the wire. Running time, 10 mins. A.

News of the Day

Vol. 9, No. 265

(*M-G-M*)

There is historical importance in the opening clip as Governor LaFollette of Wisconsin is pictured launching the new Progressive Party in a vigorous speech. A man-sized quarry blast makes a striking newsreel bit when the whole side of a quarry is blown to pieces.

Other covering includes the New York World's Fair preview parade, the opening of a pet zoo in Philadelphia, the recently selected "American Mother" of the year, Eamon de Valera arriving in London for the signing of the Irish-English treaty, the return of the U. S. fleet to San Diego and the sailors scrambling for shore leave, the opening of a dirt track in New Jersey, with its thrills, and the highlights of the Penn Relays in Philadelphia.

The coverage on the parade "happened" to catch a background sign on Broadway advertising "Test Pilot" and the Loew float, featured by a "Girl of the Golden West" ad.

A striking and impressive clip pictures the French "Legion of Broken Faces," scarred war veterans, at the funeral of their commander in Paris. Running time, 10 mins. A.

Paramount News

No. 78

(*Paramount*)

This is a good collection of clips, moving at a fast pace, highlighted by Gov. Phil LaFollette's call to the new Progressive party in which the sound track proves him a forceful speaker. There is realism in the camera work showing the results of a twister in the Nebraska dust bowl, inclusion of details adding to the drama.

Other subjects include the World's Fair Motorcade and a "preview" of the big show; President Roosevelt waving goodbye as he sails on a fishing cruise; children playing with harmless young animals in a "kiddie zoo," which is cute. Four of the nine subjects are devoted to sports, including auto racing at Hohokus, N. J., a "race" of antiquated cars, which is well gagged up, a sailing regatta at Cambridge, Mass., which is a fine piece and the Pennsylvania Relays. Running time, 9½ mins. J.

RKO Pathe News

Vol. 9, No. 82

(*RKO*)

Timely subjects of straight news interest coupled with high grade production and makeup form an excellent newsreel in this release.

The launching of Governor LaFollette's new liberal party, coupled with excellent recording of the dramatic LaFollette oratory, makes a distinctive subject and earns the lead position in the reel. Some good shots of President Roosevelt's departure for a rest cruise aboard the new cruiser Philadelphia, the opening ceremonies—indoors and out — for the new CBS Hollywood broadcasting studio, George Bernard Shaw's address at the dedication of the National Theatre commemorating Shakespeare, out-of-court views of Jackie Coogan and his bride, and shots of the New York World's Fair motor parade run to routine coverage but are aided significantly by good narration and skillful editing.

The coverage of the Norman Thomas welcome to Jersey City and an interview, thereafter, with Thomas are highly interesting and splendid examples of newsreel reporting. The coverage of the Penn relay carnival at Philadelphia also is high-grade newsreel reporting and editing. Running time, 8½ mins.

K.

Universal News

Vol. 10; No. 663

(*Universal*)

Two numbers are outstanding in an assortment of 11 subjects in this issue of Universal News. One is a race of pre-war automobiles over rough terrain by college boys at Fresno. It is dizzy and good for plenty of laughs. The other is an automobile race on a dirt track at Hohokus, N. J. The cars may not be going more than 40 miles an hour, but the way they kick up dirt and skid and run off the course is exciting.

An odd shot shows men rebuilding the wooden honeymoon bridge at the foot of Niagara Falls. The World's Fair parade is intended to be impressive, but falls short of the mark.

There is human interest in the return of the U. S. Navy to San Pedro. The cameraman—Alley—caught a variety of angles. Other subjects show President Roosevelt leaving on his cruise, Spanish soldiers marching through mountain terrain, the dedication of a town on the Pontine Marsh, a Colonial fete at Cannes, France; the Penn relay games, and a race meet at Jamaica. Running time, 9½ mins. J.

G.B. Has New Title

The title of "Illegal Holiday," G.B. film starring Margaret Lockwood and John Lodge, has been changed. It is now "Three on a Weekend."

Lee Says G.B. in Enviable Position

(*Continued from page* 1)

product is causing an acute situation for some exhibitors.

Twenty-three men attended the sessions today. The morning and afternoon sessions were devoted to outlining product and screenings. A dinner followed at the Chez Paree tonight. Tomorrow morning there will be morning screenings and individual conferences.

Lee, Clinton M. White, Al Margolies and Arthur Greenblatt will leave in the afternoon for the third regional at Denver.

Asher-Korda Deal To Await Return

(*Continued from page* 1)

have made it fairly certain that Asher will become associated with Korda in the near future, details of the new production alliance have yet to be worked out, it was said.

Morris Helprin, advertising and publicity representative for Korda here, will sail for London in three weeks to arrive for campaigns on Korda's new season product.

All Erpi Activities Now Are Downtown

The removal of the last of the Erpi departments from the offices at 250 West 57th St., which the company has occupied almost from the time of its inception and entry into the theatre and recording equipment business, was completed yesterday. The new Erpi headquarters are located in the A. T. & T. Bldg. at 195 Broadway.

Most of the company's administrative departments were moved downtown at the first of the year when its theatre service business was turned over to Altec Service Corp. and its sales department was disbanded with the licensing of International Projector and Motiograph to manufacture the former Western Electric equipment.

Malcolm Browne Will Release First July 1

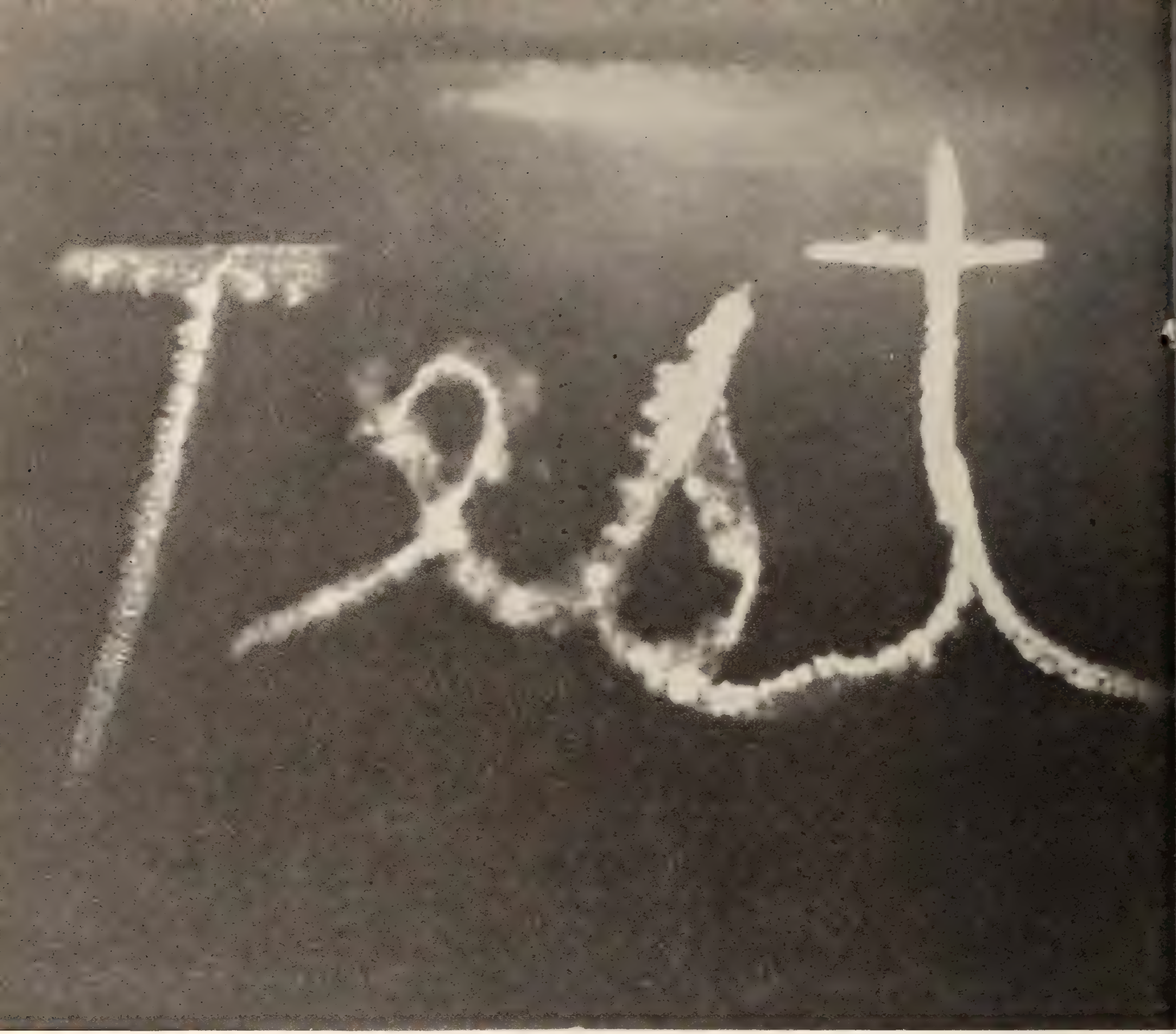
The first of 20 pictures planned for next season's release by the recently organized Malcolm Browne Pictures Corp. will be ready for release between July 1 and 15, the company stated yesterday. The company's list of eight westerns, eight action melodramas and four specials will be distributed through states rights organizations.

Negotiations for foreign distribution are nearing completion, Browne said, and contracts with several stars and producers are expected to be signed shortly.

Baltimore Tent to Open

BALTIMORE, May 3.—Headquarters of the Variety Club, Tent No. 9, will be formally opened in the Hotel Belvedere tomorrow night at 8:30 P.M. National President John H. Harris is expected to be present.

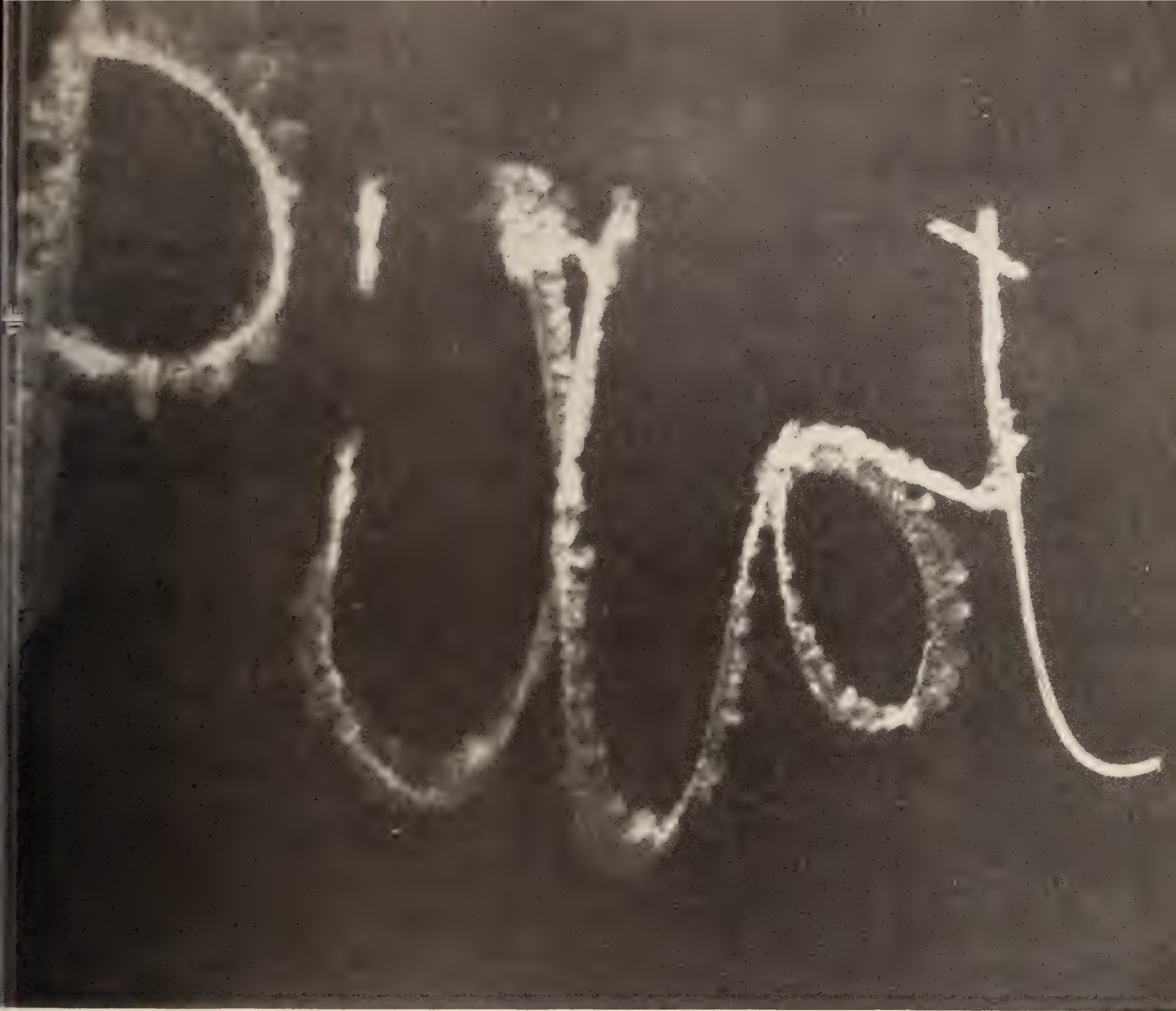
Members and wives only have been invited to attend Saturday with music for the occasion. From then forward the clubrooms will be open daily for members and their friends.



Actual photo (above) of sky-writing over Broadway as M-G-M's sensational GABLE-LOY-TRACY hit packs Capitol for biggest gross in 16 months. Third week tremendous! Held Over 4th Week!

HOLD IT!

Don't let go till every man, woman and child has come to your show shop!



XTENDED RUN SENSATION!

EST PILOT" HOLD-OVERS CLICK!

w York, N. Y.	*Capitol*	4th week
ianapolis, Ind.	*Palace*	Two weeks
nsas City, Mo.	*Midland*	Two weeks
uisville, Ky.	*Loew's*	Two weeks
Louis, Mo.	*Loew's*	Two weeks
anta, Ga.	*Grand*	Two weeks
uston, Texas	*State*	Two weeks
shville, Tenn.	*Vendome*	Two weeks
w Orleans, La.	*State*	Two weeks
lumbus, Ohio	*Ohio*	Two weeks
racuse, N. Y.	*State*	Two weeks
ovidence, R. I.	*Loew's*	Two weeks

(Day & Date in Boston and Los Angeles)

Boston, Mass.	*State*	Two weeks
Boston, Mass.	*Orpheum*	Two weeks
Los Angeles, Cal.	*State*	Two weeks
Los Angeles, Cal.	*Chinese*	Two weeks
Wilmington, Del.	*Loew's*	Two weeks
Reading, Pa.	*Colonial*	Two weeks
Chicago, Ill.	*United Artists*	Two weeks
Baltimore, Md.	*Century*	Two weeks
Harrisburg, Pa.	*Regent*	Two weeks
Rochester, N. Y.	*Loew's*	Two weeks
Dayton, Ohio	*Loew's*	Two weeks

Richmond, Va.	*Loew's*	Two weeks
Portland, Ore.	*United Artists*	2nd week
Seattle, Wash.	*Paramount*	2nd week
San Francisco, Cal.	*Warfield*	2nd week
Cincinnati, Ohio	*Albee*	Two weeks
Detroit, Mich.	*United Artists*	Two weeks
Buffalo, N. Y.	*Great Lakes*	Two weeks
Worcester, Mass.	*Poli*	Two weeks
Dallas, Texas	*Palace to Tower*	Two weeks
Hartford, Conn.	*Poli*	Two weeks
Galveston, Texas	*Martini*	Extended
Miami Beach, Fla.	*Sheridan*	Extended

"The Sky's the Limit!"

End Is More Vital than the Means: Yamins

(Continued from page 1)

Federal intervention. The end is what is important, not the means.

"But we cannot be expected to give up our present program for mere assurances. We want something more tangible than that.

"Reasonable people can always get together on a reasonable basis. But the trouble with the big companies is that they have forgotten how to live by the Golden Rule."

Midwest MPTO Unit Endorses Neely Bill

OMAHA, May 3.—Members of the M.P.T.O. of Nebraska and Western Iowa, meeting here today, place their stamp of approval on the Neely bill because "it would mean the exhibitor could serve his patrons better."

The organization also adopted a resolution "against actors and actresses broadcasting during theatre hours."

Exhibitors told MOTION PICTURE DAILY they did not want to see Governmental regulation of the industry but believed in the Neely bill type of booking. Distributors, they said, apparently are reluctant to rectify certain conditions which have caused difficulties to indepedent exhibitors.

Under the Neely bill, exhibitors could satisfy their communities better through better selection of product, said President Charles E. Williams, who presided at the meeting.

Kansas Citians Here

R. R. (Dick) Biechele, secretary-treasurer of the Kansas-Missouri Theatre Association, will leave today for Baltimore after a three-day visit here. He operates the Osage in Kansas City, Kan., and is head of the Variety Club in Kansas City. He attended the Variety Club convention in Cincinnati last week. A. F. (Peck) Baker, for many years a prominent Kansas City, Kan., exhibitor and his daughter, Mrs. Ralph Snyder, are accompanying Biechele.

Wall Street

Board Shows Light Gains

	Open	High	Low	Close	Net Change
Col.	11⅛	11⅛	11	11	.....
E. K.	145½	147	145½	147	+2
E. K. pfd.	171	171	171	171	+1
Loew	39¾	40¾	39¾	40½	+ ¾
Para.	7⅛	8	7½	8	+ ⅝
Para. 1	76¾	77	76¾	77	—1¼
Para. 2	8½	8⅝	8½	8⅝	+ ¼
Pathe	4¾	5	4¾	5	+ ¼
RKO	2⅝	2¾	2⅝	2¾	.....
20th Fox	20¾	20¾	20¾	20¾	— ¼
Univ. pfd.	37	37	37	37	.....
W. B.	4⅞	5	4⅞	4⅞	+ ⅛
W. B. pfd.	27½	27½	27½	27½	—1

Technicolor Up on Curb

	Open	High	Low	Close	Net Change
Sonotone	1½	1½	1½	1½	.....
Tech.	19⅜	20	19⅜	20	+1⅜
Trans-Lux	2⅛	2⅛	2⅛	2⅛	.....

Keith Bonds Increase

	High	Low	Close	Net Change
Keith 6s '46	82½	82½	82½	+ ½

(Quotations at close of May 3)

Form N.Y. Allied Unit; Cohen Head

(Continued from page 1)

ond vice-chairman; Chester Didsbury, Walden, treasurer; Abe Levy, Brooklyn, secretary, and Joseph Rosenzweig, New York, assistant treasurer.

The following were named to the board: I. Landau and Samuel Wormser, both of New York; Louis Goidel, Brooklyn; Abe Stone, Albany; Mitchell Connery, Ravena; John Gardiner, Schenectady, and Irving Sherman, Pearl River.

These will serve until the first convention of the group in an upstate city in September, by which time Allied officials hope to include a Buffalo unit in the state organization. The group is now representative of metropolitan and Albany areas.

Yamins Speaks

The meeting, which was attended by 35, including some Allied of New Jersey members, was addressed by Nathan Yamins, Allied States president; Sidney Samuelson, member of the national executive committee; Arthur K. Howard, of Boston, national recording secretary and director of expansion, and the newly elected chairman. Abram F. Myers, general counsel, who was scheduled to attend, was detained in Washington.

Organization of the New York unit is Allied States' first substantial move in the expansion campaign voted at the last two national conventions.

Temporary headquarters of the unit will be at the Allied of New Jersey office in the Lincoln Hotel.

Shulman Is Head of Conn. Allied Group

NEW HAVEN, May 3.—Morris Shulman, Hartford, was elected unanimously as president of the state Allied unit at the third annual election here today.

Other officers elected are: George Conden, first vice-president; Joseph Davis, second vice-president; Harry Lavietes, treasurer; Lawrence Caplan, secretary; Albert Schuman, chairman of the board; Jacob Fishman, Joseph Reed and Shulman, members of the nominating committee; Abe Fishman, delegate to the national Allied convention.

Clark Reelected as Film Carrier Head

(Continued from page 1)

committee and the board of managers also were renamed.

The morning and afternoon sessions were given over to discussions of the handling of trucking problems. Among the representatives of the major distributors who spoke were J. S. McLeod and Tyree Dillard, M-G-M; Harry Mersay, 20th Century-Fox; A. A. Schubart, E. J. McGuire and M. J. McShea, RKO; Earl Dennison, U. A.; Henry Anderson, John Ojerholm and Thomas Brown, Paramount; C. C. Ryan, Warners, and Dave Palfreyman and Arthur Dickinson of the Hays office.

Patchen Succeeds Stern

OKLAHOMA CITY, May 3.—A. E. Patchen, in charge of exploitation for Standard Theatres' suburban houses, has succeeded Bert Stern as Standard advertising manager.

Confectioners Suing 20th-Fox on Picture

A $500,000 libel suit was filed yesterday in the N. Y. Supreme Court against 20th Century-Fox by National Confectioners Corp. of the United States in behalf of 325 of its members. The plaintiff sought in addition to damages an injunction restraining the exhibition of the picture, "Rebecca of Sunnybrook Farm," or a court order eliminating an alleged libelous conversation in the picture.

The National Confectioners allege that the picture portrays Shirley Temple as Rebecca returning to her home and telling her Aunt Miranda that she has had a candy bar for supper. Aunt Miranda then replied, the plaintiff complained, "Take the child to the kitchen and get her something decent to eat." This remark, it was charged, was a reflection on the trade and caused it "shame and ridicule in the eyes of children, who view Shirley Temple as a model and eschew anything not considered good for her."

Seek Van Beuren Holdings

Irving Trust as trustee of RKO yesterday petitioned the Federal Court for authority to purchase the voting trust certificates representing 50,000 shares of Class A stock of Van Beuren Corp. for $69,750. The Irving Trust further petitioned for authority to purchase all of the outstanding Class B stock of Van Beuren Corp. which is 2,200 shares for a price not exceeding $1.40 a share. The alleged reason for the purchases is stated by Irving Trust to be that they believe they can make a profit in the liquidation of Van Beuren.

Board Sues on Labor Ruling

Suit was filed yesterday in the N. Y. Supreme Court by the State Labor Relations Board to compel United Long Island Theatres Corp. and other independent operators in Long Island to abide by a ruling of the Labor Relations Board which permitted members of Motion Picture Operators' Union Local 306 of the I.A.T.S.E. to organize and unionize the independents in Long Island. The order of the board also directed the reinstatement of six operators discharged for union activity.

Reserves Decision on Davis Plea

Justice Julius Miller reserved decision yesterday in the N. Y. Supreme Court on the application of Betty Davis as an alleged stockholder of Columbia Pictures for a writ of mandamus, directing the inspection of Columbia's books and records since its inception. The application was brought on the ground that Jack and Harry Cohn and Joseph Brandt, alleged directors and officers of Columbia, had manipulated Columbia's stock in their own interests.

Magazine Files Suit

William L. Gross, as assignee of the creditors of The Theatre Magazine Co. filed suit in the U. S. District Court yesterday against 20th Century-Fox charging the plagiarism of its cover design of the August 1929 issue of *The Theatre Magazine* in "George White's Scandals of 1935." He asked for an injunction, account of the profits, damages and costs.

Set Erpi Trial for June 6

Federal Judge John C. Knox yesterday at the request of Erpi set t suit of John G. Paine as assignee approximately 100 music corporatic against Erpi for trial on June 6. T suit asks $149,948, which the pla tiff claims is due on royalties for t granting of licenses to Erpi to rep duce songs in pictures.

Contracts Set For 40 Films In Full Colo

(Continued from page 1)

have been completed; Loew's, Pa mount and Warners, two each one each by Goldwyn, Selznick national and 20th Century-Fox.

Earnings for Technicolor, Inc., a Technicolor Motion Picture Co after year-end adjustments and ta for the first three months of this y follow: January, $41,966.96; Februa $159,263.92; March, $160,108.50. T totals $381,339.38, as compared w $100,670.64 for the same three mont of 1937.

The net profit for the first quar of this year is equivalent to appro mately 45 cents per share on 803,081 shares outstanding on Dec. 1937.

Option for Walt Disney

The report discloses that duri 1937 stock options were granted p ducers who contracted for Technicol for terms ending in 1940, these tions including 72,000 shares at $21 a share, 36,000 shares at $22.50, a 55,000 shares at $28.50. The two-y contract with Walt Disney carries option on 16,000 shares at $28. These options are exercisable only the films are produced in accordar with the contracts.

The company's British affilia Technicolor, Ltd., showed "a subst tial loss" during 1937, but has sho marked improvement in earnings d ing the first 1938 quarter, Dr. Kalm said.

The combined net earnings of $46 169.36 for 1937 compares with a of $482,113.92 for 1936.

Hayman Is Honore At Buffalo Dinn

BUFFALO, May 3.—Nearly 2 showmen turned out last night honor A. Charles Hayman, presid of Lahaye Theatres Co., Inc., at dinner marking his 30th annivers in the theatrical business.

Hayman's former fellow-townsm Edward K. O'Shea, now eastern d trict manager for M-G-M, came fr New York to act as toastmaster.

The dinner committee includ Charles Boasberg, Ralph Maw, Ri ard Walsh, Marion Gueth, Mari Walsh, Ken Robinson, Sydney H son, Charles Rich, Peter Dana a Robert P. Murphy.

Among the out-of-town gue were: Abe Montague, Rube Jackt Louis Weinberg, Columbia; Frank A. McCarthy, Universal; Will McKay, Dave Miller, Clevela George Weeks, Monogram; Geo Roberts, 20th Century-Fox; Art A. Lee, vice-president and gene manager of G. B.; Moe Silver, W ners; Nate Souber, Universal; Geo Dembow, National Screen Service

ayne Attacks arnoff, RCA For Criticism

(*Continued from page* 1)

ic opinion to its will, and to con- ot only the radio industry but regulatory body known as the eral Communications Commission."

he only effective answer, the com- ioner asserted, is the "long ed" Congressional investigation.

Heretofore every attempt to re- n radio broadcasting or to loosen control on the Governmental reg- ory body has been fought in secret he arrogant lobby which Mr. Sar- helps to maintain in Washing- ' he said. "Now apparently the is to be continued in the open by Sarnoff himself."

hallenging Sarnoff's comparison of dcasting to the service rendered by icians and lawyers, Payne declared the doctor and the lawyer do not y the use of valuable frequencies nging to the public, nor can they their facilities for the fabulous es which have been paid for radio ons.

Mr. Sarnoff has omitted to say that every good program worthy of the lligence of the public, perhaps a dred programs are offered which trite and stultifying," Payne con- ed.

Cites Large Profits

Mr. Sarnoff suggests that the li- e period for broadcast stations be thened, but he forgets that even n the present six-month period the dcasters, as a class, have become igent of the public interest and gant.

The rate of profit made by many dcasters is far in excess of that ed by the American Telephone & egraph Co., by the U. S. Steel p. or by any physician or lawyer."

The business of the broadcasters is ue in that his main asset, almost sole asset, is something that has n loaned to him by the Govern- t without any charge whatever.

To me what Mr. Sarnoff desires ear. It is his idea that our radio dcasters should be permitted to whatever they please to the pub- He wants no restriction of any es that they may be guilty of. s, of course cannot be. The pub- as the right to regulate what is es- ially its own and what is of so t importance to it in its daily life."

zama Forms Company

uis Lezama, former manager of io Pictures de Mexico, S. A., the ican branch of RKO, has just nized Producciones Cinemato- icas Aztla, S. A. It will be a lucing organization with Mexican tal and will make Spanish uage pictures.

dam Adds 3 Stations

dam Hat Stores have added OK, Oklahoma City; KGKO, Worth-Dallas, and WMFF, tsburgh, N. Y., to their NBC- network for the three champion- fight broadcasts remaining on spring schedule. The total hook- vill include 31 stations.

Nom de Plume

The symphonic tone poem, "The Last Knight," by H. Emery Davis, has been scheduled on the NBC Symphony orchestra broadcast of Saturday.

For the record, the "H" in the composer's name stands for "Hilda," and Hilda Emery Davis is the wife of Meyer Davis, the dance maestro.

General Mills Takes WHN 'Amateur Hour'

General Mills will take over the sponsorship of the WHN "Original Amateur Hour" beginning with this Friday's broadcast. The previous sponsor was Procter & Gamble for Oxydol.

A contract has been closed between WHN and the Guardian Loan Co., for 52 weeks of spot announcements, starting immediately. Norman B. Furman, Inc., is the agency.

Technicians' Institute has renewed its contract over WHN for four weeks, through the Winer Co. Also, Hampden Sales Association is participating in the "Polly the Shopper" program over this station.

Net Profit of RCA Totals $1,437,800

The RCA statement for the first quarter of 1938 shows a net profit for the quarter of $1,437,800, as compared with $2,243,057 for the corresponding period in 1937.

Total gross income from all sources for the quarter amounted to $2,630,568.27, which compares to the similar period last year of $25,109,342.70.

Seeks Station in Ohio

WASHINGTON, May 3.—Application for authority to construct a new broadcasting station has been filed with the Federal Communications Commission by Richland, Inc., Mansfield, O. The station would operate on 1,370 kilocycles with 250 watts power, daytime only. The commission also received a renewed application from KIUN, Pecos, Texas, for authority to change frequency from 1,420 to 1,370 kilocycles.

Start CBC Series May 5

TORONTO, May 3.—The first of the 24 concerts by the Toronto Symphony Promenade Orchestra under the direction of Reginald Stewart to be presented over the national network of the Canadian Broadcasting Corp. through the summer will be aired May 5. CBC's hour show, each Thursday from 9 to 10 P. M., E.D.S.T., will be heard in the United States over NBC.

No Move for Lux Show

HOLLYWOOD, May 3. — The Lux "Radio Theatre," CBS program, will not move into the new studios on Columbia Square. Cecil B. DeMille, producer and director of the show, prefers to maintain the atmosphere of the present legitimate theatre, two blocks from the new plant, where he can have rehearsals without considering studio availability.

Radio Personals

PAUL RICHARDS, baritone, has joined the staff at WHN . . . H. Arthur Gilbert has joined the production department of the same station. He was formerly with the Murray R. Director agency . . . Linda Lee, singer featured on the Ripley show, has had her contract renewed for another 13 weeks . . . Eddie Cantor is moving his company back to Hollywood after the broadcast of May 9 . . . Ken Sisson, conductor of "Canada, 1938," has joined the A. F. of M. and A. F. R. A. chapters in Montreal, making him eligible to act as "em cee," announcer, commentator or actor in radio shows in the Dominion.

Plan Extension of Canada Short-Wave

OTTAWA, May 3.—A project for branching out in short-wave broadcasting in Canada, placing this country on a par in that line with other countries is under consideration by the Canadian Broadcasting Corp.

The evolution of the scheme depends upon securing the necessary short-wave bands and also the money required from the high powered broadcasters. This is one of the reasons why interest was taken here in the recent International Radio Conference at Cairo from which most of the Canadian delegates have just returned. The delegation was headed by Laurent Beaudry of the External Affairs Department.

The conclusion will be formally set forth after the "minutes" have been circulated among the different delegations.

At the regional conference in Havana last winter additional channels were assigned to Canada but this arrangement has yet to be sanctioned by the United States, Mexico and this country. Cuba has ratified the action. The Cairo conference was the sequel of the one in Havana for the Americas. In the light of the discussions there are hopes of Canada receiving the bands essential to the establishment of a high powered system of short-wave broadcasting.

Plan New KSFO Series

SAN FRANCISCO, May 3.—First of new series titled "Salute to Industry," directed by Walter Guild, will be broadcast May 6 over KSFO, local CBS outlet. The subject of opening salute will be Hammond Lumber Co., with James Farley, western sales chief, as guest. Other industries will be saluted from week to week.

Time Sales Increase

NEW ORLEANS, May 3.—Sale of radio time in March in this state, according to the *Louisiana Business Review*, was 23.5 per cent above February and 2.2 per cent below March, 1937.

Singer on WQXR

Gloria Grafton, night club and musical comedy singer, will become the first popular vocalist to sing over WQXR when she inaugurates a series of programs on Thursdays at 2:30 P.M., beginning next week.

To Classify All Stations In 4 Groups

WASHINGTON, May 3.—Proposed rules and regulations for the operation of standard broadcast stations, to be the subject of consideration at hearings called for June 6 were made public today by the Federal Communications Commission.

The new rules call for the reclassification of stations into four major groups, two of which are further subdivided, as follows: Class 1-A stations, operating on clear channels with a power of 50 kilowatts; Class 1-B, operating on clear channels with power of 10 to 50 kilowatts; Class II, operating limited time on clear channels with power of 250 watts to 50 kilowatts; Class III-A, operating on regional channels with one to five kilowatts power; Class III-B, operating on regional channels with 500 to 1,000 watts night and not more than five kilowatts day; Class IV, operating on local channels with from 100 to 250 watts power.

It is also provided that the operating frequency of each station, now required to be maintained within 50 cycles of the assigned frequency, is to be brought within 20 cycles of assigned frequency between Jan. 1, 1932, and Jan. 1, 1942, while a 20-cycle fidelity is to be immediately provided by each new station or station in which a new transmiter is installed after Jan. 1 next.

See Larger Air Budget

LAKELAND, FLA., May 3.—The possibility of a greatly increased advertising budget for the Florida Citrus Commission during the 1938-'39 season loomed as a planning committee of the commission prepared to meet on Friday. During the current year, which will close Aug. 31, between $700,000 and $800,000 will be spent, a considerable proportion to go to national radio advertising, including a daytime program featuring Emily Post over CBS. Ruthrauff & Ryan is the agency.

Eaton Show on Mutual

The Eaton Paper Co., pioneer manufacturers of lightweight paper, will sponsor the Mutual special event show May 19 from Kitty Hawk, N. C., which will reenact the events of the Wright Brothers' first flight from that site. The program will be aired from 1:15 to 1:30 P. M.

WCPO Resumes Series

CINCINNATI, May 3.—"I Want a Job," in which various unemployed persons are interviewed on the air as to their qualifications, has been resumed on WCPO, *Cincinnati Post* station this week, after being off the air for some time. Bob Bentley again is at the mike.

Renew Gulden Program

The Gulden's program on WJZ has been renewed for the month of June. This follows a recent renewal for the May broadcasts. The show features Peg La Centra and the Serenaders.

"Test Pilot" Hits $24,500 In the Loop

CHICAGO, May 3.—"Test Pilot" was the best attraction in the loop last week, $24,500, up by $9,500, at the United Artists.

"In Old Chicago" continued to do very well at the Roosevelt and "Snow White and the Seven Dwarfs" at the Garrick was another good attraction in its eighth Loop week. It took $8,200 which was well over the average $6,500.

The start of the basebell season, with Dizzy Dean pulling crowds, hurt weekend business.

Total first run business was $114,000. Average is $121,000.

Estimated takings:

Week Ending April 28:

"JEZEBEL" (W. B.)
APOLLO—(1,400), 35c-55c-65c, 7 days, 3rd Loop Week. **Gross:** $4,800. (Average, $6,500)

"FOOLS FOR SCANDAL" (W. B.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Kiddie Revue. **Gross:** $20,400. (Average, $32,000)

"SNOW WHITE AND THE 7 DWARFS" (RKO)
GARRICK—(900), 35c-55c-75c, 7 days, 8th Loop week. **Gross:** $8,200. (Average, $6,500)

"BATTLE OF BROADWAY" (20th-Fox)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $9,700. (Average, $18,000)

"MAD ABOUT MUSIC" (Univ.)
PALACE—(2,509), 35c-55c-75c, 2nd week, 7 days. Stage: Jane Pickens and Revue. **Gross:** $18,000. (Average, $19,000)

"CONDEMNED WOMEN" (RKO)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $11,600. (Average, $13,000)

Week Ending April 29:

"IN OLD CHICAGO" (20th-Fox)
ROOSEVELT—(1,300), 35c-55c-75c, 2nd week, 7 days. **Gross:** $16,800. (Average, $11,000)

"TEST PILOT" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $24,500. (Average, $15,000)

Reisman to Make Trip

Phil Reisman, RKO foreign sales manager, will leave Saturday on the *Western World* on a tour of South American countries.

Reisman has just appointed Max Gomez of the Chile office manager of the Mexico City branch. Gomez is en route to his new post. George Kallman, formerly of the Argentina office, will fill Gomez' vacated post.

Kauffmans to Bermuda

PITTSBURGH, May 3.—Joe Kauffman, manager of the Universal exchange here, and Mrs. Kauffman have sailed for Bermuda on a two-week cruise and vacation. They will return to New York in time to celebrate their 10th wedding anniversary.

Miss Davis Back on Lot

HOLLYWOOD, May 3.—Warners and Bette Davis have ironed out their differences regarding story material and the star has returned to the studio to prepare for "The Sisters," her next vehicle.

Weinbergs on Vacation

DES MOINES, May 3.—Harry Weinberg, general manager of the Central States Theatre Corp., and Mrs. Weinberg, have gone to Los Angeles for a three-week vacation.

Out Hollywood Way

HOLLYWOOD, May 3. — Twentieth Century-Fox has assigned Claire Trevor and June Lang to star in the series of four pictures based on experiences of modern girls. SOL WURTZEL will be the executive producer and HOWARD J. GREEN, associate. The first will be "Meet the Girls," with the screenplay by MARGUERITE ROBERTS.

BOBBY BREEN'S next picture, called at various times "Keep Moving" and "Easy Street," is definitely titled "The Vagabond Kid" . . . SOL LESSER'S plans to build "Rawhide," a western community near Encinco for use as location scenes, has fallen through, because of zoning laws, and the town of Lone Pine has borrowed all the drawings and plans for use for its contemplated Western street scene . . . CARL DREHER, film writer and sound engineer, has left for a five-month stay in New York with MRS. DREHER . . . RKO expects to get its MARX brothers picture, "Room Service," under way by May 15.

✚

Casting—Rafaelo Ottiano, Sig Rumann and Joseph Schildkraut in "Suez," 20th Century-Fox . . . ARTHUR TREACHER in "My Lucky Star," 20th Century-Fox . . . WALTER ABEL, PENNY SINGLETON, and ANTHONY AVERILL in "Racket Busters," JANE BRYAN and RONALD REAGAN in "Girls on Probation," FRANK MCHUGH in "Sister Act," MARGARET LINDSAY, ANN SHERIDAN and JANE WYMAN in the top roles in "Three Broadway Girls," all Warners.

Directors—JOHN FARROW will direct the first of the NANCY DREW series at Warners . . . LEW SEILER has been assigned "Lady Doctor," KAY FRANCIS vehicle at Warners . . . LES GOODWINS will guide "Cheating the Stars," RKO.

"Golden West" As a 2nd Run Capital's Top

WASHINGTON, May 3.—"Girl of the Golden West," in a return engagement at Loew's Columbia, was the best draw of a dull week with $5,000, up by $1,400.

"In Old Chicago" held up to $11,000 in its second week at Loew's Palace. This was $4,900 under the first week average.

Total first run business was $61,000. Average $73,700.

Estimated takings, exclusive of tax:

Week Ending April 28:

"IN OLD CHICAGO" (20th-Fox)
LOEW'S PALACE—(2,370), 25c-55c, 7 days, 2nd week. **Gross:** $11,000. (Average, $15,900)

"GIRL OF THE GOLDEN WEST" (M-G-M)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days. **Gross:** $5,000. Average, $3,600)

"JEZEBEL" (W. B.)
METROPOLITAN—(1,591), 25c-40c, 7 days, 2nd week, return engagement. **Gross:** $4,500. (Average, $4,300)

"BATTLE OF BROADWAY" (20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Allan Jones, York and King, Novak and Fay, Virginia Martin and Bob Robinson. **Gross:** $18.000. (Average, $20,900)

"THERE'S ALWAYS A WOMAN" (Col.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Tommy Riggs, creator of Betty Lou. **Gross:** $15,000. (Average, $18,400)

"JOY OF LIVING" (RKO)
RKO KEITH'S—(1,836), 25c-55c, 7 days, 2nd week. **Gross:** $7,500. (Average, $10,600)

Operator Wage Cuts Aimed at in Chicago

CHICAGO, May 3.—Balaban & Katz and other exhibitors may soon make a demand on the operators' union for a reduction in wages.

Local scales are said to be among the highest in the country and insiders believe the recent announcement of plans to close some theatres is a move to induce the union to consider wage cuts.

"Chicago" Is 2nd Week Lead At Pittsburgh

PITTSBURGH, May 3. — Although business was off again last week, "In Old Chicago" managed to hold fast at the Alvin, getting $11,000 in its second week and holding for a third. The next best bet was "Bluebeard's Eighth Wife," which got a surprisingly good $14,750 at the Penn.

At the Fulton, "Rebecca of Sunnybrook Farm" was yanked after four days of its second week, during which it got a slim $3,200. "Women Are Like That" and George Jessel-Norma Talmadge in person at the Stanley took only $14,000. The Warner, however, picked up a bit, doing $4,400 with "Tip-Off Girls" and "The Invisible Menace."

Total first run business was $47,350. Average is $45,000.

Estimated takings for the week ending April 28:

"IN OLD CHICAGO" (20th-Fox)
ALVIN—(1,750), 25c-50c, 2nd week, 7 days. **Gross:** $11,000. (Average, $6,500)

"REBECCA OF SUNNYBROOK FARM" (20th-Fox)
FULTON—(1,700), 25c-40c, 2nd week, 4 days. **Gross:** $3,200. (Average, 7 days, $4,500)

"BLUEBEARD'S EIGHTH WIFE" (Para.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $14,750. (Average, $11,000)

"WOMEN ARE LIKE THAT" (F.N.)
STANLEY — (3,700), 25c-60c, 7 days. Stage: George Jessel, Norma Talmadge, Josephine Starr, The Theodores, Amy Arnell, Jack Raymond, Ralph De Angelis, Tommy Tucker, Dave Broudy's orchestra. **Gross:** $14,000. (Average, $18,000)

"TIP-OFF GIRLS" (Para.)
"INVISIBLE MENACE" (W.B.)
WARNER — (1,850), 25c-40c, 7 days. **Gross:** $4,400. (Average, $5,000)

R. R. Cobian on Coast

HOLLYWOOD, May 3.—Rafael Ramos Cobian, president of United Theatres of Puerto Rico, is here to start preparations for the Tito Guizar vehicle, which he will produce for Paramount release. It will be Guizar's first Hollywood-made Spanish picture.

IT ACTUALLY
HAPPENED TO
THIS EXHIBITOR!

TRUE STORIES FROM ALTEC FI

SID HOLLAND, *manager of the Elco Theatre, Elkhart, Ind.*

Finds Obscure Stoppage Cause; Saves Eve. Sho

ELKHART, INDIANA—"It *would* have t on Bank Night, when the house is pac that something would have to go wro declared Sid Holland, manager of the Theatre here.

"We had to run on one machine, the audience began to get impatient. I in touch with our Altec man, D. A. S agan, in South Bend, at 6:25 P.M. He rived in my theatre at 6:55 P.M.

"After examining the machine, S agan had the show going on two mach within thirty minutes.

"There were no customers lost."

• • •

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. 43. NO. 104 NEW YORK, THURSDAY, MAY 5, 1938 TEN CENTS

xtension of icense Term rged by Lohr

ells Commerce Chamber Would Aid Industry

VASHINGTON, May 4.—The exten- n of broadcasting licenses to the statutory period of three years s urged before the Transportation Communications Division of the nual convention of the United States amber of Commerce today by nox R. Lohr, president of NBC.

License terms longer than the pres- six-month period, Lohr declared, uld "materially aid stabilization hin the industry, stimulate invest- nt in improved technical facilities, l place broadcasting on a sound basis her than that of a gamble."

Broadcasting today has assumed an portance far beyond that of mere ertainment and has become a major tor in national affairs, he told the mber, pointing out that when the

(Continued on page 6)

ettengill Charges Films, Air Muzzled

VASHINGTON, May 4.—Adminis- tion efforts to muzzle critical voices re today assailed by Representative muel B. Pettengill (Dem., Ind.) a discussion of Government regula- n of business before a round-table ference of the United States Cham- of Commerce.

Pointing out that in his anti-trust ssage last Friday, President Roose- t recommended "that we pay a tion fee of half a million dollars to

(Continued on page 6)

Additional developments in radio yesterday on page 6.

Loew Float Wins

The Loew theatre float in the New York World's Fair preview parade won the first prize in the theatrical division.

Marion Dolan, who impersonated Jeanette MacDonald, did it so well that she received an offer for a film test. Nelson Eddy was impersonated by Tom Rogers, publicity man at Loew's Valencia, Jamaica.

Zanuck Accepts

Presentation of the 1937 Quigley Grand Awards in Hollywood, on May 10, will be made by Darryl Zanuck, who has accepted an invitation from Martin Quigley to preside at the luncheon in honor of the winners, Ted Kirkmeyer and Jules Seltzer.

Zanuck consistently has pointed out the value of more aggressive showmanship in the theatre and it is expected that his address at the awards luncheon will stress the necessity of continued exhibitor cooperation in the exploitation of Hollywood product.

C.E.A. Issues New Blast on Grading

By AUBREY FLANAGAN

LONDON, May 4.—The Cinematograph Exhibitors Association today fired another gun in its campaign of opposition to the feature grading plan of the Kinematograph Renters' Society (distributors).

In an announcement occupying a full page in each of three trade journals, including *Motion Picture Herald*, the exhibitor organization accuses American interests of dominating and directing the grading scheme, and of an attempt to foist upon the British interests selling practices which are described as intolerable here and impossible in the United States.

The C.E.A. is holding additional

(Continue on page 2)

Constitution Change Would Ban All Games

ALBANY, May 4.—A resolution to amend the present state constitution to permit gambling of a certain kind but specifically prohibiting chance games in all forms, including Bank Night and Bingo, has been drawn for introduction in the Constitutional Convention here. Introduction of the resolution has been withheld for the present.

Edward Weinfeld, delegate from

(Continued on page 3)

BN Decision Appeal Will Be Filed Today

WASHINGTON, May 4.—The appeal of Affiliated Enterprises from the recent order of the Postmaster General depriving it of use of the mails on the ground that Bank Night was a lottery is expected to be filed with the Postoffice Department tomorrow.

John M. Keating, attorney for the

(Continued on page 3)

Silverstone To Coordinate UA Operations

Will Be Named General Manager, Says Korda

Maurice Silverstone, recently elected chairman of United Artists' executive committee, will be named general manager of the company and act as a coordinator of operations, said Alexander Korda before sailing on the *Normandie* yesterday.

"Dr. Giannini will continue as president and chairman of the board," he said.

George J. Schaefer, vice-president and general manager in charge of sales in the United States and Canada, will continue in that capacity, said Korda, and Arthur W. Kelly's status as head of the foreign department will remain unchanged.

Schaefer, said Korda, "will go on with great enthusiasm." He also said that relations between the company's executive staff are "absolutely harmonious."

The negotiations looking to associate producerships for Ernst Lubitsch, until recently with Paramount, and Irving Asher, formerly Warners'

(Continued on page 3)

Monogram to Have 150 at Convention

HOLLYWOOD, May 4. — About 150 persons from the home office, studio and distribution organization will attend the Monogram national sales convention at the Netherland Plaza, Cincinnati, May 8 to 10, W. Ray Johnston, president, said today.

Johnston will head the company's coast delegation leaving here for Cincinnati on Thursday. In the group will be Scott R. Dunlap, studio head; E. B. Derr and Edward Finney, associate producers; William Peirce, studio publicity head; Charles Bigelow, assistant production head; Ralph

(Continued on page 3)

Autry and Republic Differences Settled

HOLLYWOOD, May 4.—Leading a band of film cowboys in full regalia onto the studio set convention floor at Republic, Gene Autry today told 250 conventioneers that his differences with the studio finally have been ironed out to the full satisfaction of all concerned. "I am very happy to

(Continued on page 3)

Philadelphia Duals Ruling To Be Fought

Majors Decide to Take Case to High Court

Attorneys for major distributors, after conferences here yesterday, decided to move for an appeal to the Supreme Court of the U. S. Court of Appeals decision holding anti-double feature clauses in exhibition contracts to be illegal.

Morris Wolfe, Philadelphia attorney for the distributors, will begin immediate preparation of a writ of certiorari asking the high court to review the case, it was stated. The distributor defendants have until June 9 to complete and file their appeal papers.

The anti-dual clause in exhibition contracts has been in litigation for more than three years, the first decision in the so-called Perelman case attacking the enforcement of the clause having been handed down in January, 1935, by the U. S. District Court at Philadelphia. Distributors appealed and the C. S. Circuit Court of Appeals at Philadelphia first affirmed the lower court decision and then granted a rehearing. After the second hearing the lower court ruling

(Continued on page 2)

"Pilot" Best Draw At Capitol in Year

"Test Pilot" is doing the best business at the Capitol in months. It is the first film to be held a fourth week since "Maytime" more than a year ago. The third week's gross, ending last night, was $35,000.

"There's Always a Woman" grossed $69,000 at the Music Hall. "College Swing" at the Paramount with Kay Kyser and his band on the stage did $35,000 and is being held a second week.

"The Battle of Broadway" did

(Continue on page 2)

SEC 1937 "U" Report Lists Loss, Salaries

WASHINGTON, May 4.—Gross income of Universal Pictures Corp. for its fiscal year ended Oct. 30, 1937, was $9,833,425.91, of which $3,055,-217.97 was from film rentals, but after deduction of operating expenses and other charges the company had a loss for the year of $1,084,996.72,

(Continued on page 6)

◂ Purely Personal ▸

A-MIKE VOGEL, editor and chairman of the Managers' Round Table of *Motion Picture Herald,* left for Hollywood last night via United Airlines to complete final arrangements for the presentation on May 10 of the 1937 Quigley Grand Awards.

•

George Wright, attorney for Interstate Circuit, will leave New York for Dallas today to prepare for the hearing there on May 11 involving the Supreme Court appeal on the admission price regulation case.

•

Eddie Dowden and Grace Niles, manager of Loew's Lexington, will discuss children's matrons in theatres at a meeting of the League of Mothers' Clubs, Russell Sage Foundation, next Tuesday morning.

•

Ruth Golden, daughter of Edward Golden, Monogram vice-president, has adorned the pater's office walls with examples of her art work, which those who know describe as being "exceptional."

•

Charlie Kurtzman, manager of Loew's Capitol, Washington, was here yesterday for conferences with Sidney Piermont, Loew vaudeville booker, and J. R. Vogel.

•

J. H. Kurlander was the winner of a contest for the best design for a Neumade cabinet in which to store 16mm. film, at the recent convention of the S.M.P.E.

•

Leon Netter, vice-president of Paramount Theatres Service Corp., today will leave on a business trip which will take him all the way to the coast.

•

Bob Goldstein, talent scout, sailed on the *Normandie* yesterday. Bert Wheeler and Tilly Losch cancelled their reservations.

•

J. R. Vogel and Oscar Doob have returned from a tour of the Loew-Poli circuit in New England.

•

Arthur Dickinson of the M. P. P. D. A. came this close to losing his voice to laryngitis.

•

Ethel Altman, secretary to Fay White of Loew's, will celebrate a birthday today.

•

Ernst Lubitsch has arrived from the coast and is staying at the Waldorf-Astoria.

•

Leo J. McCarthy, independent producer, has left New York for Kansas City.

•

Nat Saland will be back from the coast Monday.

EXHIBITORS, ATTENTION!
Charles Schwartz, West Coast Editor of Official Publication of the Independent Theatre Owners Association, New York, writing to Fred Wilson, says: "I am very glad to see that one of the old guard of exhibitors conceived the greeting card, birthstone, horoscope idea.
"It spells showmanship and I feel it will prove a 'natural' for theatres everywhere. Congrats."
Representative wanted in every exchange center.
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1633 Cordova Street, Los Angeles, Calif.

Insiders' Outlook

SOME assorted motives are behind the Independent Theatre Owners' Association blast against Hollywood star salaries which appeared on the front page of the last issue of *The Independent* and was reproduced as a page advertisement in the *Hollywood Reporter.* The principal wire services picked it up yesterday.

The Independent is the official paper of the I. T. O. A. Its paid circulation numbers all the members and others outside the organization. Recently it opened a Hollywood office to extend its activities. It may be just a coincidence that this article printed in red and headed "Wake Up!" appeared at this time. Having failed to stir a ripple as an editorial, it was reproduced as an advertisement a few days later.

▼

Producers are fuming, the Actors Guild membership is burning, the Hollywood syndicate correspondents are cheering.

In New York other reactions are taking place. There happens to be a lively feud on between Allied and the I. T. O. A. which began some weeks back when Allied leaders turned down Harry Brandt's efforts to get Allied cooperation in an effort to revive a movement for conciliation of industry disputes. Soon after Brandt began to shoot editorial fireworks at Allied that organization revived efforts to organize a New York unit and held an organization meeting here the day the Hollywood advertisement appeared.

▼

In the meantime the I. T. O. A. has announced that it intends to invade New Jersey, long an Allied stronghold. For a long time Brandt has cherished the hope of forming a new national exhibitor organization. He contends Allied's legislative program can't accomplish anything worthwhile for exhibitors.

It may be just possible there is competition for exhibitor attention.

"Pilot" Best Draw At Capitol in Year

(*Continued from page* 1)

$2,500 in its final four days at the Rivoli, finishing the 11-day run with about $8,500. "Law of the Underworld" gave the Rialto $7,700.

M-G-M reports that "Test Pilot" is a nationwide record-breaker, being held over in Richmond, Seattle, San Francisco and Portland, Ore. It set an all-time gross record for the Woods theatres in Columbia, Mo.

A date for the "Marie Antoinette" roadshow at the Astor is indefinite and depends on completion of the film. M-G-M has extended its lease on the house.

"Invisible Enemy" will open at the Criterion tomorrow.

"Moonlight Sonata" will open at the Little Carnegie on Monday.

Clark More Comfortable

John D. Clark, 20th Century-Fox distribution head, was reported as resting "more comfortably" at the Mountainside Hospital, Montclair yesterday. He underwent an operation on Friday.

Whitford Drake Improved

Whitford Drake, president of Erpi, is much improved in health and expects to sail from England on May 12, according to word received by the company yesterday. Mrs. Drake is en route to London.

HELP WANTED
Agents for every key-city for a new outstanding Catholic Religious talking picture—must have theatre connections. Reply confidential. Box 804, Motion Picture Daily

C.E.A. Issues New Blast on Grading

(*Continued from page* 1)

meetings of local exhibitor groups this week, as part of the opposition campaign. Meetings have been held already in Plymouth, Portsmouth and Preston, and others are scheduled for later in the week. At the three sessions held, the members attending all unanimously backed the C.E.A. campaign.

The statement from the C.E.A., again addressed to American producers, declare in part: ". . . your London distributing agents are putting your feature films into two quality and prices classes labeled 'A' and 'B'. Already 155 of your feature films have been de-graded into the 'B' class—the lower brackets. Your best foreign market is being tangled up by your London distributors playing amateur politics through the medium of their Kinematograph Renters' Society.

The statement points out that 20th Century-Fox and Universal have not joined the K.R.S. in the grading plan, and declares the two companies are "able to book their films to British exhibitors free from the 'help' of the rival distributors represented by the Kinematograph Renters Society selling combine."

Baltimore Variety Host

Baltimore, May 4.—Variety Club, Tent No. 4, opened its new clubrooms in the Hotel Belvedere here tonight with J. Louis Rome, chief barker, and other officers and directors playing host to more than 100 members and guests. The new quarters include a private bar, card room and a large reception hall designed by John J. Zink and decorated by Dan Brodsky.

Philadelphia Duals Ruling To Be Fought

(*Continued from page* 1)

holding the clause to be illegal was affirmed again in a decision han[illegible] down last March.

Distributors delayed their decision to appeal the case pending action from the Supreme Court on the recent Interstate Circuit case, which involved similar issues. With no likelihood now of a final decision in the Dallas case before next fall, and with the time for an appeal of the Philadelphia case expiring June 9, the distributors decided to proceed with the appeal of the latter case immediately.

NLRB Names Rockwell

Hollywood, May 4.—Alvin J. Rockwell today was named as trial examiner to hear the additional evidence for the Regional Labor Relations Board in the case of the Screen Writers' Guild petition for an election to determine the collective bargaining agency for film writers. The hearing, which possibly will last one day, will introduce evidence to show the guild has obtained autonomy from the Authors' League of America. The new constitution of the organization also will be described.

Loew Meet Postponed

A meeting of the board of Loew's Inc., was postponed yesterday because of the absence of a quorum The board may meet later in the month for dividend action on the common stock.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; J. M. JERAULD, Managing Editor JAMES A. CRON, Advertising Manager. EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone, Thomas Fitzsimmons, Sherwin A. Kane, Irene Kuhn, Joseph Priore.

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Silverstone To Coordinate UA Operations

(Continued from page 1)

British production chief, will be continued in London, he said.

Asher, who sailed with Korda, said that he expected the deal with him to be closed in a week following their arrival, after Korda confers on the matter with his financial backers. They are continuing discussions during the passage.

Korda said London Films, which he heads, will make 16 films during the coming year, eight of which will be budgeted at a total of $7,500,000 or 8,000,000 and aimed at the American as well as world market. The other eight will be smaller pictures. London Films has contracted for five Technicolor features in the next two years, two of which have already been completed.

Production will be resumed immediately by Samuel Goldwyn and himself and will continue at high gear to make up for the inactivity of recent weeks during which the new profit-sharing plan was worked out, Korda said.

Interview Broadcast

"I am happy that the bargaining is over and that all differences have been straightened out," Korda declared in a ship-side interview by Martin Starr over WMCA. He said that an extensive interchange of talent is planned between the company's affiliated producers in Hollywood and England and intimated that U. A. is prepared to spend large sums to encourage the addition of new producers. He said that his production program would prevent his coming here again this year and that he did not expect to be in America for another 12 months.

He said he concurred with Goldwyn "to some extent" that many writers, directors and actors are overpaid and he also agreed that production costs are too high. In England, he said, production costs "follow the trend." He gave it as his opinion that the elimination of "B" films would be beneficial to the industry.

Leon Leonidoff, senior producer at the Music Hall, sailed on his annual European trip, during which he will combine business with a vacation, and return in about six weeks. He expects to attend the Venice film exposition and will inspect shows in London and on the Continent.

Madeleine Carroll sailed for a vacation with her husband at their Spanish castle. There is a possibility that she may make a picture for Columbia and another for Selznick International, on loan from Walter Wanger.

Selznick Signs Robinson

HOLLYWOOD, May 4.—Selznick International today signed Edward G. Robinson to star in "The Earl of Chicago," from the Brock Williams novel. Lewis Milestone will direct.

Paulette Goddard to Co-Star

HOLLYWOOD, May 4.—Paulette Goddard will co-star with Janet Gaynor and Douglas Fairbanks, Jr., in "The Young in Heart," Selznick International feature.

Monogram to Have 150 at Convention

(Continued from page 1)

Bettinson, foreign representative; Ernest Hickson, technical director, and Robert Golden, cutter. John Carroll, Movita and Jackie Cooper also will make the trip. From the company's local exchange there will be Howard Stubbins, Earl Mair and Mel Helling.

Other Pacific coast and far western franchise holders and branch salesmen will join the group en route. The home office delegation, headed by Edward Golden, assistant to Johnston, will leave New York by special train on Saturday with eastern and midwestern franchise holders and salesmen joining them en route.

20th-Fox Meeting in Paris Starts Today

PARIS, May 4.—The annual European convention of 20th Century-Fox will open here tomorrow at the local offices of the company, with 31 delegates from 19 countries scheduled to attend from Europe and the Near East. The meeting will occupy three days. Sidney R. Kent, president; Walter Hutchinson, foreign head; Truman Talley, head of Movietone News, and Benjamin Miggins, Continental European manager, are the chief executives at the meeting.

Attending as guests from England are Francis L. Harley, Sutton Dawes, Roy Simmonds and Robert Kane. The first general meeting will be held tomorrow at the Hotel Plaza Athenee, with Miggins presiding. Kent, Hutchinson and Talley will speak. Eight of the most recent 20th Century-Fox pictures will be screened. Kent, Hutchinson and Talley will leave on Sunday for London to attend the British sales meeting which will start next Thursday, and at the same time will dedicate the company's new office building in Soho Square.

G. B. Final Regional Opening Tomorrow

DENVER, May 4.—G. B.'s third and final regional sales meeting will be opened at the Brown Palace Hotel here on Thursday by Arthur A. Lee, vice-president and general manager. The sessions will be concluded Friday with the home office delegation leaving for New York the same night.

Lee, Clinton White, assistant general manager; Arthur Greenblatt, eastern division manager, and Albert Margolies, advertising and publicity director, are en route here after concluding the second regional meeting in Chicago on Wednesday.

The sales representatives who will attend the meeting here include Bob Selig and his Denver staff; A. K. Shepherd, Des Moines; Douglas Desch, Kansas City; W. W. Rucker, Dallas; J. H. Gruben, Oklahoma City; C. F. Rose, Salt Lake City; Walter Wessling, Portland; Archie Holt, Seattle; Harry Stern, Los Angeles, and Jack Erickson, San Francisco.

"Cristo" Deals Closed

United Artists claims bookings for the showing of "The Count of Monte Cristo," reissue, in 17 major cities, with a sales drive of less than a week.

Two in 2,000

"The Count of Monte Cristo," United Artists' reissue, opened at the Rivoli yesterday, the first revival ever to play the house. By 1 P. M. the theatre had sold 2,000 tickets and only two persons asked for their money back because they had seen the film, the management stated. It went three weeks at the Rivoli in the fall of 1934.

Constitution Change Would Ban All Games

(Continued from page 1)

New York County, today introduced another resolution which in effect would prohibit any restriction on the freedom of expression of the screen, radio and the press. Weinfeld declared, in a statement issued today, that censorship "is the enemy of Democracy, liberty and human rights." He praised the systems of self-regulation operating in the film, radio and publishing industries.

BN Decision Appeal Will Be Filed Today

(Continued from page 1)

company, was here today to confer with Myron Blaylock, associated counsel, on the final draft of the appeal, which will ask for a rehearing on the ground that the conclusions drawn by the department solicitor in his report were erroneous and that sufficient weight was not given to numerous court decisions holding Bank Night to be legal.

Autry and Republic Differences Settled

(Continued from page 1)

be back to work with Republic," he said.

Herbert Yates replied briefly, welcoming the star "back to the Republic family."

Autry will start work immediately in "The Man from Music Mountain" and three other films on this season's program.

Speakers at today's session included Bill Saal, executive aide to Yates; Sam Hacker, contract department manager; Max Roth, midwest sales manager; Grover C. Parsons, western sales manager; Hack Everett, southern sales manager; Harry Lavine, central sales manager, and Nat Lefton.

It was reported that from 10 to 20 per cent increases will be asked for new season groups.

Screen 'Hood' in Capitol

WASHINGTON, May 4.—A large audience, which included cabinet members, senators, congressmen and other Government officials, tonight attended a special showing of "The Adventures of Robin Hood" in the auditorium of the Department of the Interior.

Mountie Yarn for Para.

HOLLYWOOD, May 4.—Paramount today purchased "Royal Canadian Mounted Police," R. C. Fetherstonaugh book, and will produce the story in color.

Allow 2 Appeals on Philadelphia Games

PHILADELPHIA, May 4.—Two exhibitors new to the litigation here which resulted in the recent ban against Bank Night and other games were granted the right to intervene in the case today and presented two separate petitions for writs of supersedeas and for an appeal to the state supreme court on the ban.

Attorneys for David S. Molin of the Viola Theatre Corp. asked the Supreme Court to rule on the legality of the games, and David S. Malis, attorney for Samuel Waldman of the Lorraine, filed a petition for a supersedeas to permit continuation of the games until the higher court hands down a final decision.

"Jumbo" Producers Sued

George L. Bard and Rosalind Mia Copping filed suit in the U. S. District Court here yesterday against Billy Rose, Ben Hecht, Charles MacArthur, Jimmy Durante, John H. Whitney, John Murray Anderson, George Abbott, Billy Rose's Jumbo, Inc. and Texas Centennial Livestock and Frontier Days Exposition.

The complaint charges infringement of the play, "Queen of the Circus" by Ladislaus Bus Fekete, in the Billy Rose production "Jumbo." A permanent injunction, damages and an accounting of the profits are sought.

Sues 20th-Fox on Song

LOS ANGELES, May 4.—Adelaide Halpern, composer, in Federal Court here today demanded $300,000 from 20th Century-Fox, James O'Keefe, studio employe, and Sidney D. Mitchell and Lew Pollack, song writers, charging plagiarism of her song, "Back in Circulation Again." She charges the song was used by the composers in their tune, "We're Back in Circulation Again," used by the producer in the feature film, "One in a Million."

Lubitsch Negotiating

Ernst Lubitsch, whose producing contract with Paramount recently was terminated, said yesterday that he is negotiating with major companies. He said he has discussed a possible deal with Alexander Korda, but the matter is indefinite at this stage. He expects to be here a week.

Wall Street

Light Gains on Board

	Open	High	Low	Close	Net Change
Col.	11⅛	11⅜	11⅛	11⅛	+ ⅛
E. K.	147½	149	147	149¾	+1¾
G. T. E....	11½	11½	11½	11½	+ ½
Loew	41	41⅛	40¾	40¾	+ ¼
Loew pfd ..	105⅞	105⅞	105⅞	105⅞	+1⅛
Para.	7¾	7⅞	7⅝	7¾	— ¼
Para. 2.....	8⅝	8⅞	8⅝	8⅞	+ ¼
Pathe	5⅛	5⅛	5	5	.....
RKO	2⅞	2⅞	2⅝	2⅝	— ⅛
20th Fox ..	21	21	21	21	+ ¼
W. B.	5	5	4⅞	4⅞	.....

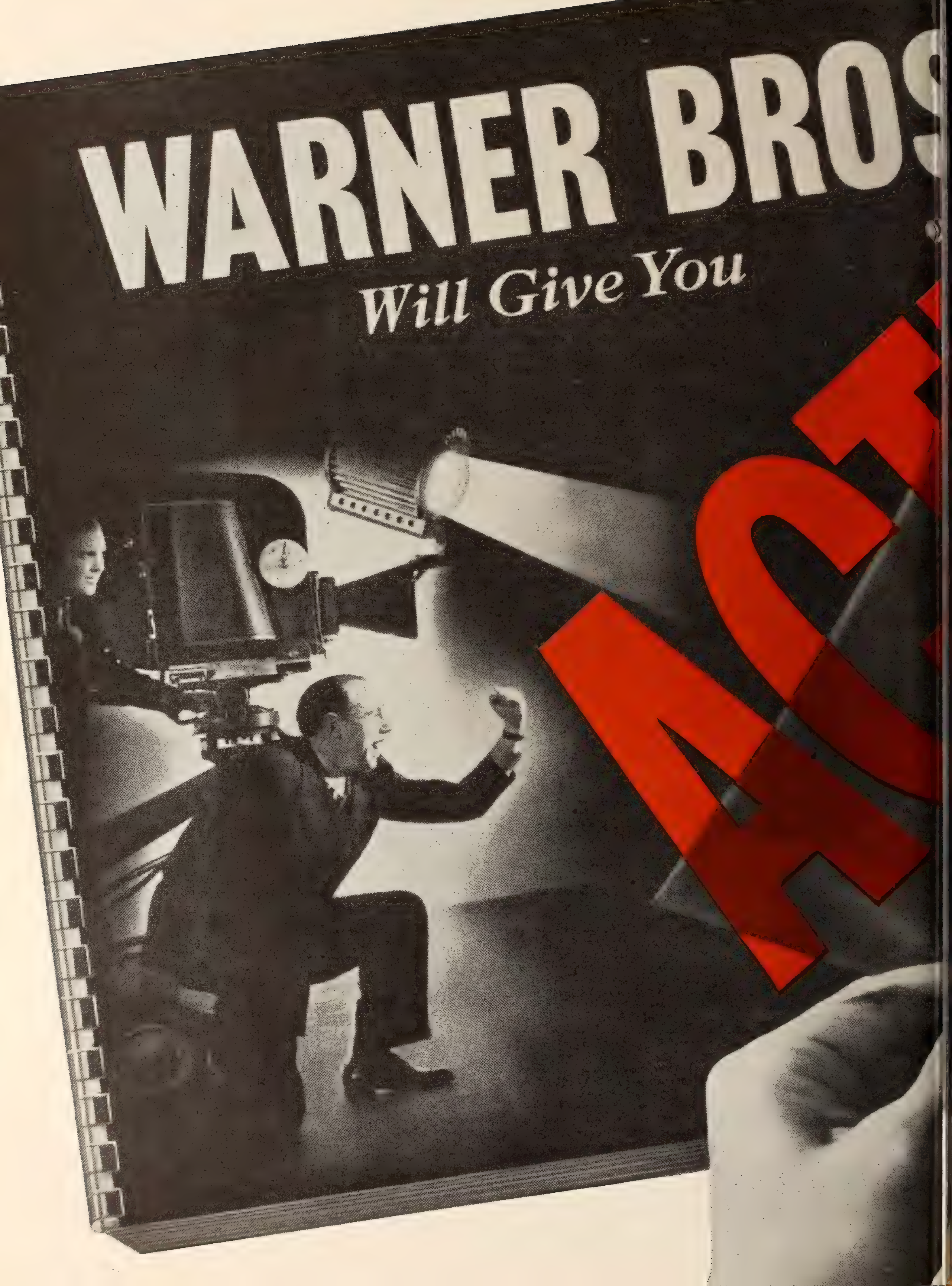
Technicolor Up on Curb

	Open	High	Low	Close	Net Change
Tech.	20⅜	20⅜	20	20¼	+ ¼
Trans-Lux .	2⅛	2⅛	2⅛	2⅛	.....

Warner Bonds Decline

	High	Low	Close	Net Change
Loew 3½s '46.....	99½	99½	99½	+ ½
W. B. 6s '39......	72¾	72¾	72¾	—2¼

(Quotations at close of May 4)


WARNER BROS
Will Give You
ACT

ION
in 1938-39!

THE GREATEST ACTION STORY EVER WRITTEN
WILL BE READ ON MONDAY IN NEW YORK
WHEN WARNER BROS. MEETS AT THE HOTEL ROOSEVELT.
SO WAIT FOR THAT WARNER MAN!

Extension of License Term Urged by Lohr

(Continued from page 1)

Spanish revolution broke, the broadcasting stations were seized before a gun was fired, while the first action of the Japanese in their invasion of China was to destroy the RCA shortwave transmitter at Shanghai, and the building of the Austrian Broadcasting Co. was taken over by the German authorities last month almost immediately upon their crossing of the border.

Because of the protests which inevitably follow the presentation of controversial issues, he disclosed, NBC seeks to follow a policy of restricting such discussions to sustaining time, but it is believed that, with the gradual development of a broader understanding of the aim of broadcasters in presenting such material, it may not be necessary to apply such restrictions in the future.

Kay Francis on "Hotel"

Kay Francis and Ian Hunter will appear in "Secrets of an Actress" on the "Hollywood Hotel" show May 13 over CBS.

Denny Wins Annual Award For "Town Meeting" on Air

The Women's National Radio Committee yesterday presented George V. Denny, Jr., conductor of the program, and "America's Town Meeting of the Air," NBC sustaining program, its single award for "one of the outstanding achievements of the year in radio." The presentation was made at the annual luncheon held yesterday at the St. Regis Hotel, with network officials, a member of the F.C.C. and the award winner as speakers. Mme. Yolanda Mero-Irion, founder and chairman of the committee, presided.

The network officials were David Sarnoff, president of RCA; Paul Keston, CBS vice-president, and Alfred J. McCosker, president of WOR and chairman of the board of the Mutual network. T. A. M. Craven represented the F.C.C. The network officials spoke in defense of the American system of broadcasting and Commissioner Craven discussed the social implications of radio.

While the committee this year made but a single award, other programs won commendation. They follow:

Best programs of serious music commercially sponsored were the Ford "Sunday Evening Hour" (CBS); the Philadelphia Orchestra on the bank-sponsored series (NBC); Sealtest "Rising Musical Stars (NBC), and the Metropolitan Opera broadcasts (NBC). The best sustaining programs of serious music were the New York Philharmonic (CBS), the NBC Symphony under Toscanini, and Sinfonietta, (WOR-Mutual). The best dramatic program was the Lux "Radio Theatre" (CBS), with the "Columbia Workshop (CBS), second. "One Man's Family" (NBC) was proclaimed the best serial dramatic program.

America's System

Paul Kesten, CBS vice-president, one of the speakers at the Women's National Radio Committte award luncheon yesterday, summed up the American system of broadcasting in this striking fashion:

"It is better to listen to Charlie McCarthy voluntarily than to Adolph Hitler by compulsion."

Damrosch Broadcasts Cited

Best variety program was the M-G-M-Maxwell House Coffee program. Irene Wicker (NBC) won first place for children's programs, with "Let's Pretend" (CBS) second. Three programs of educational value for children were commended: "Cavalcade of America" (CBS), "Epic of America" (Mutual), and "Music for Fun" (CBS). Special mentions were accorded to the Walter Damrosch broadcasts over NBC and CBS' "School of the Air."

Because the awards committee felt that radio commentators are developing an editorial complex, the committee refrained from mentioning any of them, but gave laurels to Trans-Radio Press News Service for its "unbiased presentation of the news of the day." "March of Time" also was commended in this classification. Edgar Bergen's "Charlie McCarthy" was named the best radio comedian, while Fred Allen drew first among the flesh and blood comedians. Jack Benny and Mary Livingstone were voted the best comedy team; Don Ameche the most popular "em cee." First place for good taste in advertising went to Jell-O, and second to du Pont on the "Cavalcade of America" program.

The Women of America

as represented by

THE WOMEN'S

NATIONAL RADIO COMMITTEE

vote

TRANSRADIO NEWS

(heard exclusively over WOR in New York)

THEIR FAVORITE

RADIO NEWS PROGRAM

For news periods now open, tell one of our men to come running from Sales Office: WOR, 1440 Broadway, New York

Complaint Hits Ban On Chain Bill Talk

WASHINGTON, May 4.—Refusal of time by WOWO, Fort Wayne, Ind., for a series of programs designed to support the Patman bill imposing "death taxes" on chain stores was made the subject of a complaint to the Federal Radio Commission today by a group called the "Freedom of Opportunity Legion."

The organization sought a weekly quarter-hour spot and claims the time was refused by the station on the ground that it would result in the loss of the advertising of one of the chain organizations. The station's action was declared to be a suppression of free speech.

Pettengill Charges Films, Air Muzzled

(Continued from page 1)

complete our course on monopoly," Congressman Pettengill, who will retire from public life this year, urged that the investigation be made a tolerant spirit.

Admitting that abuses exist in industry, although expressing do whether the mere fact that an orga zation is "big" makes it undesirable in the public economy if it passes along to the public the savings resulting from size, he charged that the Government itself is an offender against the public, and has attempted to gag radio and motion pictures.

SEC 1937 "U" Report Lists Loss, Salaries

(Continued from page 1)

the Securities and Exchange Commission was told today in the annual report filed by the company.

Top compensation paid by Universal for the year was $143,500 to George DeSylva, producer. James Whale, director, received $115,500 and Charles R. Rogers, executive vice-president in charge of production, received $104,125, the report showed.

Four directors, who were also officers, general counsel of employes of the company, received a total of $250,800, and 57 producers, directors, artists, etc., received $2,254,833.42. The report showed also that $91,000 was paid Standard Capital Co. for the services of J. Cheever Cowdin as chief financial executive for Universal.

The report revealed that Universal Corp. owns 100 per cent of the company's second preferred stock and 91.57 per cent of its common.

Consolidated Report to SEC

WASHINGTON, May 4.—The annual report of Consolidated Film Industries, filed here today with the Securities and Exchange Commission, showed gross income for the year of $6,143,518.50 for the company itself and $9,635,961.45 for the company and its subsidiaries. After meeting expenses, fixed charges and other payments, there was a net addition to surplus of $363,056.18 by the company and $405,839.38 by the company and its subsidiaries.

Top salaries paid were $85,180 to H. J. Yates, president; $39,000 to M. H. Lavenstein for legal services; $20,800 to J. W. Aller, vice-president, and $20,000 to Leo Lubin, salesman.

Setay Co., Inc., owns 17.38 per cent of the common stock, it was reported.

Dr. Kalmus East Tonight

HOLLYWOOD, May 4.—Dr. Herbert T. Kalmus, president of Technicolor, will leave here tomorrow night to attend the annual stockholders' meeting in New York next week. He stated that he will sail May 25 on the *Queen Mary* for Europe, where he may establish color laboratories in Rome, Berlin and Paris.

Jersey Praises WB Film

Paul P. Williams, clerk of the New Jersey House of Assembly, has extended to Joseph Bernhard, manager of Warner theatres, commendation on the Warner production, "Over the Wall."

STAR STUFF!

Gene Raymond · Olympe Bradna
"STOLEN HEAVEN"
GLENDA FARRELL · LEWIS STONE · PORTER HALL
DOUGLASS DUMBRILLE · A PARAMOUNT PICTURE

Sensational Success of Olympe Bradna, Hollywood's Newest Star Discovery, Leading Lady of Paramount's "Stolen Heaven" shows how stars are born.

THE DISCOVERY . . . Paramount's talent scouts discover Olympe Bradna at famous Broadway night spot, sign her for part in her

FIRST PICTURE . . . Paramount's "Last Train From Madrid" gives Olympe Bradna her first test as a Hollywood screen actress. Then

SECOND PICTURE . . . Encouraged by critical and box office approval of Olympe's first role, Paramount promotes her to bigger part in "Souls at Sea"

HER FIRST STAR ROLE . . . Convinced that Olympe Bradna is star material, Paramount casts Olympe in her first star role with Gene Raymond in musical drama, "Stolen Heaven" . . .

Critics tip off exhibitors to go to town on picture Claim another star is born. PLAY SMART; PLAY

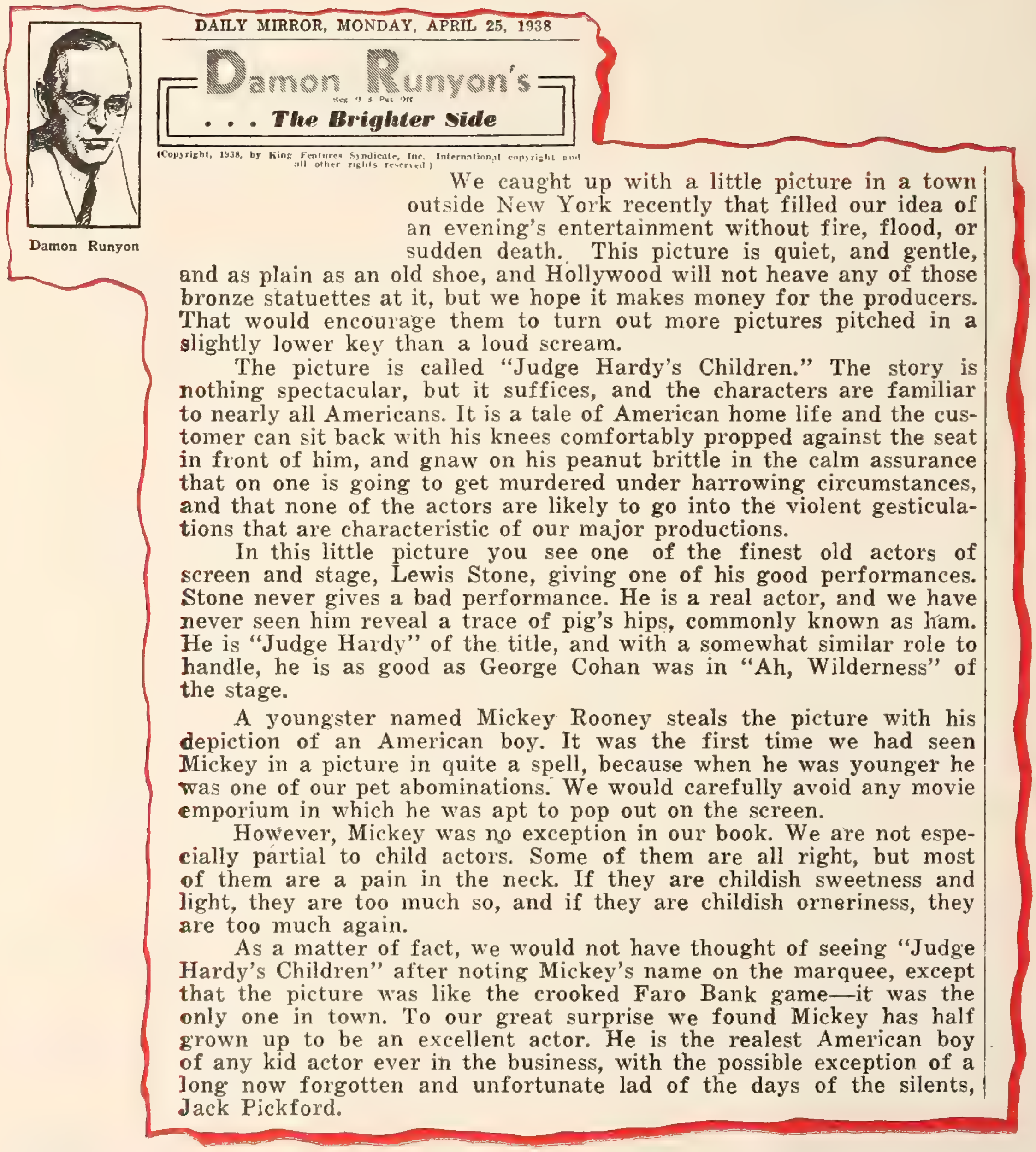
OLYMPE *(Pronounced O-lamp)*

BRADNA *(Pronounced "TERRIFIC")*

Paramount Pictures

PERSONAL TO MR. DAMON RUNYON!

You will be interested to know that M-G-M's Judge Hardy Series which you praise so highly (*see below*) is getting raves from public and theatre men alike. This series has catapulted young Mickey Rooney into stardom. Another Judge Hardy picture "LOVE FINDS ANDY HARDY" will appear in July, but meanwhile Mickey will be seen in an uproarious role in **"HOLD THAT KISS."**



DAILY MIRROR, MONDAY, APRIL 25, 1938

Damon Runyon

Damon Runyon's
Reg. U. S. Pat. Off.
. . . The Brighter Side

(Copyright, 1938, by King Features Syndicate, Inc. International copyright and all other rights reserved.)

We caught up with a little picture in a town outside New York recently that filled our idea of an evening's entertainment without fire, flood, or sudden death. This picture is quiet, and gentle, and as plain as an old shoe, and Hollywood will not heave any of those bronze statuettes at it, but we hope it makes money for the producers. That would encourage them to turn out more pictures pitched in a slightly lower key than a loud scream.

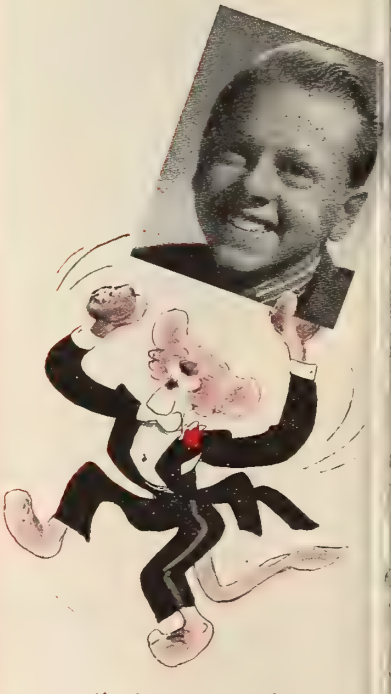
The picture is called "Judge Hardy's Children." The story is nothing spectacular, but it suffices, and the characters are familiar to nearly all Americans. It is a tale of American home life and the customer can sit back with his knees comfortably propped against the seat in front of him, and gnaw on his peanut brittle in the calm assurance that on one is going to get murdered under harrowing circumstances, and that none of the actors are likely to go into the violent gesticulations that are characteristic of our major productions.

In this little picture you see one of the finest old actors of screen and stage, Lewis Stone, giving one of his good performances. Stone never gives a bad performance. He is a real actor, and we have never seen him reveal a trace of pig's hips, commonly known as ham. He is "Judge Hardy" of the title, and with a somewhat similar role to handle, he is as good as George Cohan was in "Ah, Wilderness" of the stage.

A youngster named Mickey Rooney steals the picture with his depiction of an American boy. It was the first time we had seen Mickey in a picture in quite a spell, because when he was younger he was one of our pet abominations. We would carefully avoid any movie emporium in which he was apt to pop out on the screen.

However, Mickey was no exception in our book. We are not especially partial to child actors. Some of them are all right, but most of them are a pain in the neck. If they are childish sweetness and light, they are too much so, and if they are childish orneriness, they are too much again.

As a matter of fact, we would not have thought of seeing "Judge Hardy's Children" after noting Mickey's name on the marquee, except that the picture was like the crooked Faro Bank game—it was the only one in town. To our great surprise we found Mickey has half grown up to be an excellent actor. He is the realest American boy of any kid actor ever in the business, with the possible exception of a long now forgotten and unfortunate lad of the days of the silents, Jack Pickford.



"Oh Mickey, this nice piece appears in papers from Coast to Coast. Thanks Mr. Runyon!"

FILE COPY
DO NOT REMOVE

lert.
ntelligent
nd
ndispensable
o the Motion
icture
ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

L. 43. NO. 105 NEW YORK, FRIDAY, MAY 6, 1938 TEN CENTS

elegates Off o Cincy Meet f Monogram

ll Be Joined by Other Groups En Route

pproximately 40 Monogram home e officials, eastern franchise hold- and salesmen will be in the dele- on which will leave here today to nd the company's annual sales vention which will open at the herland Plaza, Cincinnati, tomor- , and continue through Tuesday. delegation will be augmented en e by representatives from other ern branches.

studio delegation headed by W. Johnston, president, and Scott R. lap, production head, left Los geles yesterday for Cincinnati, and hern and midwestern delegations are en route to the meeting, at ch a total of 150 are expected. rge W. Weeks, general sales man- r, will conclude a tour of the pany's sales territory in Cincinnati y.

the group leaving here today

(*Continued on page* 4)

udio Point Lost in NLRB Writer Case

OLLYWOOD, May 5. — Attorneys the film studios today were de- ed in attempts to learn the mem- hip of the Screen Writers' Guild hearing before the Regional Labor ations Board examiner in which guild presented added evidence to stantiate its petition seeking an tion to determine the collective gaining agency for film writers.

rances Goodrich, secretary of the d, was on the stand disclosing nges in the bylaws and the incor- ation of the guild as a California anization under a grant of complete

(*Continued on page* 2)

BS Plans Set for Broadcast of Derby

OUISVILLE, May 5.—Paul White of S has made arrangements for the dcast of the 64th running of the tucky Derby on Saturday, which

Additional developments in radio yesterday on page 8.

be keyed from WHAS to the S network. WAVE, local NBC et, also will receive the race sic. The Derby broadcast will be nsored by Brown-Williamson Co.

(*Continued on page* 8)

Majority on U.A. Board Will Prevail on Product

Decision Makes Possible An Evenly Balanced Film Program

HOLLYWOOD, May 5.—The bylaws of United Artists Corp. were amended at a directors' meeting here today to provide for acceptance of product for release on approval by a simple majority vote. Today's revision is regarded as of far reaching significance with respect to future program policy of the company in view of recurrent reports last year that Samuel Goldwyn's lone insistence upon a policy of releasing major budget project, exclusively, had prevented the acceptance for distribution of other types of films felt desirable by other members as a means of rounding out the release schedule and utilizing the full capacity of the distributing organization.

The resistance to arguments favoring this line of procedure was widely understood to be a factor in the temporary abandonment early this year of negotiations for a renewal of the Selznick International releasing contract

(*Continued on page* 4)

Neely Insists on Booking Bill Vote, But It Is Shelved Again

Washington, May 5.—Members of the Senate were warned today by Senator Neely (Dem., W. Va.) that they must make up their minds next week whether they will permit the block booking measure to be made the unfinished business or deal with it as a rider or amendment to some other legislation.

Determination to bring about a "showdown" on the bill was voiced by the Senator when, on the objection of Senator Vandenberg (Rep., Mich.) the Senate, for the third time this session, refused to consider the bill when it was reached on the calendar.

An identical bill was reported out in the last Congress and frozen on the calendar because of one or two objections offered every time it was reached, the Senator declared angrily as he announced that he would use every available means to secure a vote on the measure.

Declaring that a large number of organizations which he named have urged enactment of the bill, Neely said, "I do not know of a single religious or civic organization that does not favor its passage."

"The people interested in this bill have a right to have it considered," he declared.

Warner Sales Meet Starting on Monday

Sales staffs from the eastern area will convene at the Hotel Roosevelt here Monday for the first of two Warner regional sales meetings in advance of the new season. Canadian branches also will be represented here. The meeting will continue through Wednesday and will be followed by a western and southern convention in Dallas, May 16 to 18.

James Cagney, Warner contract player, will address the meeting coming here from Martha's Vineyard, where he is vacationing. Roy Haines,

(*Continued on page* 6)

"Chicago" Four-Week Gross Here $187,000

"In Old Chicago" grossed $187,000 in its four-week run at the Roxy, which ended last night. Consecutive weekly takes follow: $61,500, $53,000, $41,000 and $31,500.

"The Count of Monte Cristo," U. A. reissue, did $2,500 on its opening day, Wednesday, exceeding the first-day figures of many first-run films that have played the house. A holdover week is being considered.

Columbia to Send 300 to Regionals

Columbia exchanges will send 300 representatives to the company's four regional sales meetings, the first of which will open in New York May 13, A. Montague, general sales manager, said yesterday. At the same time, he said, exchanges had been grouped and informed as to which of the several meetings each will attend.

The New York session will be the largest of the four, with the Washington, Pittsburgh, Cleveland, Philadelphia, New York, Boston, Buffalo, New Haven, Cincinnati and Albany ex-

(*Continued on page* 4)

Rosenzweig Resigns As Manager for U.A.

Charles Rosenzweig resigned yesterday as manager of the United Artists New York branch, a post which he has occupied for the past two years. No successor has been named yet and the metropolitan territory will be handled by Charles Stern, eastern district manager, until an appointment is made.

Rosenzweig, a veteran sales official,

(*Continued on page* 6)

Rental Jumps Set as Republic Meet Ends

HOLLYWOOD, May 5. — Further delineation of the sales program for the new season which will see rentals increased from 10 to 25 per cent on certain groups featured the final business session of the Republic convention here today. Prizes were awarded in the billings and collections drive which extended from Feb. 1 to 15.

Speakers at today's session were Bill Saal, Grover Schaefer, Morris

(*Continued on page* 6)

Seek 7-Men Group For Monopoly Probe

WASHINGTON, May 5.—Investigation of motion picture and other monopolies asked by President Roosevelt in his anti-trust message last week would be conducted by a joint executive-legislative committee of seven members, under a resolution drafted today by Senator O'Mahoney (Dem., Wyo.).

The committee would be composed of two Senators, two Congressmen, the Attorney General, the chairman of the Federal Trade Commission and

(*Continued on page* 6)

◂ Purely Personal ▸

W. C. MICHEL, executive, vice-president of 20th Century-Fox, and E. P. KILROE, company attorney, are due Monday from a week of studio conferences.

•

JULES LEVY, general sales manager of RKO, is in Dallas in the interest of the Ned E. Depinet Drive. Drive Captain WALTER BRANSON is with him.

•

HERB BERG is a father again. MRS. BERG gave birth to SUSAN BERG, six pounds, three ounces, at the Park East Hospital late Wednesday night.

•

WALTER BROOKS has joined Eastern Service Studios at Astoria, L. I., to handle publicity for Eastern Service and Audio Productions.

•

WILLIAM KUPPER, 20th Century-Fox division manager, will return Monday from a visit to southern exchanges.

•

PHIL GOLDSTONE has returned from Philadelphia and Camden, where he inspected the RCA plant.

•

GEORGE J. SCHAEFER has postponed his departure for the coast until the end of next week.

•

AMY VANDERBILT, writer and publicity counsel, has joined the staff of Publicity Associates.

•

. . . Chicago

LEO BLANK is back from California, where he spent the winter. He is sporting a fine tan and says he feels much better.

HARRY NEPO, veteran exhibitor, is in the hospital recuperating from an operation.

FRED MARTIN, former Screeno representative here, has joined Filmack in an executive capacity.

CECIL MAYBERRY, former Chicagoan, visiting with Film Row friends.

Color Camera Sent East

Eastern Service Studios at Astoria have just acquired permanently the only three-color Technicolor camera unit in the East. Arrangements have been completed by Frank K. Speidell, president, with Dr. Herbert Kalmus, to bring a trained camera unit east shortly.

There are about a dozen of these three-color cameras in the United States and all have been assigned to Hollywood's program requirements.

Defeat Mass. Sales Tax.

BOSTON, May 5.—The proposed Massachusetts sales tax was defeated today in the House by acclaim without the formality of a vote. The bill called for ticket taxes as well as levies on all other transactions.

Open New "U" Exchange

PORTLAND, May 5.—New Universal Pictures, Inc., opened its new exchange here yesterday, with an invitational house warming starting at noon. Gordon C. Craddock is manager.

Film Men at Derby

A smaller than usual representation from the industry will attend the 64th running of the Kentucky Derby at Louisville tomorrow, but, as usual, there will be Kentucky Colonels galore.

Col. C. C. Pettijohn will be there, going from Washington, and Col. Jack Connolly plans to fly from the coast. Joseph M. and Nicholas M. Schenck are also due from Hollywood, en route to New York. Gov. "Happy" Chandler will be host at the Colonels' dinner at the Kentucky Hotel tonight.

Studio Point Lost in NLRB Writer Case

(*Continued from page* 1)

autonomy from the Authors' League of America when Alfred Wright, attorney for 20th Century-Fox opened a drive to force Goodrich to produce his membership rolls. The point in question was whether members of the Screen Writers' Guild of the Authors' League of America, which organization originally brought the petition for the election before the board, are now all members of the new organization incorporated in California.. However, Trial Examiner Alvin J. Rockwell ruled that inasmuch as the guild requested the election it is not necessary to produce membership rolls.

The only other witness was Charles Brackett, first vice-president of the guild.

The hearing, which lasted only a few hours, was marked by the nonappearance of Neil S. McCarthy, attorney for Screen Playwrights, Inc., which the guild is attempting to displace as the writers' bargaining agency, and who declared from his office, "I do not think it necessary for my clients to go to any further expense in this matter."

Testimony was air mailed tonight to the National Labor Relations Board, whose decision on the petition has been held up by the need for added information.

Bishop Going from Detroit to Chicago

DETROIT, May 5.—William G. Bishop, for the last 10 years in charge of publicity and exploitation in the Detroit territory for M-G-M, will be transferred to the Chicago office next Monday to succeed Fred Bartow, resigned.

Warren Slee, who has been assigned to the Indianapolis office, will come to Detroit to succeed Bishop.

Before his departure, Bishop will be honored at two informal parties, one to be given by employes of the local exchange and the other by Variety Club Tent No. 5, of which he is a member.

Won't Show Labor Film

CHARLOTTE, N. C., May 5.—Charging that the film failed to present "a true picture," union officials today refused to permit delegates to the Hosiery Workers convention here to view the picture, "Today's Frontier," a film explaining unemployment compensation procedure.

Adopt Union Cinemas Financial Statement

By AUBREY FLANAGAN

LONDON, May 5.—The financial report of Union Cinemas was adopted today at a stockholders' meeting of the company, but only after protracted discussion. Certain of the shareholders challenged the valuation placed on properties acquired by the circuit by the directors of Associated British Cinemas.

Despite an amendment calling for a postponement of action to adopt the financial statement, John Maxwell, head of Associated British Cinemas, obtained approval and adoption of the statement. Maxwell described the Union Cinemas situation as a "really deplorable state of affairs." Maxwell's A.B.C. now has a controlling interest in Union Cinemas. He asked the shareholders' approval of his desire to carry on for another year to ascertain the real earning power of the company. Fred Bernard, who retired as a director of Union, accused Maxwell of unfairness in not giving the details of the charges made against himself and others.

More Distributors Ask C.E.A. Listing

LONDON, May 5.—Additional independent distributors are seeking to be included on the list the Cinematograph Exhibitors' Association has issued of companies which are not grading films, in accordance with the plan of the Kinematograph Renters' Society (distributors). Ace Films and Liberty Films have been added.

The C.E.A. is circularizing all exhibitors and will issue a chart of all "B" films, chronologically tabulated in the same form as the K.R.S. release schedules.

"U" Testimony Sought

John D. Tippett, Inc., yesterday asked Justice Samuel I. Rosenman in N. Y. Supreme Court for an inspection of the books and the examination before trial of Robert H. Cochrane, Willard S. McKay, Charles R. Rogers and Charles Paine.

The action was filed over a year ago and is a $600,000 breach of contract suit against Universal Pictures Corp., charging refusal to comply with a contract for purchase of 50 per cent of its positive film raw stock requirements from the plaintiff.

Betty Davis Loses Stock Plea

Betty Davis, alleged holder of 162 shares of common stock of Columbia Pictures Corp., lost her suit for a mandamus to permit her to inspect books and records of Columbia in the N. Y. Supreme Court yesterday. Justice Samuel I. Rosenman denied the application without rendering a written opinion. Columbia contended that the petitioner was not a bona fide stockholder.

Briggs on Rail Board

O. Henry Briggs, president of Pathe Film Corp., was elected to the board of directors of the Alleghany Corp. at the annual meeting.

McCarey in RKO Pact

HOLLYWOOD, May 5.—Leo McCarey has been signed to a long term producer-director contract with RKO. Myron Selznick handled the negotiations.

M. P. Associates to Dance November 2

Jack Ellis of RKO, president Motion Picture Associates, presided a short business meeting in the Li coln yesterday, which fixed Nov. 27 the date of the annual dinner a dance.

An appeal for a speedup in pa ment of dues, discussion of the meri of a summer boat ride versus t usual beefsteak, and argument pro a con for continuance of the organiz tion's long-time policy of the monthly invitation luncheon took the hour.

Ellis announced he would short inaugurate a new practice—inviti visiting stars and local promine citizens with something interesting say—for the business meetings.

The new constitution, supersedi the 15-year-old document, adopt March 12, is undergoing a few min modifications, he announced. T only important change in the new co stitution is the appointment of t executive board by the vice-preside instead of by election.

Start "Young in Heart

HOLLYWOOD, May 5.—"The You in Heart" went into production ye terday at the Selznick Internatio studios. The film features Janet Ga nor, Douglas Fairbanks, Jr., and Pa ette Goddard. Richard Wallace directing. It is based on a *Saturd Evening Post* story by I. A. R. Wyl

Clark "Fairly Good"

The condition of John D. Cla 20th Century-Fox distribution chi was described as "fairly good" by t Mountainside Hospital, Montclair, l night. He is recovering from a se ous operation.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and P lisher; J. M. JERAULD, Managing Edi JAMES A. CRON, Advertising Manager. E TORIAL STAFF: Charles S. Aaronson, Jack B ner, Al Finestone, Thomas Fitzsimmons, Sher A. Kane, Irene Kuhn, Joseph Priore.

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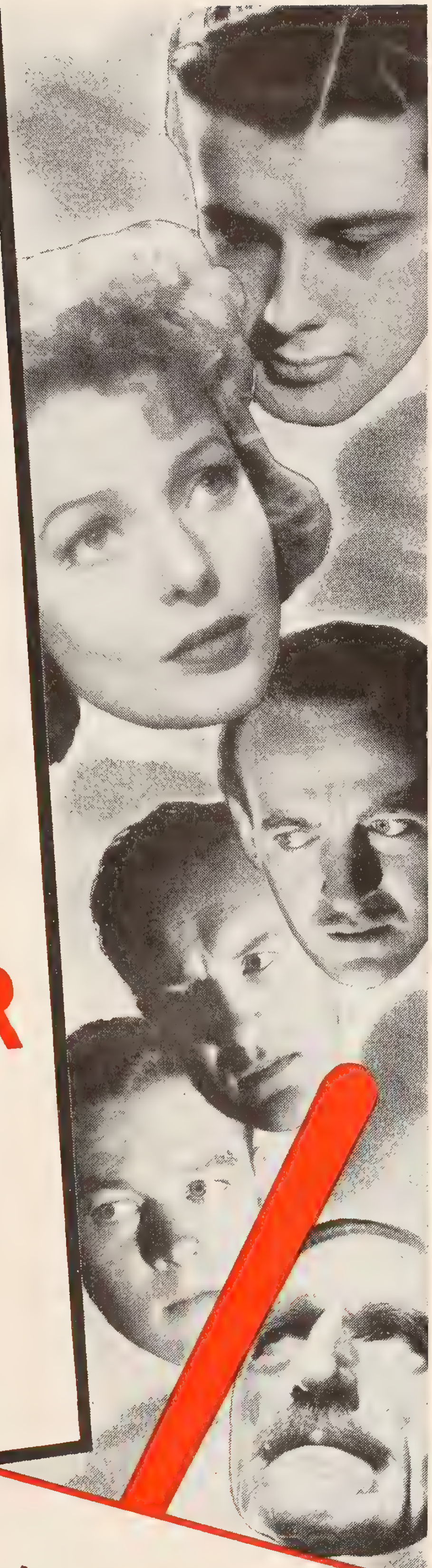


Liberty classifies it "Excellent! Every vitamin of entertainment is packed herein. Terrific pace from a keenly adroit cast. And, ah, the dreams that Mr. Greene is going to start!"

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Delegates Off To Cincy Meet Of Monogram

(*Continued from page* 1)

will be Edward A. Golden, vice-president; Leon Fromkess, treasurer; Sol. A. Rosenblatt and William Jaffee, company attorneys; J. A. Sisto, a director of the company, and Mortimer Burnside of J. A. Sisto & Co.; O. Henry Briggs, president of Pathe Films and a director of Monogram; Norton V. Ritchey, foreign manager; L. L. Lind, contract department head, and George West, franchise holder.

Lou Lifton, director of advertising and publicity, and John S. Harrington, manager of the accessories and film department, left yesterday to complete convention preparations.

Attending the convention from the company's New York exchange will be Joseph J. Felder, S. S. Kulick, Charles Penser, Ben Schwartz and Joe Kehoe. The Boston delegation will include Steve Broidy, Phil Sherman, Gene Gross, Bob Murray and Leo Britton. From Philadelphia and Washington will be Samuel Rosen, C. D. Hite, Simon Perlsweig, Samuel Palan, William Z. Porter, Harry F. Bachman, Harry Crull and Ben Oletsky. Pittsburgh will be represented by Ben Welansky, D. J. Selznick, Saul Perilman, William Liebler and Jack Cohen.

Columbia to Send 300 to Regionals

(*Continued from page* 1)

changes attending. At the second meeting to be held in Chicago, May 18 to 20, there will be the Chicago, Milwaukee, Minneapolis, Omaha, Des Moines, Detroit, Kansas City, St. Louis and Indianapolis exchanges. The Dallas meeting, May 23 and 24, will include the Dallas, Oklahoma City, Memphis, New Orleans, Charlotte and Atlanta branches. The final meeting, to be held in San Francisco May 28 and 29, will include the Los Angeles, San Francisco, Seattle, Portland, Salt Lake City and Denver branches.

Denver Talks Close G.B. Sales Session

DENVER, May 5.—After closed sessions today presided over by Arthur A. Lee, vice-president and general manager, G.B's third and final regional sales meeting will be concluded here on Friday.

The New York delegation, which includes Clinton M. White, assistant general manager; Arthur Greenblatt, eastern division manager, and Albert Margolies, advertising and publicity director, in addition to Lee, will leave for the east by train tomorrow.

At the sessions here are Robert Selig, Denver division and exchange manager; Douglas Desch and Pat Garlow, Kansas City; A. K. Shepherd, Des Moines; C. F. Rose, Salt Lake City; Walter Wessling, Portland; Archie Holt, Seattle; Jack Erickson, San Francisco; Harry Stern, Los Angeles; J. Gruben, Oklahoma City, and Walter Rucker, Dallas.

The Newsreel Parade

Movietone News
Vol. 20, No. 68
(*20th Century-Fox*)

The cameras roamed the world for interesting material, and the result is an issue noteworthy for pictorial effect. The reel opens on the departure of Grover Whalen's World Fair motor cavalcade.

A timely clip, made up of stock shots, is that of Prince Louis Ferdinand and Grand Duchess Kira and the former Kaiser, in connection with the wedding of the young couple. California's Dr. Estes and his family of 11 are shown and the doctor tells how he stays young by living close to nature; how wool for export is transported by primitive means in Australia is a revelation. In the "feminine world," clips show bathing beauties festooning a Florida garden; Wellesley seniors in their historic hoop race, and Honolulu co-eds in the surf.

Lew Lehr goes ga-ga over freak fish, and, in the sports division, there are sailboating in Australia, ski racing on Mt. Rainier and Jimmy Braddock refereeing a youngsters' boxing match. Running time, 9½ mins. F.

News of the Day
Vol. 9, No. 266
(*M-G-M*)

Against the background of the Congressional debate on the appropriation for the Federal Bureau of Investigation, this newsreel presents a forceful, well-rounded picture of G-Men's activities under J. Edgar Hoover. This has been done before, but it is a topic that's always interesting. The record closes with G-Men surrounding a house and peppering it with a fusillade, ending on an exciting note.

Beautiful shots of yachts against the clouds off the California coast; a gag race of antique automobiles; Charley Peterson, billiard champ, in an exhibition at a Santa Monica high school, and good looking models wearing June brides' apparel, are interesting. The "sporting page" includes two very young kids in a slugfest with Jimmy Braddock as referee, trophy ski racing at Mt. Rainier, and a rousing "preview" of England's Epsom Downs Derby. Running time, 8½ mins. F.

Paramount News
No. 79
(*Paramount*)

About the most interesting subject in this issue is a demonstration of how the Navy trains sailors to escape from submarines under water. The experiments are done in a steel tank 100 feet high. Even the cameraman dons a helmet and enters a diving bell with his camera.

Varied shots of the new Dutch liner *Nieuw Amsterdam* give a clear impression of her graceful lines and luxurious modernistic interiors.

In the names and events in the headlines section Grover Whalen is shown before a microphone just before the departure of the World's Fair motorcade; "Grandma" Skinner, 99 years old, and some of her 285 descendants who are celebrating her birthday, and Japanese girls are shown getting permanent waves—something quite new in Japan, it seems. Assorted camera angles present details of the Cloisters, medieval building erected in Fort Tryon Park by John D. Rockefeller.

A touch of humor is provided in the form of hats made out of vegetables, mixing bowls, candles and candy boxes. Running time, 9 mins. J.

RKO Pathe News
Vol. 9, No. 83
(*RKO*)

Perhaps the highlight, from a news standpoint, in this issue of the reel, is the clip picturing George Davis, U. S. Chamber of Commerce president, arguing the "con," and John L. Lewis of the C.I.O. and William Green of the A. F. of L. arguing the "pro" of President Roosevelt's "spending for recovery" program. There are also good shots of the results of Japanese bombing of Canton, and of the awarding of the reportorial Pulitzer Prizes to Ray Sprigle and Arthur Krock.

There is beauty in the picturing of the Cloisters, new upper New York museum, and timely filming of J. P. Morgan arriving for the Whitney quiz by an S.E.C. examiner, and a few celebrities sailing for Europe. The reel is completed with pictures of a new, small locomotive which runs either on the road or on railroad tracks, and a calesthenics exhibition of the graduating class of the Stalin Physical Culture Institute in Moscow. Running time, 8 mins. A.

Universal Newsreel
Vol. 10, No. 664
(*Universal*)

Good makeup and editorial treatment make an entertaining release of the more or less routine material in this issue. The lead position goes to the start of a good will motor tour, representing every state in the Union, to exploit the New York World's Fair.

Other subjects are Mexico City tributes to the country's war veterans; plane stunts at a French aviation show; King Carol of Roumania on a "mercy visit" to a village virtually destroyed by fire; the return to Gloucester, Mass., of the yacht, *Yankee*, from an 18-month cruise; the annual hoop race of Wellesley College girls; fire drills employing new rescue devices in Portland, Ore.; a Cuban beauty contest; a wrestling match at New York's Hippodrome; California high school students being taught three-cushion billiards, and juvenile boxing bouts in New York.

The bulk of the material is of average entertainment quality, although lacking in spot news values. Running time, 9 mins. K.

Col. Plans New Shorts

Two new series of single reel subjects will be added to Columbia's short subject production schedule for next season, the company stated yesterday. The first, "Great Moments of History," will picture outstanding events in American history while the second, "Washington Merry-Go-Round," will deal with governmental functions.

U. A. Majorit Now to Contro Choice of Filn

(*Continued from page* 1)

and/or purchase of an interest U. A. by that company.

No new sources of product w approved at today's session, alth several are understood to have s to open negotiations for releasing rangements following announceme of new policy made public during cent decisions of U. A. partners New York. No date was set for next meeting.

Attending today's session were A. H. Giannini, president and cha man of the board, who also rep sented Charles Chaplin; Murray verstone, representing Alexan Korda; N. A. Mackay, for M Pickford; C. E. Ericksen, for Do las Fairbanks, and Samuel Goldw

Para. English Plan To Be Revealed So

LONDON, May 5.—John W. Hi Jr., vice-president in charge of eign distribution of Paramount, clared today that a statement rela to the company's production plans England will be made within weeks.

He indicated that the company considering the alternative arra ments of production entirely on own, or in conjunction with out producers, or both. It is believed the films would be designed for w distribution.

To Drop Stage Show

CLEVELAND, May 5.—It is reli learned that the RKO Palace will continue its stage shows on May for the summer. Price scale is ported to be in line with the o local downtown first run houses cents-35 cents-42 cents with Satur Sunday-holiday top at 55 cents.

Wall Street

Board Trading Is Uneven

	Open	High	Low	Close	Ch
Col.	11¾	11¾	11½	11½	-
Cons. pfd...	6⅛	6⅛	6	6	-
E. K.	148½	149	147	147	-
E. K. pfd...	170	170	169¼	169¼	-
K.A.O. pfd.	64	64	64	64	-
Loew	40	41¾	40	40⅛	-
Para.	8	8	7¾	7¾	
Para. 2.....	8⅞	9	8⅞	9	-
RKO	2¾	2⅞	2¾	2⅞	-
20th Fox ..	21	21¾	21	21¾	-
20th pfd. ..	29½	29½	29½	29½	-
Univ. pfd...	37	37	37	37	
W. B.	4⅞	5	4¾	4¾	-

"U" in Light Curb Gain

	Open	High	Low	Close	Cl
Tech.	20	20¾	20	20⅛	
Univ. Corp.	2	2	2	2	

Bonds Show Increases

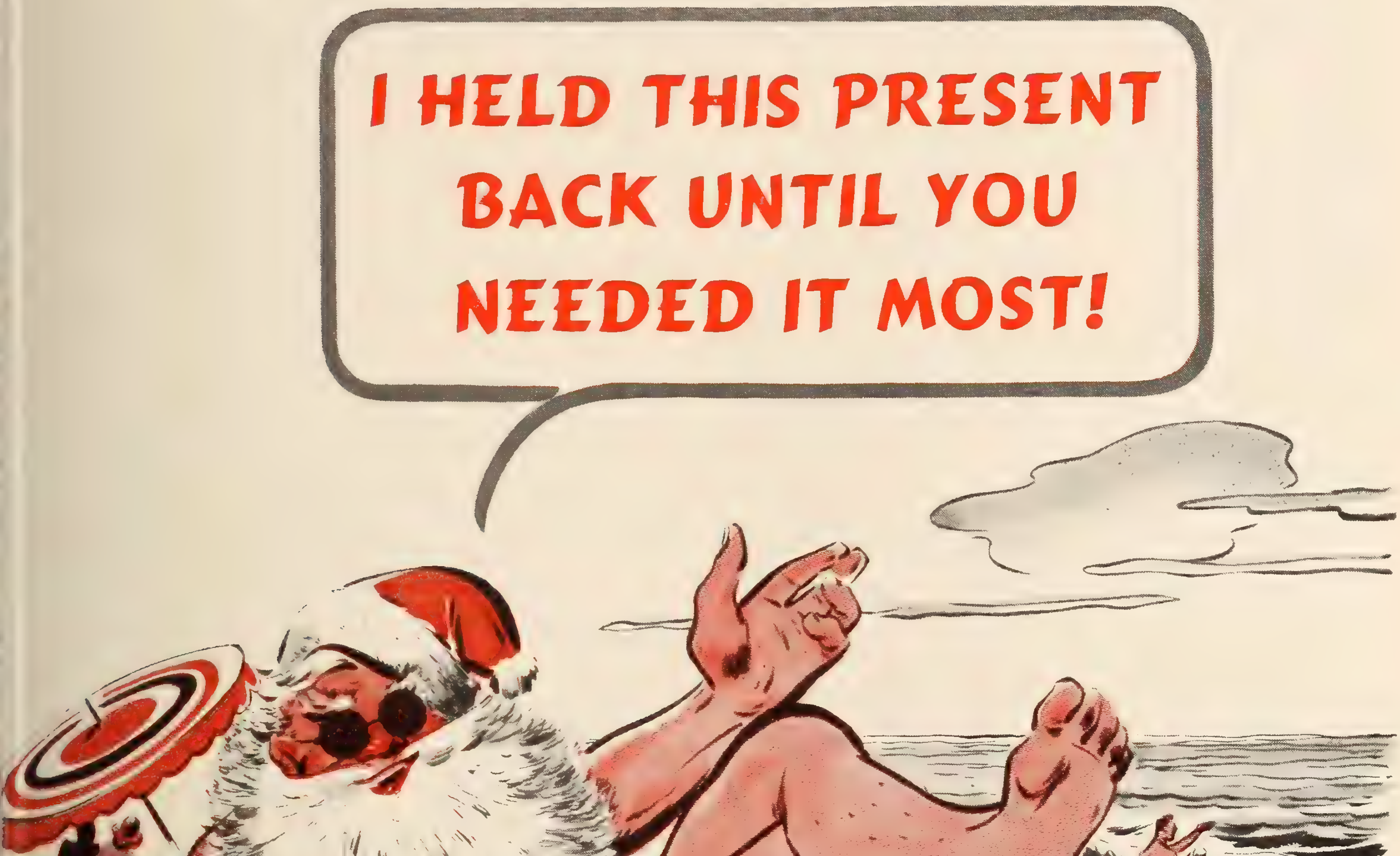
	High	Low	Close	Cl
Loew 3½s '46....	99½	99⅜	99½	
Para. Pict. 6s '55	89	89	89	
Para. Pict. '47....	70	70	70	
W. B. 6s '39......	74¼	73	74¼	

(Quotations at close of May 5)

THE BIGGEST BOX-OFFICE

HOLIDAY*

THAT EVER CAME IN JUNE!


I HELD THIS PRESENT BACK UNTIL YOU NEEDED IT MOST!

* THE PICTURE THAT
HAS EVERYTHING!

A COLUMBIA PICTURE

Levy Enthuses Over British Television

Arthur Levy, special representative of Monogram Pictures in London, paused in New York before hopping off for the Monogram convention and Hollywood to discuss Monogram foreign business briefly and the future of television in Great Britain enthusiastically and at length.

Levy, a New Yorker who's been 20 years in England, is Monogram's contact with Pathe's nine exchanges in the British Isles. He reported that the English box-office is booming, that John Maxwell's one-man organization now controls 557 theatres against the 320 Gaumont British houses, and that Maxwell is the number one film man in England today.

Prefer American Films

Monogram, he pointed out, has a substantial distribution in England through Pathe and is getting quota product through local studios. The quota presages no great production boom in England, he said, because the British must get finances to take advantage of it.

American pictures, despite Sam Goldwyn's pessimistic views, are infinitely preferred.

Britishers stay away from home made cinemas in droves, he said. American gangster pictures are still tops with the customers, and after them, the "whodunits," and American drawing room-society pictures.

Television Principal Factor

But television is Levy's main preoccupation. He has invested heavily in it for eight years and his company, Scophony, has sold 3,000 sets with a reception range of 70 miles. The sets carry a viewing screen built into the radio, and pick up the two-hour daily broadcast from BBC.

Resentful theatre exhibitors are now beginning concerted action, he said, for television sets may be set up in pubs and elsewhere provided no admission charge is made. English pubs are already installing a thousand of these sets which are in competition with picture shows.

Ask IA Aid to End Lab Union Deadlock

Assistance of the I.A.T.S.E. to help break the deadlock in the negotiations with De Luxe Laboratories has been asked by the Motion Picture Laboratory Technicians' Union, Local 702. Lou Krouse, assistant president of the I.A., and Dick Walsh, vice-president, are to confer with the local's officials.

Veiled threats of a strike are being made by the union. De Luxe employes have voted to convert the negotiations committee into an "action committee," with authorization to "take action when it sees fit." It was said, however, that the local "will exhaust every available means to arrive at an amicable settlement of the differences.

The deadlock occurred when Allan Freedman, president of the company, rejected the union's demands for wage increases as excessive in view of the fact the laboratory is operating part time.

Rental Jumps Set as Republic Meet Ends

(*Continued from page* 1)

Goldstein, Claude Ezell and Ralph Blum, the latter a Hollywood talent agent who told of the esteem with which Republic is held by talent generally.

Prizes in the contests were awarded to: Al Rock, Atlanta; Al Fecke, Boston; Frank Belles, Cleveland; Clyde Pratt, Des Moines; Max Gillis, Philadelphia; Bill Weiss, St. Louis; Dave Black, New York; Harold Klingman, Minneapolis; Rudy Knoepfle, Cincinnati; Carl Floyd, Atlanta; Fred Sturgis, Detroit; Lou Hanna, Pittsburgh; Abbett Schwartz, Minneapolis; Paul McEhlinney, Salt Lake City, and Lloyd Miller, Memphis.

Canadian winners were: Jerry Hoyt, St. Johns; Frank Fisher, Toronto, and Larry Druxerman, Montreal. The Canadian winners were not present. Their prizes will be taken to them by Alf Perry.

Delegates Go Social

Players who will be starred in forthcoming product were introduced to the conventioneers this afternoon, after which a formal dinner dance followed at the Roosevelt Hotel in the evening.

Tomorrow franchise holders will hold final conferences on product and sales and will discuss the 25 per cent rental increase on the Jubilee Specials.

Saal in his talk emphasized the fact that all new product will feature action and that two musicals are scheduled. They are "Stand Up and Cheer" and "Hit Parade of 1939." There are no color features planned, he said.

A new Republic dubbing and scoring stage on the studio property will be built, the convention was told, and a new sound stage will be constructed on a leased plot adjoining the present studio.

Zanuck to Sail from New York on June 1

HOLLYWOOD, May 5.—Darryl F. Zanuck, 20th Century-Fox production chief, is due to leave for New York about May 25 and will sail for a seven-week European trip on the *Normandie* June 1. Joseph M. Schenck is now in Florida with Nicholas M. Schenck and is due to arrive in New York early next week, after attending the Kentucky Derby. Whether he will sail with Zanuck is now indefinite.

Harry Brand, studio publicity director, is on the *Empress of Britain* en route to New York, where he will arrive May 16. After a day's stopover he will continue on the ship to England.

Kent Opens Sessions At Paris Convention

PARIS, May 5.—The European sales convention of 20th Century-Fox opened here at the Hotel Plaza Athenee today, with Benjamin Miggins, Continental European manager, presiding. Sidney R. Kent, president; Walter Hutchinson, foreign head, and Truman Talley, chief of Movietone News, made the chief addresses. The first general meeting of the three-day session was held this afternoon.

The managers in attendance include: E. Schmidt, Germany; T. Isdahl, Jr., Sweden; E. Mathieson, Norway; Harry Frandsen, Denmark; B. Biornstad, Finland; L. Giordano, Egypt; a representative of Skouras Film Co., from Greece; G. Joffe, Poland; M. Lurje, Baltic States; Leo Brandfield, Czechoslovakia; K. Matzner, Hungary; D. Spitzer, Yugoslavia; Armand Paucker, Rumania; B. Fux, Italy; L. Groen, Holland; S. R. Pariente, Portugal; Louis Lafon, Paris office.

He May Miss

There will be a unique christening of United Air Lines' new Mainliner, *The Robin Hood,* today at Newark Airport. Carl J. Weese, noted archer, will attempt to smash a bottle of ale on the nose of the ship with an arrow shot from a distance of 30 paces.

What will happen if Weese misses has not been arranged.

Seek 7-Men Group For Monopoly Probe

(*Continued from page* 1)

the chairman of the Securities and Exchange Commission. The three Government officials, however, would be authorized to appoint representatives to act for them.

The committee would be instructed to investigate the causes and effects of concentration of economic power in industry from all angles, one of the major of which would be the effect in encouraging monopoly of patent, tax and other Government policies. It would be required to complete its study this year so that a report might be submitted to Congress at the opening of the session next January.

Rosenzweig Resigns As Manager for U.A.

(*Continued from page* 1)

at one time was eastern division manager of the Big U Exchange, and eastern division manager for FBO, and later vice-president and general sales manager of RKO, and was general sales manager of Columbia. He engaged in independent production for several years prior to joining United Artists.

Will Join Conventions

OKLAHOMA CITY, May 5. — Bob O'Donnell, general manager of the Interstate Circuit of Texas has informed Morris Loewenstein, national secretary of the M.P.T.O.A., that if Oklahoma City is awarded the national convention this fall he will hold the annual Interstate Circuit's managers' convention in Oklahoma City at the same time.

Support Neely Bill

INDIANAPOLIS, May 5.—The Indiana Congress of Parents and Teachers, in annual convention here, telegraphed Senators from this state reaffirming indorsement of the Neely-Pettengill bill to abolish compulsory block booking and blind selling. Continued support of the measure also was urged.

Warner Sales Meet Starting on Monda

(*Continued from page* 1)

eastern and Canadian sales manager will preside. Among other speaker will be Gradwell L. Sears, genera sales manager, who will outline ne season's plans; S. Charles Einfel who will discuss advertising and publicity campaigns; Albert Warne vice-president; Joseph Bernhard, general manager of Warner theatre and Norman H. Moray, Vitaphon short subjects sales manager.

A number of leading exhibitors ha been invited to attend both conventions.

In addition to those mentioned, executives who will attend both meetings include Carl Leserman, assista general sales manager; Mort Blumenstock, eastern advertising an publicity head; Jacob Wilk, story department head; I. F. Dolid, assista Vitaphone sales manager; A. W Schwalberg, supervisor of exchange Arthur Sachson, head of the contra department; R. W. Budd, personn director; H. M. Doherty, auditing department head; Stanley W. Hatch, advertising accessories sales manage and Sam Sax, Brooklyn Vitaphon studio executive.

Many to Meet Here

District and branch managers an salesmen who will attend the Ne York meeting are:

Eastern District: Albany—Norma Ayers, George Goldberg, Richar Struwe, R. S. Smith; Boston—N Furst, William Horan, E. H. War ren, Benjamin Abrams, Maurice Roche, H. I. Goldman; Buffalo Charles Rich, George Rosenbaun New Haven—John Pavone, M. Anderson; New York—Ed M. Schni zer, district manager, Harry Decke Harry Hummell, Gus Solomon, Jacobi, Irving Rothenberg, A. Beris Sam Lefkowitz, Paul Swift.

Central District: Cincinnati— Shmitken, H. A. Bugie, J. P. Eife R. Burns, Sterling Wilson; Clevelan —H. J. Ochs, Walter J. Brandt, E ward Catlin, Joseph Minsky; Detro —F. E. North, W. B. Collins, S. Gilbert, S. D. Chapman; Philadelph —W. G. Mansell, J. R. Maha Charles Beilan, D. M. Cooper, V Quinlivan; Pittsburgh—H. A. See P. S. Krumenacker, R. M. Lync R. H. Dunbar, E. Moreels; Washin ton—R. Smeltzer, district manage F. W. Beiersdorf, manager; G. Contee, G. P. Price, H. G. Minsk Eddie Phillips.

Canadian District: Calgary—L. Ge ler; Montreal—M. J. Isman, H. Hu teau; St. John—L. McKenzie; T ronto—W. Cohen, district manage H. O. Paynter, F. Gilbert, H. La A. Piggins; Vancouver—J. Plottel Winnipeg—G. A. Simmons, I. Coval.

Asks Air Mail Week Ai

COLUMBUS, May 5.—The I.T.O. Ohio has urged all members to cooperate in National Air Mail Wee May 15 to Mav 21, by displaying theatre lobbies one or more of t posters which may be obtained, without charge, at any post office.

To Show Color Process

Cosmocolor, a new process for t making of color pictures, will demonstrated this morning in t RKO projection room.

TOP STAR

IN Eastman Super X Panchromatic Negative, speed, fine grain, and photographic quality invariably combine for superlative performance. After three full years on location and lot, Super X is still the top star among motion picture negative films. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

FCC Arranges Hearing Dates During Month

WASHINGTON, May 5. — The Federal Communications Commission today assigned tentative dates for hearings on broadcasting applications as follows:

May 12, before the commission: Applications of Sherman V. Coultas, Milton Edge and Hobart Stephenson for a 1,310-kilocycle, 100-watt station at Jacksonville, Ill.; Y. W. Scarborough and J. W. Orvin for a 1,210-kilocycle station at Charleston, S. C., with 100 watts night, 250 watts day; Piedmont Broadcasting Corp., for a 1,500-kilocycle station at Salisbury, N. C., with 100 watts night, 250 watts day, and WDNC, Durham, N. C., for change of frequency from 1,500 to 600 kilocycles and increase of power from 100 to 1,000 watts.

May 19, before the commission: Applications of WORL, Boston, for increase of time from day to unlimited and increase of power from 500 to 1,000 watts; KSTP, St. Paul, for increase of power from 10,000 watts night, 25,000 watts day, to 50,000 watts; WJSV, Washington, for increase of power from 10,000 to 50,000 watts; C. Bruce McConnell for a 1,500-kilocycle station at Indianapolis, with 100 watts night, 250 watts day; N. B. Egeland, for a 1,500-kilocycle, 100-watt daytime station at Fort Dodge, Ia.; WLBL, Stevens Point, Wis., for change of power from 5,000 watts day only to 1,000 watts to 10 P. M., 5,000 watts day, and Madison Broadcasting Co., for a 1,450-kilocycle, 250-watt station at Madison.

Television Applications Up

May 26, before an examiner: Applications of General Electric Co., for television stations at Albany, Schenectady and Bridgeport, and application of Hazeltine Service Corp., for a television station at New York.

May 27, before an examiner: Applications of Radio Enterprises for a 1,310-kilocycle, 100-watt daytime station at Hot Springs, Ark.; Associated Arkansas Newspapers, Inc., for a 1,310-kilocycle, 100-watt daytime station at Hot Springs, Ark., and KTEM, Temple, Tex., for increase of time from day to unlimited with 100 watts night, 250 watts day.

May 31, before an examiner: Application of Cuyahoga Valley Broadcasting Co., for a 1,500-kilocycle, 100-watt station at Cleveland.

WWL Terminates Its Pact on Closed Shop

NEW ORLEANS, May 5.—The closed shop contract of WWL with the local musicians' union of the American Federation of Labor has been terminated in accordance with two weeks' notice served on the members today by Francis Callahan. Callahan said the action was taken because the union had made certain promises which it did not fulfill and because WWL has been forced to assume union expenses which other stations have not had to carry.

Jack Pepitone, president of the union, withheld comment.

Rearrange P. & G. Programs on NBC

The Procter & Gamble programs on NBC will be rearranged beginning May 30, and the new schedule will show a loss to NBC of two current P. & G. shows, and the return to NBC of another, currently on CBS. The show returning to NBC is "Kitty Keene," and the programs that are going off are "Gospel Singer" and the "Vic and Sade" show on the Red. CBS, however, will be compensated for the loss of "Kitty Keene" by the acquisition of "The Gospel Singer."

The schedule changes will be as follows: On the Red, "Road of Life" from 4:45 P. M. to 11:45 A. M.; "Pepper Young's Family" from its present spot, 3 P. M., to 3:30 P. M.; "Story of Mary Marlin" from 4:15 P. M. to 3 P. M.; "Ma Perkins" from 3:15 on the Red to 10:45 A. M. on the Blue. The new alignment will give P. & G. a solid hour on the Red, save for the quarter-hour split at 3:15. This open spot will be filled with another P. & G. show soon, it is to be presumed.

On the Blue, "Pepper Young" will switch time with "Vic and Sade," with the former going from 11:15 A. M. to 11:30 A. M., and the latter changing from 11:30 A. M. to 11:15 A. M.

CBS, Mutual Totals For 4 Months Gain

CBS billings for April amounted to $2,424,180, a decrease of 5.4 per cent from the billings of April last year, which amounted to $2,563,478. The cumulative billings for the first four months of the year amounted to $11,018,777, a gain of 12.8 per cent over the billings for the same period last year, which were $9,766,131.

Mutual's billings for the month also showed a decrease from last April. The April, 1938 billings, amounting to $189,545, were down 5.3 per cent compared to April, 1937, when they were $200,134. The cumulative billings, $945,566, were up 5.8 per cent over last year's total for the same period, which was $893,599. NBC's April billings are not yet available.

CBS Plans Set for Broadcasting Derby

(*Continued from page* 1)

in behalf of Raleigh-Kool cigarettes.

WAVE will be obliged to cancel its NBC sports feature in order to carry the race. The situation assumes an unusual angle in that WAVE will be cancelling out an NBC commercial, which advertises a cigarette, in order to carry the Derby, which plugs a competitor's cigarette. The show which WAVE will cancel is the Paul Douglas sports show for Chesterfield.

CBS will broadcast the description of the Derby race beginning at 6:15 P. M. The program is an exclusive CBS feature.

Oregon Series Starts

PORTLAND, ORE., May 5.—Dedicated to a greater Oregon, a series of nine radio broadcasts over Oregon's state owned station, KOAC, Corvallis, has been inaugurated by the real estate department of the state, cooperating with the Greater Willamette Valley Association, Inc., and chambers of commerce of the state.

File Suit Over CBC Headquarters Shift

TORONTO, May 5.—Immediately after announcement by J. Gladstone Murray, general manager of the Canadian Broadcasting Corp., that the national network would transfer its program operating headquarters from Ottawa to Toronto in a building to be rented court action was instituted by Gooderham & Worts, Ltd., claiming $250,000 damages against the chain for alleged lack of performance of lease on the broadcasting studio and plant originally operated here by Gooderham & Worts and taken over by Radio Commission in 1933. Under the terms of the lease, it is claimed the entire plant was to have been kept modern, in good repair and in operating condition, but the allegation is that the lessee converted and removed property and equipment for its own use elsewhere. Specific performance of the lease is asked in addition to damages. The wave length formerly operated by the plaintiffs as CKGW is now occupied by CBL, new super-station of CBC.

Set Cigarette Series

Brown & Williamson Tobacco Co., for Bugler cigarettes, will sponsor a new series, "Plantation Parties," on WGN and WLW of the Mutual network, starting tomorrow and Saturdays thereafter from 10:30 to 11 P. M. Russell M. Seeds Co., is the agency.

Thesaurus in New Series

NBC Thesaurus is planning a new series of George Hall dance programs. The program will be offered in three quarter-hour instalments a week to replace the "Easy to Remember" programs.

University Starts Series

KANSAS CITY, May 5.—Kansas City University has inaugurated a series of round-table discussions of political and economic subjects by members of the faculty over WDAF, 9:15 P. M., 15 minutes.

Radio Personals

LEITH STEVENS and his swir band will broadcast their week CBS program from the stage of tl Earle Theatre, Philadelphia, May 1 where the band will be making week's appearance. The deal was s by CBS Artists Bureau, which is co templating an extensive personal a pearance tour for Leith . . . Kyser is in the hospital recove from a nervous breakdown . . Olympe Bradna will be the guest Ben Bernie, May 11 . . . Jean Sabl will fly to the coast for a screen te this week . . . The Vass Family h been booked for 13 weeks on tl "National Barn Dance" progra starting this week . . . Patricia Ry is en route to Dallas, where she w appear for four weeks as featur vocalist with Bill Barto's orchestr

✚

Ethel Shepard has been signed f another year by WHN . . . Mort Downey, Connie Boswell and t Mills Brothers will be guest artists the next three Al Pearce broadcas . . . Lanny Grey of the team Lucille and Lanny has been signed NBC for a new show of his own . The Rhythm Boys orchestra, featu ing Eddy Brandt, has replaced Or Tucker's band at the Roosevelt . Enoch Light's orchestra will op next Sunday in the Grill Room of t Taft with a CBS wire. Light h just completed a vaudeville tour.

Thomas on Air Sunda

NBC has accorded time to Norm Thomas to air his views regarding t alleged suppression of liberties in J sey City. Thomas will speak o WJZ this Sunday at 6 P. M.

Radio Engineers to Me

PORTLAND, ORE., May 5.—The stitute of Radio Engineers will h its convention here, Aug. 10 to 12, clusive. The Portland section of institute will be host.

A GREAT NEW ADVERTISING OPPORTUNITY!

HOLLYWOOD HIGHLIGHTS starring SAM TAYLOR

ECONOMICAL—because it's a participating sponsorship program!...Popular—because fan's favorite Sam Taylor knows how to mix up music, Hollywood chatter and prize contests into just what thousands want to listen to...Daily from 12 to 12:30 P.M.

Prices of participating spots on request

WHN

DIAL 1010 ★ 1540 B'WAY, N.Y.C.

Special!

"The Public Reviews"... a special Taylor stunt to interest listeners . . . Just part of a great program.

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Alert.
Intelligent
and
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to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
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Accurate
and
Impartial

OL. 43. NO. 106 NEW YORK, SATURDAY, MAY 7, 1938 TEN CENTS

onogram to Give Product Detail Monday

unlap to Address First Convention Session

Cincinnati, May 6.—Titles, casts d other details of Monograms' new ason program of 26 features and 16 sterns will be given to the comny's national sales force by Scott R. unlap, production head, at the openg business session of the annual les convention in the Netherland aza here on Monday.

The list will include two Jackie oopers, four with Boris Karloff and veral with Movita and John Carroll. ie presence here of Edward Finney, no is listed as an associate producer the company's new season list, indites that Tex Ritter, who is under ntract to Finney, will play an imrtant part in the company's westerns next season.

W. Ray Johnston, president, who ll be chairman of the convention ssions, is due here tomorrow with a

(Continued on page 3)

ocal 306 Expects 1,500 for Its Party

An attendance of 1,500 is expected the silver jubilee dinner-dance of cal 306 at the Astor early Monday orning in celebration of the 25th niversary of the granting of the al's charter by the I.A.T.S.E. The air will start at 12:30 A. M. to rmit the union's members to atnd.

On the dais will be George E. owne, president of the I.A.T.S.E.; u Krouse, secretary-treasurer; mes J. Brennan and Richard Walsh, e-presidents; William Collins, repenting the American Federation of

(Continued on page 4)

artin Starr to Air Attack on ITOA's Ad

The I.T.O.A. blast against the llywood "star system" will be swered by Martin Starr, WMCA n commentator, on his program torrow night, starting at 8:45 lock. Starr said he also would ve something to say about yesters editorial in the *Daily News,* ich said that radio has made inds in the film industry.

At a meeting of the Ampa board

(Continued on page 4)

More Radio—P. 4

RKO Obtains Extension on Note Payment

Move Averts Clash with Debentures Holders

RKO has negotiated a four-month extension with the Bank of America National Association of the maturities on the final $200,000 of secured gold notes held by the bank, it was stated officially yesterday.

The extension of the payments appears to avert an immediate clash with holders of RKO debentures over the disputed question of whether or not the company's debentures will continue to have a secured position after the gold notes are paid. The gold notes are secured by virtually all of the going assets of RKO, including studio properties, while the debentures have a second lien on the same assets. Attorneys have raised the question as to whether or not the debentures will continue to have the same secured position when the gold notes have been retired.

The secured or unsecured position of the debentures vitally affects the company's reorganization plan, now in process of redrafting.

Under the original retirement plan

(Continued on page 3)

RKO Trustee to Buy Van Beuren Holdings

Irving Trust Co., trustee in reorganization of RKO, was authorized by Federal Judge William Bondy in the U. S. District Court here yesterday to purchase voting trust certificates representing 50,000 shares of Class A stock for $69,750 from Van Beuren

(Continued on page 3)

Who Is Sylvia?

Paris, May 6.—Walter Hutchinson, 20th Century-Fox foreign chief, interviewed this afternoon, said business was good in Europe this season because of the big pictures released.

But the real highlight of the interview came when a girl representing the Paris office of the *Herald-Tribune* asked Hutchinson very seriously:

"Who is Annabella?"

Warners to Have 150 at Meet Here

An attendance of 150 will be on hand for the opening of Warners' three-day regional convention, which will start Monday at the Roosevelt.

In addition to home office staffs, district and branch heads and salesmen, the meeting will be attended by theatre department personnel and zone managers. Gradwell L. Sears, general sales manager, will open the convention.

The following branches will be represented at the eastern meeting: New York, Albany, Buffalo, New Haven, Cincinnati, Cleveland, Detroit, Philadelphia, Pittsburgh, Washington, Boston, Montreal, St. John, Calgary, Toronto, Vancouver and Winnipeg.

Ban Is Retained on Philadelphia Games

Philadelphia, May 6.—The State Supreme Court today refused a supercedeas to stop interference of police in the games situation, with the result that the giveaway policy seems definitely out in Philadelphia, at least until November. The appeal

(Continued on page 3)

Roach May Be First to Join New UA Setup

Discussions Under Way On the Coast

Hollywood, May 6.—Hal Roach may be the first independent producer to be added to the United Artists lineup if discussions under way result in the working out of arrangements satisfactory to all parties. A factor in the negotiations, which have been largely informal so far, is the completion or adjustment of the existing Roach deal with M-G-M, which is understood to have eight months to go.

M-G-M is believed to be satisfied with the Roach relationship of long standing. Production of "Our Gang" comedies recently was transferred to the M-G-M lot.

The recent readjustment of U. A. policy with respect to contributing producers' participation in profits and yesterday's amendment to the bylaws is believed here to make the Roach shift likely. It is known that Roach wants to concentrate on the production of high budget pictures.

Recently he developed plans to make 10 to 12 pictures annually with

(Continued on page 2)

"U" Executives Off For Studio Meeting

William A. Scully, Universal general sales manager; Marshall Grant, story editor, and John Joseph, advertising and publicity director, left for the coast by train yesterday to continue with studio officials the discussion of new season production plans begun here early this week.

Nate J. Blumberg, Universal president, is remaining in New York for the company's regular board of directors' meeting next Tuesday. He may leave for the coast immediately after the meeting, accompanied by Joseph Seidelman, foreign manager, although

(Continued on page 2)

Kent Cites Product In Speech in Paris

Paris, May 6.—Sidney R. Kent, president of 20th Century-Fox, addressed the European convention of the company's Continental and Near Eastern managers here today relative to new product, emphasizing such films as "Alexander's Ragtime Band," "Suez," "Livingstone," "Jesse James" and others. Darryl F. Zanuck, in

(Continued on page 2)

New Color Process Claims Economy of Regular Stock

By J. M. JERAULD

A new color process—Cosmocolor—was given a demonstration by means of a two-reel short, "A Western Welcome," in the RKO projection room yesterday. Advantages claimed for it are that it is photographed on a regular black and white standard negative, that "rushes" in color can be seen by the director the following morning, and that the prints projected in theatres cost only two and one-half cents per foot more than the standard black and white stock.

The results on the screen are excellent. The picture was projected first without color. The difference was surprising when the color film started. It seemed to have a stereoscopic effect by contrast. The colors were sharply defined and no bleeding of tints was apparent to a non-technical observer, although there was some variation of tones in the whites. The picture was produced by Bert Gilroy, RKO shorts producer, and was photographed by Roy Hunt.

David Blankenhorn, president of

(Continued on page 4)

Purely Personal

CRESSON E. SMITH, RKO western and southern sales manager, is en route to Dallas by air where he will join JULES LEVY and WALTER BRANSON in a Depinet Drive meeting.

•

J. DON ALEXANDER, president of Alexander Film Co., who was here several weeks, will return today to Colorado Springs after a Chicago stopover.

•

HOMER HARMAN, advertising and publicity director of the Roxy, has become the father of a baby girl, PATRICIA JOY, born last Sunday.

•

ROSLYN SINCLAIR, "Rosie," of the "Rise of the Goldbergs" radio sketch, has had a screen test by Warners.

•

SAM SAX of Vitaphone left yesterday for Louisville to coach his favorite home in the Kentucky Derby.

•

NICHOLAS M. SCHENCK is due from Florida on May 16.

Tommy Lyons Honored

The personnel of Warners' foreign and domestic shipping department has organized a club called the Willing Ears Association and holds monthly get-togethers. Tommy Lyons, head of the department, was honored at a dinner at the Republic restaurant Thursday night.

Among those present were Phil Abrams, Jack Bass, Harriet B. Eddy, Mimi Berman, Harold and Solly Hoffman, George Belinge, Edward Ragals, Mrs. Agnes Quigley, Mrs. Edna Grant, Helen Porreteaux, Eleanor Goldberg, Donald Sardinias, Sol and Mrs. Gerber, Herb and Mrs. Pornhagen, Gerald Dreaver, Camille Garrity, John Brophy, Rose and Ida Cohen.

Actors Equity to Elect

The membership of Actors Equity Ass'n will participate in an annual election of officers on May 27 in which, for the first time in years, no opposition candidates for major offices will contest the regular ticket nominees. The time for filing opposition candidacies expired yesterday and ballots were mailed to members last night.

The sole opposition candidate to file was Samuel Bonnell who is vieing with John Lorenz, regular candidate, for a one year term on the Equity council.

Ebele Quits 20th-Fox

HOLLYWOOD, May 6.—Edward Ebele today resigned his post as production manager at 20th Century-Fox and was succeeded by his assistant, V. L. McFadden. Ebele, who has been ill for some time, resigned on the advice of his physician.

EXHIBITORS, ATTENTION!
Charles Schwartz, West Coast Editor of Official Publication of the Independent Theatre Owners Association, New York, writing to Fred Wilson, says: "I am very glad to see that one of the old guard of exhibitors conceived the greeting card, birthstone, horoscope idea.
"It spells showmanship and I feel it will prove a 'natural' for theatres everywhere. Congrats."
Representative wanted in every exchange center.
HOROSCOPE PUBLISHING COMPANY
1633 Cordova Street, Los Angeles, Calif.

Hollywood Preview

"Numbered Woman"

(*Monogram*)

HOLLYWOOD, May 6.—The combination of a sound story in which progressive suspense is a constructive influence, capable acting, sane direction and worthy production establishes "Numbered Woman" as an interesting attraction. Unadorned by distinctive marquee names, the film, however, offers a company of players who know what to do with the ball when they get it and the manner in which they work should cause audiences to forget personal identities as they become absorbed in the experiences and adventures of the characters.

The plot has to do with the efforts of a private nurse to bring to justice a gang of crooks, who through trickery have connected her brother with a bond stealing crime. Associating herself, under an alias, with the convalescing master mind, she gradually gathers incriminating evidence and is the force which leads to the recovery of the loot as the principals kill each other and their minions are arrested.

Basically melodramatic, the picture includes considerable comedy while the romantic content is sufficient to give the story the necessary love interest quality. Delineation of the theme is mainly in the hands of Sally Blane and Clay Clement, both of whom give realistic performances. As the romance concerns Lloyd Hughes and Miss Blane, the comedy which Mayo Methot contributes serves to lighten the tension. Other principals are Morgan Wallace, Robert Fiske and Ralph Dunn, crooks, and J. Farrell MacDonald and Oscar O'Shea, policemen, and John Arledge, who has a brief but good bit as the heroine's brother.

The original screenplay by John T. Neville is logical and understandable and Karl Brown's direction is pointed to permit melodramatic suspense to dominate. Produced by E. B. Derr, "Numbered Woman" should prove a satisfactory general attraction in the houses in which it will play and should be of particular interest to women.

Running time, 60 minutes. "G."

De Luxe Will Resume IATSE Talks Monday

Contract negotiations between Alan Freedman, president of De Luxe Laboratories, and the Motion Picture Laboratory Technicians' Union, are scheduled to be resumed at a meeting Monday afternoon. Lou Krouse, assistant president of the I. A. T. S. E., and Dick Walsh, vice-president, will sit in with the local's negotiating committee.

While the union earlier this week asked the I. A. T. S. E. for strike authorization, there are indications that an amicable setlement will be reached. Negotiations became stalemated over salary increase demands.

Pact Approval Deferred

Because of the absence of several major company representatives, ratification of the exchange employes' master contract was deferred at a short meeting yesterday attended by John Gatelee, I.A.T.S.E. spokesman, Frank Phelps of Warners and others. The session was held at the Warner home office.

Officials Apologize

LONDON, May 6.—Officials of the Electrical Trade Union today in court apologized for statements made during the recent strike of projectionists in London theatres in leaflets which were distributed outside one house. No fines were assessed, but the defendant officials paid court costs.

Operate on Rubinoff

BATTLE CREEK, Mich., May 6.—Condition of Dave Rubinoff, violinist, this afternoon was reported as satisfactory following an emergency appendicitis operation here this morning.

Kent Cites Product In Speech in Paris

(Continued from page 1)

charge of production, is looking for new stars, Kent said.

The meeting was opened by Benjamin Miggins, who presided, with statements of the various managers recorded under the supervision of Truman Talley, head of Movietone News. Talley and Walter Hutchinson, in charge of foreign distribution, addressed the men during the session, Talley mentioning the company's planned new short subject series, especially the new fashion forecasts in color. Kent made awards to those managers who had exceeded their sales quotas during the past year.

A press party was held this afternoon and tonight were held screenings and a Movietone party at the famous Bal Tabarin. Tomorrow a general business session will be held and Kent will make the closing address. A dinner in the evening will conclude the sessions.

G. B. Denver Meet Ends

DENVER, May 6.—G.B. executives left here today for New York, following the completion of the third and final regional sales meeting of the company. Starting for New York were: Arthur A. Lee, Clinton White, Arthur Greenblatt and Al Margolies.

Col. Adds Shorts Series

Columbia will inaugurate two new series of one reel shorts with its new season production program. The first, "Pictographs," will present a series of subjects based on unusual facts and happenings. "The Music Hall Varieties," the second series, will feature film, stage and radio performers.

Roach May Be First to Join New UA Setu

(Continued from page 1)

Milton Bren and Leo McCarey sha ing responsibility for them. With M Carey joining RKO, the name Ernst Lubitsch, linked with Roa some time ago, again is being tioned in this connection.

Roach, questioned on the subject day, refused to affirm or deny the port that he will join U. A. Seve deals have been discussed but none definite, he said, adding that M-G-M contract still has a period months to go.

"U" Executives Off For Studio Meetin

(Continued from page 1)

the traveling plans of both are s indefinite. In any event, final cisions on the company's 1938-'39 p duction schedule are not likely be made until after Blumberg's turn to the studio.

While on the coast Scully will co plete plans for several regional sa meetings to be held toward the of the month, and Joseph will co plete arrangements for the remo from New York to the studio of company's major advertising and p licity functions.

Thomas Opens Exchan

Harry H. Thomas, former pre dent of First Division Exchang Inc., has opened a New York change in the Film Center Buildi

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)
MARTIN QUIGLEY, Editor-in-Chief and lisher; J. M. JERAULD, Managing Ed JAMES A. CRON, Advertising Manager. TORIAL STAFF: Charles S. Aaronson, Jack ner, Al Finestone, Thomas Fitzsimmons, She A. Kane, Irene Kuhn, Joseph Priore.
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HOLLYWOOD: Postal Union Life Build Vine and Yucca Sts.; Boone Mancall, mana William R. Weaver, editor. WASHINGT Albee Building, Bertram F. Linz, representa. CHICAGO: 624 S. Michigan Ave.; C. B. O'N manager. AMSTERDAM: 37 Waalstraat; P de Schaap, representative. BERLIN: Ste strasse 2, Berlin W. 35; Joachim K. Ruten representative. BUDAPEST: 3 Káplár-u, B pest II; Endre Hevesi, representative. BUE AIRES: Avallaneda 3949; N. Bruski, repres tive. COPENHAGEN: Vesterbrogada 20; Winther, representative. HELSINKI: Fred gatan 19C; Charlotte Laszlo, representa LONDON: 4 Golden Square, W. 1; cable add Quigpubco, London; Hope Williams, man MELBOURNE: Regent Theatre Buildings, Collins St.; Cliff Holt, representative. MEX CITY: Apartado 269, James Lockhart, repres tive. MONTEVIDEO: P. O. Box 664; Paul representative. MOSCOW: Petrovski Per Beatrice Stern, representative. PARIS: 29 Marsoulan; Pierre Autre, representative. PRAG Uhelny trh 2, Prague 1; Harry Knopf, repres tive. RIO DE JANEIRO: Caixa Postal L. S. Marinho, representative. ROME: 54 Della Mercede; Joseph D. Ravotto, representa SANTIAGO de CHILE: Casilla 13300; A. W mann, representative. SHANGHAI: Rooms 3 Capital Theatre Building, 142 Museum Road; Koehler, representative. STOCKHOLM: Ku gatan 36; Ragnar Allberg, representative. TOK 880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. T naga, representative. VIENNA: Neustift 54 Vienna VII; Hans Lorant, representative
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Monogram to Give Product Detail Monday

(*Continued from page* 1)

rge delegation from the Monogram udio and western exchanges. Ed- ard Golden, vice-president and assist- to Johnston, heads the home of- lelegation and eastern exchange oups which will arrive here on Sun- y. Special meetings for company ficials are scheduled for Sunday with neral convention sessions beginning onday morning and concluding with banquet Tuesday night. Approxi- ately 150 persons including guests of e company are expected to attend.

In addition to the executives named, e convention will be addressed by Sol . Rosenblatt and O. Henry Briggs, rectors of the company; George W. eeks, general sales manager; Louis Lifton, advertising and publicity rector; William B. Jaffee, Mono- am attorney; William L. Peirce, udio publicity manager; Norton V. itchey, foreign manager; Leon romkess, treasurer; E. B. Derr, pro- icer; John Mangham, Atlanta; Cecil arnes, Portland; Sam Rosen, Phila- lphia; Forrest Judd, Des Moines; pe Felder, New York; Steve Broidy, oston; Howard Stubbins, Los An- les; Ralph Bettinson, coast foreign presentative; Arthur Levey, London anager, and Mortimer Burnside of A. Sisto & Co., New York.

South, Midwest Represented

In addition to those from the coast nd western exchanges, the home of- e and eastern exchanges, who were sted earlier, those attending include e following from midwestern and uthern exchanges: W. A. Ryan, P. . Savin, Fred W. Mathis, and W. . Osborne, Atlanta; Harry L. Berk- n, Jules Jasper and Mitchell Pant- r, Buffalo; Henri Elman, Charles ndau, Chicago; W. G. Carmichael, . B. Van Derburgh, Charlotte; Wil- am McCabe and Ezra Skirboll, Cin- nnati; Nate Schultz, S. E. Schultz, eo W. Chapman, Carl Scheuch and ck Finberg, Cleveland; E. Blu- enthal, John L. Franconi, C. Dreher d R. C. Milheran, Dallas; Lon T. dler, Denver.

Also among those present are: E. Rushing, Howard Goetz, Des oines; William R. Hurlbut, William emion, Bert Foster, Lou Greenley d George Custer, Detroit; Carl arthill and Morris Hallman, Indian- olis; L. F. Durland, M. G. Shackel- rd, Kansas City; M. E. Winan and e Jones, Memphis; Edward C. rofta, C. W. Trampe, H. Edward ier and William Imhof, Milwaukee; arles M. Weiner, B. L. Nathanson d M. W. Steinman, Minneapolis; Harry Spann and Leonard T. Shea, ew Orleans.

Others included Carr Scott and aude York, Oklahoma City; L. O. ngler, Matt Rozgay and John arms, Omaha, and C. J. Farnes, rtland.

Represent Horoscope

Kermit K. Schafer and William ater, the latter formerly with F. G. ilson, have been named field repre- ntatives in this area for the Horo- pe Publishing Co., which has ened offices in the RKO Building.

Monogram Chiefs at Convention

W. R. JOHNSTON
President of
Monogram

EDWARD GOLDEN
Vice-President
of Monogram

GEORGE WEEKS
General Sales
Manager

SCOTT DUNLAP
In Charge of
Production

LOUIS LIFTON
Advertising and
Publicity Head

RKO Trustee to Buy Van Beuren Holdings

(*Continued from page* 1)

Corp. Permission to purchase 2,200 shares of Class B stock at $1.40 per shares also was granted.

New Testimony Ordered

Federal Judge Vincent L. Leibell yesterday ordered the withdrawal of depositions filed by Mack Gordon and Harry Revel and ordered a new examination before trial in Los Angeles in the plagiarism suit brought by Charles McCord against them, Robbins Music Corp. and 20th Century-Fox. Judge Leibell ruled that 20th Century-Fox and Robbins had the right to be represented by attorneys at the examination.

Orange Particulars Ordered

Orange County Theatres, Inc., was ordered by Federal Judge Vincent L. Leibell in the U. S. District Court here yesterday to file a further bill of particulars in its $225,000 triple damage anti-trust suit brought against Paramount Pictures, Inc., 20th Century-Fox Film Corp., Big U Film Exchange, Inc., RKO Radio Pictures, Inc., United Artists Corp., Eugene Levy, George Walsh, Joseph Lee and Netco Theatres Corp. The plaintiff charges a "conspiracy" among the defendants to violate the Sherman Anti-Trust Act.

Films Sonores Amends Charge

Films Sonores Tobis Societe Anonyme filed an amended complaint in the U. S. District Court here yesterday in its infringement suit against Charles Chaplin, Charles Chaplin Film Corp. and United Artists Corp. The plaintiff charges "deliberate piracy" of its film "A Nous La Liberte" in "Modern Times." Particular mention is made of the conveyor belt scene. A permanent injunction, damages and an accounting of the profits are asked.

"U" Decision Is Reserved

Decision was reserved yesterday by Justice Samuel I. Rosenman on a motion made by John D. Tippett, Inc., to examine before trial former officers of Universal Pictures Corp. in the N. Y. Supreme Court. Tippett seeks $600,000 damages for an alleged breach of a five-year contract made in 1932, under which Universal allegedly agreed to purchase 50 per cent of all its positive film raw stock requirements from the plaintiff.

Roma Opens Offices

Roma Pictures Corp. has opened offices at 723 Seventh Ave., for the distribution in this country of 10 Italian features and a lineup of shorts. S. E. DiGennaro heads distribution.

Critics Here Disagree in "Joy of Living" Reviews

A definite difference of opinion relative to "Joy of Living" was embodied in the reviews of New York's critics. Excerpts follow:

Daily Mirror— . . . another exhilarating light comedy. (Irene Dunne) Gay and sparkling. . . . A delightful cast supports her.

Daily News—Irene Dunne is a most persuasive and ingratiating comedienne . . . ably assisted by Douglas Fairbanks, Jr., and a group of comedians. . . . The screenplay is amusing and solidly built.

Herald-Tribune—Some . . . is extremely funny, but the main narrative has been ineptly plotted and projected. . . . The show is stuttering more often than it is sprightly. . . . I would settle for the Jerome Kern score.

Journal-American—Light and gay, "Joy of Living" stacks up well in the list of madcap comedies to which Hollywood has become so devoted . . . handsome sets and a lively tempo.

Post—It's not so terribly funny, and its message does not startle, but it serves to pass an amiable hour.

Sun—(Irene Dunne's) soft, clear voice and graceful comedy, along with some Jerome Kern melodies, are about all the feature has to offer.

Times— . . . I found it a rather tiresome business generally. . . . The saving grace is the Jerome Kern score.

World-Telegram—Irene Dunne and Douglas Fairbanks, Jr., employ their engaging sense of comedy in a pleasant manner in the brisk and amusing sophisticated farce.

RKO Obtains Extension on Note Payment

(*Continued from page* 1)

for the secured gold notes, RKO was to have made a final payment to the Bank of America on Monday. Presumably, this would have called for an immediate determination of whether or not the debentures continued to have a secured position. Under the agreement extending the maturities of the final $200,000 of the notes, however, the question will not be an issue, presumably, until after Sept. 1. The extensions called for the payment last Monday of $50,000 on the secured notes, a June payment is omitted and the final $150,000 is payable in three equal installments on July 1, Aug. 1 and Sept. 1.

Ban Is Retained on Philadelphia Games

(*Continued from page* 1)

from the Common Pleas Court ban on games has been regularly listed for argument in the week of the fourth Monday in November.

The petitions for supercedeas were presented before the court. Assistant City Solicitor James F. Ryan, in answer to the petitions, said:

"It is admitted that the operation of moving pictures in the city is a large industry. If, however, the business cannot be conducted without making a motion picture theatre a gambling hall on one or more nights a week, there is additional reason in public policy for the order of the Court of Common Pleas."

The court delivered no opinion in the case, merely returning the petitions with "supercedeas refused" written across the faces.

Re-Sign Joan Crawford

HOLLYWOOD, May 6.—M-G-M today signed Joan Crawford to a straight five-year, non-option contract. The deal allows her to take two years off to appear on the legitimate stage. Time so consumed will be added on the contract. No number of pictures is specified.

Radio Personals

DOROTHY SUTHERLAND, formerly of the CBS trade news division, has joined the staff of H. A. Salzman, Inc. . . . Amy Vanderbilt has been added to the staff of Publicity Associates . . . Russ Morgan's band has been renewed on the Philip Morris cigarette programs . . . Back from his belated honeymoon trip with Alice Faye, Tony Martin will rejoin the Burns and Allen show Monday . . . Ralph Edwards will pinch hit for Andre Baruch on the "Hit Parade" show while Baruch is honeymooning in Bermuda with Bee Wain . . . Enric Madriguera and Reggie Childs bands will be heard over Mutual effective next week.

✚

San Francisco

KSFO announcer Don Curlin has joined KEHE, Los Angeles . . . Walter Guild has left KFRC to become writer-producer at KSFO . . . Rexall "Magic Hour" transcriptions have been added to KPO's schedule for daily noon release . . . Chester Rowell, editor of the *Chronicle*, has started a series of "peace" talks on KSFO . . . Barbara Burras, Portland radio actress, is the bride of Watson Humphrey, ex-KGW program manager, now producer of KGO's amateur hour.

Copyright Act Ruled Valid in NBC Action

LOS ANGELES, May 6.—Constitutionality of the Federal copyright act, attacked in the demurrers of NBC, Don Ameche, the J. Walter Thompson agency, Mae West, Standard Brands, Inc., and RCA on the plagiarism suit of Joan Storm over the now famous Chase & Sanborn broadcast in which Miss West participated, has been upheld by Federal Judge Harry A. Hollzer here.

Marking the first time that the act has been attacked in local courts, Judge Hollzer held the copyright act valid, and declared filing of story material with the copyright bureau constituted publication, and that the defendants must file answers to the suit, seeking damages for the alleged plagiarism of Miss Storm's unproduced play, "Love and Applesauce."

RCA Victor Meets Set

RCA Victor, through Lord & Thomas, will announce its 1939 radio and phonograph lines, and advertising plans for them, at two wholesalers' conventions—Atlantic City, May 19-21, and French Lick, Ind., June 2-4.

To Start WPA Program

A new series of programs adapted from the novel, "Drums," will start over Mutual today from 9 to 9:30 P. M. The program is an offering of the WPA Federal Theatre Radio Division.

To Air Primary Results

PHILADELPHIA, May 6.—Returns of Pennsylvania's primary elections on May 17 have been purchased on WCAU by Greystone Wines. J. M. Korn and Co. placed the contract.

Cultural Time Up

An analysis of the Mutual programs shows that since February, production of cultural programs has risen three per cent. Of the 102½ hours broadcast over that web each week, 25¾ hours are devoted to programs of serious music, literature, education and public affairs.

Mass. Air Libel Bill Advances to Senate

BOSTON, May 6.—The Massachusetts bill subjecting radio talks to libel laws similar to those applying to newspapers was engrossed this afternoon by the House, 88 to 31. An amendment was adopted excluding from the penalties radio telephone services which do not engage in public broadcasting for hire.

Provisions of the bill make radio station owners as well as speakers over those stations liable for slander carrying a penalty of $1,000 fine or imprisonment or both.

The bill now goes to the Senate for action.

To Air Condition WOR

WOR is installing air conditioning throughout the studios. Wolfe & Munier are contractors for the $49,000 installation job, and E. J. Electric Co. is doing the electrical work. The job is to be completed within 56 days. The new refrigeration plant has a capacity for freezing 50 tons of ice an hour.

To Air Film Music

Music from the picture "Adventures of Robin Hood," played by a Warner orchestra under the direction of Erich Wolfgang Korngold, will be broadcast over the NBC-Blue in a special program from Hollywood, May 11, from 11:30 P.M. to 12 midnight. Korngold wrote the music for the picture.

Sponsor Tulip Broadcast

The Holland Furnace Co. will sponsor a description of the Holland Tulip Festival, an annual affair at Holland, Mich., over a 70-station hookup of the CBS network next Saturday afternoon. Ruthrauff & Ryan is the agency.

Martin Starr to Air Talk on ITOA's Ad

(Continued from page 1)

yesterday, called to discuss the organization's advertising awards, Starr inquired whether the Ampa would take a stand on the I.T.O.A. charges. It was the consensus of the officers and the directors that the controversy is "none of Ampa's business." Starr, however, says that he will discuss the charges as an Ampa board member as well as a film critic.

"Ericsson" Film Here

"The Great John Ericsson—Victor of Hampton Roads," said to be the first foreign attempt to dramatize an incident in American history, has been completed in Sweden by Svensk Filmindustri and is scheduled for private showing here next week.

Abraham Lincoln, Jefferson Davis, General Lee and other well known figures are impersonated. The film is said to have been produced on a larger scale than anything previously attempted as one of the phases of the Tercentenary celebration.

Bradna Due Monday

Olympe Bradna is due here Monday on a barnstorming tour in which she is visiting key cities to meet the press. She will remain three days and may make a personal appearance with the opening of her film "Stolen Heaven," at the Paramount on Wednesday. From here she will go to Washington and Philadelphia. Cliff Lewis, studio advertising manager, is accompanying her.

"Brat" Takes $14,000

"Beloved Brat" grossed $14,000 at the Strand and is being held three additional days, to be followed by "Crime School" on Tuesday.

Gene Raymond will head the stage bill at the Paramount, beginning Wednesday. The new film attraction will be "Stolen Heaven."

Vanni Recuperating

PHILADELPHIA, May. 6. — A. J. Vanni, zone manager for Warners' out of town theatres around Philadelphia, has left the Germantown Hospital where he was operated upon for appendicitis and is resting at the Traymore Hotel, Atlantic City.

New Color Process Claims Economy of Regular Stock

(Continued from page 1)

Cosmocolor Productions, Inc., explained that the photography required the fastening of a special lens on a regulation Mitchell camea. He said filters imbedded the color into the black and white negative and that by means of a special projection device "rushes" could be projected in color from the black and white prints. When the color prints are finally made for theatres they have emulsion on both sides, but no special device is required on a projector.

Blankenhorn said RKO had experimented with the durability of the positive prints by running one of them through a machine 300 times without developing any scratches on the film.

At present the laboratory facilities are confined to one plant on the west coast.

Under this process, Blankenhorn stated, the regular camera crews operate the cameras without special training except on makeup tests and light mixing. The same amount of light is used for this process as is employed for black and white work, it is claimed.

Experimental work has been in progress for several years, it was stated, and the patents include a number controlled by A. T. & T., Western Electric and Erpi.

Local 306 Expects 1,500 for Its Part

(Continued from page 1)

Labor; City Commissioner J. Goodman; B. S. Vladeck, city cour cilman; Frank H. Richardson *Motion Picture Herald;* C. C. Moskc witz, Loew's; L. E. Thompson, RKC Gus Eyssell, Music Hall; Irvir Lesser, Roxy; Herbert Griffin, Inte national Projector, and Major E ward Bowes.

Frank Ruddock, Local 306 vic president, is general chairman o affair. The arrangement comn includes: Alex Polin, chairman; Herbst, H. Griffin, C. Sherman, W. Byrne, J. Teitler, C. Kielhur J. Kelban, C. Eichhorn, H. Gelber.

Joseph D. Basson, president of t local, held the same position when was organized 25 years ago.

Big Crowd Expected At P. T. Dana Dinne

ALBANY, May 6.—Several cars wi be added to the Empire State E press out of Buffalo next Mond and will arrive at Albany at 6: P. M., to attend the testimonial di ner scheduled for Peter T. Dana, ne Universal manager, at the Hotel T Eyck. A New York delegation al is expected.

Among those who have made rese vations are: M. Grassgreen, A. Gera Leary, M. A. Silver, Ben Smith, J Wander, S. H. Fabian, Sam Rose Walter Reade, Jr., Phil Fox, Hen Frieder, Gene Vogel, Joe Shure, F. A. McCarthy, William Benton, Fra P. Williams, Lou Golding, Sol U man, Sid Deneau, Sam Kerkowi Tom J. Walsh, E. Hochstim, Armm, M. Cohn, Lou Olshan, Jo M. Cooney and Larry Cowens.

Altec Reaches Brookly

Completing a coast-to-coast link new Simplex sound system install tions, Altec Service Corp. yesterd installed the equipment at the Me erole, Brooklyn, a Randforce hou This is the first installation in t metropolitan area.

Wall Street

Stocks Show Fair Gains

	Open	High	Low	Close	Ne Chan
Col.	11½	11¾	11½	11¾	+
Col. pfd.	34	34	34	34	+3 1,
E. K.	148	151	148	151	+4
G. T. E.	11¼	11½	11¼	11½	...
K.A.O. pfd.	64	67	64	67	+3
Loew	39¾	41½	39¾	41⅛	+1
Para.	7⅝	8	7⅝	8	+
Para. 1	76	76	76	76	—1
Para. 2	8⅞	9⅛	8⅞	9⅛	+
Pathe	5	5	4⅞	4⅞	—
RKO	2⅞	2⅞	2⅞	2⅞	...
20th Fox	21¼	21½	21¼	21½	—
Univ. pfd.	37	37	37	37	...
W. B.	4¾	5⅛	4¾	5⅛	+
W. B. pfd.	29	29	29	29	+1

Fractional Curb Fluctuation

	Open	High	Low	Close	Ne Chan
Sonotone	1½	1½	1½	1½	—
Tech.	20¼	20⅜	20	20⅜	+

Paramount Bonds Increase

	High	Low	Close	Ne Chan
Loew 3½s '46	99½	99⅜	99⅜	—
Para. B'way 3s '55	58½	58½	58½	+
Para. Pict. 6s '55	89¾	89¾	89¾	+
Para. Pict. '47	70½	70½	70½	+

(Quotations at close of May 6)

OT REMOV

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

OL. 43. NO. 107 NEW YORK, MONDAY, MAY 9, 1938 TEN CENTS

M-G-M Field Realignment Is Completed

irst Major Change in About 10 Years

M-G-M has just completed the st major realignment of field pernnel in about 10 years. In addition changes involved in the recent inease of sales districts from six to en, the company has made a num of shifts in several territories.

The realignment of the Detroit disct to include Chicago, Indianapolis, lwaukee and Minneapolis, with n E. Flynn as district head, has moved Detroit from the eastern ision managed by Tom Connors d placed it in E. M. Saunders' west division, increasing the latter's ritorial offices to 15. Connors rens supervision over 17 branches.

Eventually, Flynn's district headarters will be moved from Detroit Chicago, which had a district office

(*Continued on page* 3)

olumbia to Keep List at 40 Films

London, May 8.—Columbia will oduce 40 features for the 1938-'39 ason, exclusive of westerns and ials, or the same number that was nounced for this season, Joseph iedman, the company's managing dictor for England, said today. Friedan returned to London recently from annual product conferences at the olumbia home office and studio.

Friedman stated that no definite arngements have been completed for ndling the company's new British

(*Continued on page* 3)

BC Billings Show Increase for April

Expenditures by clients for time on BC in April rose one per cent over pril, 1937, to $3,310,505. Last year's pril billings were $3,277,837.

The increase brought the cumulative tal for the first four months of 1938 $14,408,905, up 4.9 per cent over e previous total of $13,729,901 for e same period in 1937.

NBC was the only network to show rise in April billings over the April, 37, revenue, the others, CBS and utual, having declined slightly.

More Radio—P. 10

Three Films 5 Cents

Lincoln, May 8.—The Varsity, under the guidance of Howard Federer, hit a new low and a new high at the same time.

Federer, already operating the house for a nickel during a bargain hour on the opening and using two features, a serial and short subjects, went himself one better and added the third feature this week. The show runs four hours. Bargain hour with a nickel to all comers stays on.

Details of 42 Are Presented By Monogram

Cincinnati, May 8.—A group of 12 "specials," 14 additional features and 16 westerns will make up Monogram's 42 releases for the 1938-'39 season, Scott R. Dunlap, production head, will inform the company's national sales force at the opening session in the Netherland Plaza here tomorrow.

In the group of "specials" are two Jackie Cooper pictures, "Streets of New York" and "That Old Gang of Mine." In addition, there is a series of four featuring Boris Karloff as the detective character, James Lee Wong, from Hugh Wiley's *Collier's* stories. The titles of the four are: "Mr. Wong, Detective," "Mr. Wong at Headquarters," "Mr. Wong in Chinatown" and "The Mystery of Mr. Wong." Movita and John Carroll will add three to the "special" list, namely, "Under Northern Lights," "Lost Legion" and "Isle of Terror." The final three in the leading group are: "Freckles Comes Home," by Jean Stratton Porter; "The Dollar

(*Continued on page* 3)

Allied "Deplores" ITOA Star Attack

Washington, May 8.—A statement by Allied States headquarters here "deplores the publicity given to a statement reflecting on well known motion picture stars by a small group of exhibitors in New York City parading under the pretentious title of 'Independent Theatre Owners.'" The comment is unsigned.

Declaring the I.T.O.A. attack to be a "serious thing," Allied's statement contends that, generally, "a picture

(*Continued on page* 3)

Warners Will Set Policies On Nine Films

Sears to Open Meeting Today at Roosevelt

Distribution policies and merchandising plans for nine films completed for the new season will be set at Warners' eastern convention today during a discussion of the program, which will be the first order of business as the three-day meeting gets under way at the Roosevelt.

The completed films are: "The Adventures of Robin Hood," "Crime School," "Little Miss Thoroughbred," "Gold Diggers in Paris," "When Were You Born?", "White Banners," "Cowboy from Brooklyn," "Men Are Such Fools" and "Four's a Crowd."

The convention will be opened with an address by Gradwell L. Sears, general sales manager, who will introduce the presiding officer, Roy Haines, eastern and Canadian sales manager. The new feature program will be out-

(*Continued on page* 6)

Predict Delay in RKO Plan Pending Revival of Market

Complete cessation of RKO reorganizing efforts until financial market conditions are improved and stabilized was predicted on Saturday by spokesmen for debentures', general creditors' and stockholders' groups. In the opinion of these spokesmen no material progress on the reorganization is to be expected before next fall.

Associates of Atlas Corp., proponent of the RKO reorganization plan, were non-committal concerning the statements. They denied, however, that efforts to complete amendments to the plan had ceased already

(*Continued on page* 3)

Maloney Honored at Pittsburgh Dinner

Pittsburgh, May 8.—A capacity crowd of more than 500 was at the William Penn Hotel tonight for the testimonial dinner honoring John J. Maloney, former M-G-M branch head here, who recently was promoted to district manager. Two years ago Maloney was also honored at a dinner here on his 15th anniversary with the same company.

In addition to a big delegation from

(*Continued on page* 3)

Gaumont Deal With G. N. Is Being Talked

Bernerd Due Today for Detailed Study

A complete exploration of the possibilities and probable advantages of a Gaumont British tie-in with Grand National will be made this week following the arrival of Jeffrey Bernerd, managing director of the British company, on the *Queen Mary* today.

Arthur Lee, vice-president of G. B., was reported to have conferred in Los Angeles this weekend with Loyd Wright and Edward Alperson, Grand National trustees, after concluding G. B.'s final regional sales meeting in Denver on Friday. Although the results of the conference are unknown here, Alperson and Phil Goldstone asserted recently that Grand National has no intention of "selling out" and is confident that it can reorganize and resume normal operations within a reasonable time. The statement, however, does not reject the possibility of Gaumont British financial aid for Grand National which, perhaps, would give the British company a substantial interest in the American organization.

G. B.'s physical distribution deal through 20th Century-Fox, although approved already for the 1938-'39 season, continues on a year-to-year basis. It is pointed out that any arrangement which offered G. B. a more extended or permanent distribution outlet than that would undoubtedly be regarded with interest by the British company.

Lee will arrive from the coast by plane late today or tomorrow.

Universal to Move Publicity to Coast

A definite decision to concentrate Universal's major advertising and publicity functions on the west coast was reached here late last week prior to the departure of William Scully, general sales manager; John Joseph, advertising and publicity director, and

(*Continued on page* 3)

Quebec Group Asks Surtax Elimination

Montreal, May 8.—Abolition of the theatre admission surtax is being sought by a group of local operators and owners in a brief submitted before the Provincial Commission on Tax Revision. The commission will

(*Continued on page* 6)

Audio Issues Book On Plant Facilities

Audio Productions is mailing this week to approximately 300 potential customers personal copies of an expert and interesting presentation of its Astoria, L. I., studio facilities for picture making.

In a spiral binder, with an arresting cover, white and grey on black, the 24 pages of the book tell a complete story of a sound production from idea to finished picture. The makeup uses only necessary text with dozens of pictures.

The Eastern Service studios have been overhauled and renovated recently. Thousands of dollars have been spent for new equipment, including one of the dozen three-color Technicolor cameras in the United States.

Exhibits Are Booked For Allied Meeting

PITTSBURGH, May 8.—Nine equipment and theatre service companies have booked space at the Allied States Association convention to be held at the William Penn Hotel May 17-19.

The companies include Motiograph, Inc., RCA, National Screen Service, National Theatre Supply Co., American Seating Co., Altec Service Co., National Carbon Co., International Seating Co. and F. & Y. Construction Co.

Files Bank Night Suit

TAMPA, Fla., May 8.—A suit to enjoin the use of Bank Night in Tampa, terming it a lottery and a public nuisance, and to confiscate $2,400 in prize money for the state has been filed in the Circuit Court here by Chester H. Ferguson, an attorney, in his own name. The suit was brought against Gulf Theatres, Inc., as operators of the Tampa and Victory. Hearing has been set for May 12.

Republic Men Return

Eastern delegates to the Republic convention, including home office staffs and the local exchange personnel headed by Herman Gluckman, will return today from the coast. Several executives are remaining in Hollywood for a few days, among them H. J. Yates, Grover Schaefer and Al Adams.

Novel Para. Book Out

Paramount's advertising department has turned out a neat and novel press book on "Hunted Men." It is entirely unpretentious, but it captures attention. Printed in the form of a tabloid newspaper, its self cover is in pink, and the covers are dressed with "news" pictures and captions.

J. D. Clark Improves

The condition of John D. Clark, 20th Century-Fox distribution head, has improved sufficiently to lead his doctors to believe that he may leave Mountainside Hospital, Montclair, this week. He was operated on 10 days ago.

Operate on Newkirk

PITTSBURGH, May 8.—Robert Newkirk, assistant to Mike Cullen, managing director of the Penn here, underwent an operation at the Shadyside Hospital over the weekend. His condition was reported satisfactory.

Purely Personal

ROBERT A. McNEIL, general manager of the Golden State circuit, San Francisco, and MRS. McNEIL are en route to Europe on the *Vulcania,* to return in July. Accompanying them are WILLIAM WOBBER, brother of HERMAN, and MRS. WOBBER, also of San Francisco.

•

MIKE YAHR, assistant salesmanager of RCA Photophone; ED HARTLEY, his former chief now with General Theatres Equipment, Inc., and JAMES FRANK, also a former associate now with International Projector, were seen in a huddle in Washington last week.

•

MAT D. O'BRIEN, executive of Hal Roach studios, has returned to the coast via TWA after discussing plans for a picture with FREDRIC MARCH here.

•

DAVE PALFREYMAN of the M. P. P. D. A. has dusted off the golf sticks for another wishful season at "breaking" 100.

•

BARNEY BALABAN, STANTON GRIFFIS and RUSSELL HOLMAN are not expected back from the studio before the end of the week.

•

JULES LEVY, CRESSON E. SMITH and WALTER BRANSON are expected back from their current sales tour on Friday.

•

BERNARD B. RAY, independent producer, is in town from Hollywood closing franchise deals for "It's All In Your Mind."

•

JOHN HAY WHITNEY missed the Kentucky Derby this year, but has been following the races in England. He is due to return this week.

•

M. E. ZETTERHOLM, general manager of General Screen Advertising, Chicago, is here for conferences.

•

PEGGY GOLDBERG has returned from the coast and may stay a while.

CLINTON M. WHITE, ARTHUR GREENBLATT and AL MARGOLIES will arrive from Denver today. ARTHUR LEE flew to Los Angeles for the weekend and is expected here by plane tomorrow.

•

ANNA MAY WONG will leave Hollywood this week for an eight-week personal appearance tour in connection with "When Were You Born." She is due here late this month.

•

ARCH REEVE, 20th Century-Fox advertising manager, and MRS. REEVE are en route to the coast for a vacation. EARL WINGART, publicity manager, returns today.

•

CY WOOD and EDDIE FORMAN, Warner writers, have completed the script for a two-reeler featuring WINI SHAW scheduled for production at the Vitaphone plant.

•

JIMMY BOYLE of RUTGERS NEILSON'S publicity department at RKO will leave today for a two-week vacation in Florida.

•

DR. HERBERT T. KALMUS, president of Technicolor, has arrived from Hollywood. He will sail for Europe late this month.

•

J. S. MARKSTEIN, who owns Screeno, has returned to his Chicago headquarters. He was here several days.

•

. . . Omaha

CARL WHITE and MRS. WHITE have just celebrated their 20th wedding anniversary. They have two sons, Jack, 16, and Carl, Jr., 10.

D. V. McLUCAS, U. A. manager, is back from his vacation.

MERLE CONNORS FRATT, Orpheum cashier for eight years, is retiring to private life. She's the wife of GLENN FRATT, Brandeis artist.

BILL CRYSTAL of Minneapolis has been transferred here as Grand National salesman.

"Four Men and Prayer" Is Approved by N. Y. Critics

"Four Men and a Prayer" received a general verdict of approval from the reviewers of New York's dailies. Excerpts from their criticisms follow:

Daily Mirror—"Four Men and a Prayer" is an exciting melodrama (with) an unusually interesting cast . . . (an) adroit story.

Daily News— . . . Entertaining action film . . . (a) direct and potent answer to the independent theatre owners' prayer. The production and the players have what it takes to draw patrons into the theatre.

Herald-Tribune — John Ford has put the stamp of brilliant direction on (the film), but (it) leaves a good deal to be desired as persuasive entertainment. Individual sequences are topnotch, but the show as a whole is likely to leave you a bit confused.

Journal-American— . . . entertaining melodrama, skillfully directed by John Ford; handsomely turned out.

Post—("Four Men and a Prayer" affords) continuous amusement, excitement, suspense and pleasure. The credit goes to Director John Ford.

Sun—"Four Men and a Prayer" is a melodrama (and) a good-looking production. . . . The story is a complicated action tale. (The film) rattles on at great speed, without ever seeming to get anywhere.

Times— . . . a globe-trotting melodrama . . . it has been energetically told, compactly presented. . . . The players are uniformly in excellent fettle.

World-Telegram—Hollywood spins another superior story of English tradition in the thrilling and engrossing romantic melodrama, "Four Men and a Prayer." Under John Ford's superb direction it moves along with smoothness, finish and speed.

Thirteen New Films Get Legion Approva

Of 14 new pictures reviewed ar classified for the current week by tl National Legion of Decency, 13 ha been approved, nine for general pa ronage and four for adults, while o has been classed as objectionable part. The new films and their classi cation follow.

Class A-1, Unobjectionable f General Patronage: "Cuori di Ma mai" (Italian), "Gun Law," "Hunt Men," "Kentucky Moonshine," "L tle Flower of Jesus," "My House," "The Phantom Ranger," Rose Esseuillee" (French), "Swi Miss." Class A-2, Unobjectionable f Adults: "Air Devils," "Colle Swing," "Saint in New York," "D Tiger von Eschnapur" (German Class B, Objectionable in Part: "Si ners in Paradise."

The film, "Wajan," has been wit drawn by the Legion from the classi cation unobjectionable for adults. T Legion declared, "The . . . classific tion was granted on condition that t advertising and exploitation of this fil conform to the Advertising Code the industry. To date, the advertisi and exploitation has not so conform but has been objectionable."

Coast Train Resuming

The Santa Fe Railway will resu running of the California Limited Sunday, May 23, from Chicago a Los Angeles. Equipment will be t same as prior to the halting of t run on April 1.

Rogers Fund Coming I

A report on the total of collectio during Will Rogers Memorial We which ended Thursday, is to be ma shortly. Returns are still coming

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and P lisher; J. M. JERAULD, Managing Edit JAMES A. CRON, Advertising Manager. E TORIAL STAFF: Charles S. Aaronson, Jack B ner, Al Finestone, Thomas Fitzsimmons, Sher A. Kane, Irene Kuhn, Joseph Priore.

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M-G-M Field Realignment Is Completed

(Continued from page 1)

r years until Sam Shirley's retire- ent. Shirley's more recent retire- ent, for health reasons, as Chicago ch head, will eventually place er E. Banford in complete charge that office. Banford has been man- ger in St. Louis. He formerly man- ged the M-G-M branch in Des oines 17 years and was a salesman Chicago and Seattle. John X. uinn, for 11 years salesman in St. ouis, has succeeded Banford as man- ger there.

A sales manager's position created Chicago has been filled by A. J. umow, formerly Milwaukee sales- an. He is a brother of Harry humow, M-G-M manager in maha.

John L. Kelley, Pittsburgh sales- an, has been transferred to Chicago. avid Ross, salesman at Chicago, as been shifted to Milwaukee. Joseph IcMahon, booker at Milwaukee, has een promoted to salesman.

Several Juniors Promoted

Connors has also made the follow- g changes: Harry Fendrick, student lesman in Albany and later in Cin- nnati, has been made a regular mem- er of the sales staff in Pittsburgh; ugene Vogel, for several years a lesman in Cleveland, has been trans- rred to Albany; William A. Carroll, udent salesman in Cincinnati, has een promoted to a regular post. oland G. Taylor, Dallas booker, as been promoted to salesman.

The following changes have been ade at the Charlotte exchange: homas E. Bailey, booker to sales- an; Robert E. Parsons, second ooker to first booker; Lattie Gilland, r., third booker to second booker; ussell Henderson, poster clerk to hird booker; William Longdon, as- istant shipper to poster clerk.

Allied "Deplores" ITOA Star Attack

(Continued from page 1)

ails as a box-office attraction not be- ause of the performance of the star ut because of the type of picture and e story content."

The statement continues: "The real emedy for the conditions complained f by the I.T.O.A. is reform in selling nd distribution methods, not criticism f film stars. . . . Let the I.T.O.A. and thers dissatisfied with the current re- eases get behind the Neely bill."

MPTO and Allied to Meet

New Haven, May 8.—A joint Al- ied Theatres of Connecticut and Con- ecticut M.P.T.O. luncheon meeting vill be held tomorrow at the Hofbrau Haus. The meeting has been called o discuss common interests in give- ways, electric light rates, and other atters. Allied Theatres will also eet to elect board members and dis- uss the coming Allied convention in Pittsburgh, to which Abe Fishman has een elected delegate.

Knock, Knock

Bridgeport, May 8.—The local *Post* takes up Samuel Goldwyn's charges that Hollywood is producing inferior pictures.

"We are not going to defend Hollywood against Mr. Goldwyn," says the paper, "but it still produces now and then the world's best pictures and the rest of the world enthusiastically recognizes the fact even if Mr. Goldwyn doesn't.

"For the most part his indictment is right. He forgot to mention the producers, that is all."

Predict Delay in RKO Plan Pending Revival of Market

(Continued from page 1)

and asserted that the negotiations with principal creditors to obtain consents to revised treatment of their claims against the company were continuing in the hope of producing definite developments to report to Federal Judge William Bondy at the hearing scheduled for next Monday.

Representatives of the major creditors' groups, without whose consents to the proposed changes in the plan no final revisions could be made, replied to this with the definite statement that they had approved nothing to date. They pointed out, as well, that the proponent of the plan had estimated the new cash requirements for reorganization at $6,000,000 and was not hopeful itself of being able to dispose of new securities in anything like this amount under existing market conditions. Even with the abandonment of the earlier proposal of making provision for raising $3,000,000 which would be earmarked for purchase of M. J. Meehan's preferred stock holdings in Keith-Albee-Orpheum, the creditors' representatives said they see little possibility of progress being made on the reorganization without a definite improvement occurring in the financial market.

It was pointed out that, in view of this, Atlas Corp., either next Monday or subsequently, is expected to acquaint the court with the hazards of an immediate reorganization and urge an indefinite delay pending either a market upturn or some other favorable trade recovery.

RKO Units Exceed Quota

Twenty exchanges of the 38 RKO sales units have exceeded their billings quotas for a cumulative period of 13 weeks in the Ned E. Depinet Drive. The drive has two weeks to go.

The Vancouver office, under W. S. Jones, is out in front. It is followed by C. Boasberg's Buffalo branch, which, in turn, is trailed in the order named by Toronto, Pittsburgh, Montreal, Portland, Cleveland, Seattle and Los Angeles.

Plan Oklahoma House

Oklahoma City, May 8.—Grove & Adams, who operate several theatres in Oklahoma, will erect a new $50,000 suburban theatre and store building here.

Details of 42 Are Presented By Monogram

(Continued from page 1)

Chasers," by Earl Derr Biggers, and "Quincy Adams Sawyer," by Charles Felton Pidgin.

The 14 additional features are: "Sweetheart of the Campus," "Girl from Rio," "Murder in the Big House," "The Circus Comes to Town," "Criminal Investigator," "Star Reporter," "St. Elmo," "Gang Bullets," "The Girl from Nowhere," "Tempest and Sunshine," "The Coward," "Barefoot Boy," "Wanted by the Police" and "Boys' Reformatory."

Two series of eight westerns each, one series with Tex Ritter and the other with Jack Randall, are scheduled.

Preliminary meetings of officers and franchise holders of the company were held here today. The national convention sessions will open tomorrow and continue through Tuesday. The New York delegation, headed by W. Ray Johnston, president, will leave here Wednesday morning for the east.

Universal to Move Publicity to Coast

(Continued from page 1)

Marshall Grant, story editor, for the studio, it was learned on Saturday.

Under the plan, the move is slated to be made within the next few weeks. Joseph will establish headquarters at the studio and spend eight to 10 months of every year there. All major publicity, advertising and exploitation functions, with the exception of trade paper advertising, will be conducted on the coast. It will involve the removal of the publicity department under David Lipton and the exploitation department under Harry Ormiston to the studio. Lou Pollock will continue in New York in charge of trade paper advertising and, in addition, will handle New York publicity. Press books will be handled on the coast, as will art work, under Joseph's direction.

The concentration of the departments at the studio is expected to result in a reduction of personnel, the extent of which has not yet been determined.

Maloney Honored at Pittsburgh Dinner

(Continued from page 1)

the home office, other guests included Gifford Pinchot, candidate for governor of Pennsylvania, and his running-mate, Frank J. Harris; Mayor Cornelius Scull of Pittsburgh, Judge M. A. Musmanno, and the M-G-M heads in Cincinnnati, Cleveland and Buffalo, E. M. Booth, Frank Drew and Ralph Maw, respectively.

Takes Spanish Picture

Trans-Oceanic Film Export has acquired American distribution rights to all-Spanish production, "Five Warnings from Satan." Arthur Sanchez, president of the company, also stated that he is negotiating for rights to two French productions.

Columbia to Keep List at 40 Films

(Continued from page 1)

production requirements here but that a decision would be made soon.

On the company's production schedule for 1938-'39 will be seven "supers" budgeted at approximately $1,000,000 each. In the group are at least two from Capra, his first, "You Can't Take It With You," being already in work and his second vehicle, to start immediately after, now being sought. "Holiday," with Katharine Hepburn and Cary Grant, a third in this group, is also in work with George Cukor directing. A fourth will be "This Thing Called Love," with Irene Dunne. The remaining three are Clifford Odet's "Golden Boy," with Jean Arthur; a second starring vehicle for Miss Arthur, and a "Warrior for Richard," which Gregory LaCava may direct with Carole Lombard in the feminine lead.

The schedule will include two with Edward G. Robinson, and "Murder in Massachusetts," to be directed by Rouben Mamoulian. The balance of the program will be announced at Columbia's first regional sales meeting, which will open in New York next weekend.

Columbia is expected to announce 22 westerns, four serials and approximately 100 short subjects, in addition.

Lumber Short the Latest

Another commercially sponsored film, "Men and Trees," is about to hit the nation's theatres, a gift from the Weyerhaeuser Timber Co. to any exhibitor who wants it.

Designed to offset bad propaganda that the timber barons are devastating a most important natural resource, much of the film is devoted to the reiteration that timber is a "crop" and that ripe trees must be harvested or they will become useless and that provision must be made for cut areas to reseed themselves.

Produced by Dowling & Brownell, Hollywood, this 10-minute short is distributed by the Modern Talking Picture Service which is soliciting theatre bookings in 30 cities.

Present New Haven Pact

New Haven, May 8.—Local B-41 of exchange employes has presented exchange managers copies of the contracts agreed upon by home office executives and union representatives in New York, and it is expected the contracts will be signed shortly.

Detroit Admits "Birth"

Detroit, May 8.—Sergeant Charles W. Snyder, police film censor, has issued a permit for the showing of "The Birth of A Baby" in Detroit theatres, his only stipulation being that it is run under the restrictions, such as single-billing, etc., imposed by the producers.

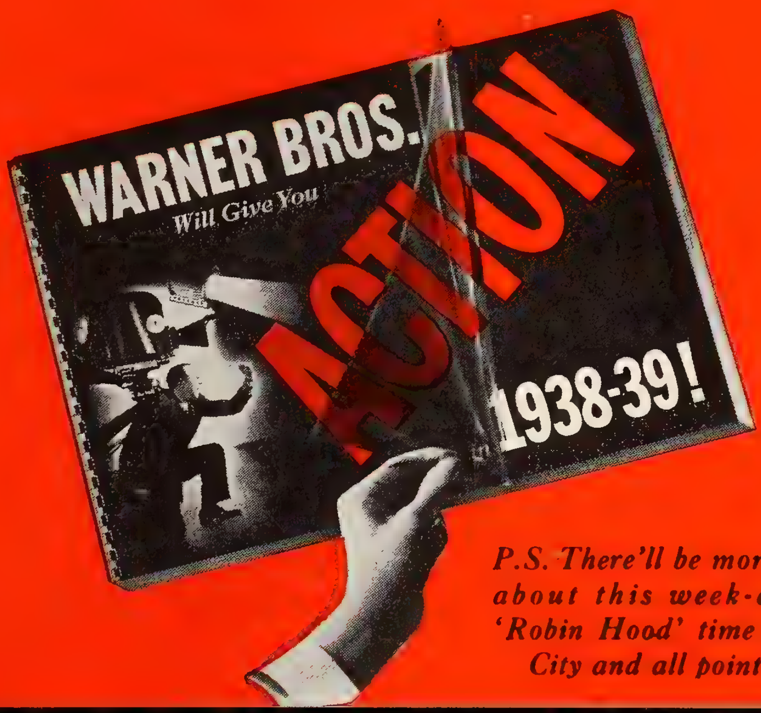
Extend Charter 20 Years

Oklahoma City, May 8. — The charter of the Majestic Amusement Co., Tulsa, has been extended 20 years from April 13, 1938. Capital is listed at $60,000. Directors are Ralph Talbot, Beverly E. Talbot, N. M. Starke, all of Tulsa.

ACTION IN NEW YORK!

The men of Warner Bros. are meeting. The men of Warner Bros. are cheering! Because the men of Warner Bros. know they're the only men who can give you *action all the way* next season!

WAIT AND SEE!


WARNER BROS.
Will Give You
ACTION
1938-39!

P.S. There'll be more to cheer about this week-end. It's 'Robin Hood' time at Radio City and all points west!

Executives of Warner Sales Meeting in New York

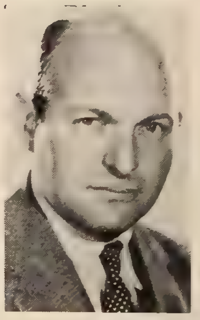
GRAD SEARS
General Sales Manager

CARL LESERMAN
Assistant Sales Manager

ROY HAINES
Eastern Sales Manager

B. KALMENSON
Western Sales Manager

NORMAN MORAY
Vitaphone Sales Manager


S. C. EINFELD
Advertising and Publicity Head

M. BLUMENSTOCK
Advertising and Publicity—East

Warners Will Set Policies On Nine Films

(*Continued from page* 1)

lined today. The shorts will be discussed tomorrow by Norman H. Moray, Vitaphone sales manager, and Sam Sax, Brooklyn studio head.

Advertising and publicity campaigns on the new program will be described by S. Charles Einfeld tomorrow afternoon. Among others, James Cagney is scheduled to speak at this session.

A resume of the discussions during the first two days of the convention will take place Wednesday morning, with individual district meetings scheduled for the afternoon. The delegates will attend a beefsteak dinner at the Tavern on Wednesday night and the majority will leave for their territories on Thursday.

Sam E. Morris and Joseph Bernhard are on the program to make important addresses during the convention. Ben Kalmenson, western division manager, will attend the eastern meeting. Haines will return the visit at the western regional convention in Dallas, May 16 to 18.

Plan 4 Color Shorts

HOLLYWOOD, May 8.—Warners is preparing four color shorts for spring production. They are: "Ain't Rio Grande," with Dick Foran and Jane Wyman; "Seward's Folly," with Foran, Henry O'Neill and Donald Crisp; "John Paul Jones," with John Litel, and the fourth based on the signing of the Declaration of Independence, with Litel, Rosella Towne and John Ridgeley. Gordon Hollingshead is supervising the shorts production.

Minn. Operators Raised

MINNEAPOLIS, May 8.—A new agreement signed between theatres here and Local 219 of the operators' union provides for a wage increase of five per cent starting Nov. 1, 1938, with an additional three per cent on Nov. 1 of next year. The new contract will run to Nov. 30, 1940. The old agreement expired Nov. 30, 1937.

With the Warnerites

This will be **EDDIE SCHNITZER'S** first Warner convention, the eastern district manager having joined the company late last year.

+

BEN KALMENSON, western division head, will sit in to get some pointers from **ROY HAINES** on how to run a sales meeting. **HAINES** will make the trip to the Dallas regional to see how good a student **KALMENSON** is.

+

They say that the reason exhibitors swear by and not at **NAT FURST**, Boston Branch manager, is that his pinochle is as bad as the cigars he smokes.

+

MICKEY ISMAN, Montreal manager, has gained a Dominion reputation as a good enough "skate" to coach an amateur hockey team that is considered one of Canada's top sextets. He had a broken nose last winter to prove it. A hockey stick hit him.

+

HARRY SEED, Pittsburgh manager, tagged "The Wasp" by his intimates, was a kid hoofer with **GUS EDWARDS'** revue. He breaks into his old vaudeville routine on the slightest provocation.

+

BOB LYNCH, Pittsburgh salesman, is being kept "flat" supplying his friends and customers with an especially succulent ham, which he discovered down Saegertown way.

+

NORMAN (SANDY) AYRES, Albany exchange head, and Washington's **FRED BEIERSDORF** had a perpetual golf feud that ceased abruptly down in Florida recently. From a long line of Scottish tee experts, "Sandy" protested that he was tired winding up on the wrong side of the score. They're still good pals, though.

Quebec Group Asks Surtax Elimination

(*Continued from page* 1)

sit in the city of Quebec May 12 and 13.

The brief of the theatres was submitted by Henry H. Chauvin, William Lester, J. A. DeSeves, E. N. Tabah and D. A. Murray, representing Quebec Allied Theatrical Industries, United Amusement Corp., Ltd., and the theatres Cartier, Victoria and Limited. They claim that the surtax was originally imposed as a temporary measure by the Taschereau regime.

All taxes now total about 25 per cent of gross revenues or about 80 per cent of the net income, they contend. If the surtax were repealed it would go into their profits, they said, and would not be passed on to the public through reduced prices.

As a secondary consideration they asked readjustment of the present tax breakdown which has been so defined that a theatre cannot charge even-money admissions in some cases. For instance, the 35-cent admission is impossible because the tax is so applied that the house must charge 34 or 36.

They ask to be allowed to set a 31 cent admission charge and have the tax dropped from five to four cents.

Ontario Makes Drive On Uncensored Films

TORONTO, May 8.—Chairman O. Silverthorne of the Ontario Board of Motion Picture Censors and Gen. Victor Williams, head of the Ontario Provincial Police have launched a united drive to confiscate uncensored 16 mm. films which have flooded Ontario in recent months for stag parties and traveling shows of the one-night stand variety. Five-reel sex pictures and other salacious themes as well as propaganda films are to be rounded up, it is stated. These are imported largely from Europe or smuggled from the United States, according to Silverthorne, and have not been passed by the censor board. A number contain anti-Semitic, Communistic or Nazi material intended for the spread of European nationalistic policies. Provincial Police have been authorized to seize all uncensored films and place charges against those in possession of them.

Quits RKO in Canada

TORONTO, May 8.—Al Gaudet has resigned as manager of the St. John branch of Radio Pictures Corp. of Canada, to become manager of the Princess Theatre in St. John.

Charlotte Pondering Sabbath Show Move

CHARLOTTE, May 8.—About 9,00 persons attended the free film show put on by all theatres last Sunda afternoon, but what the next mov will be in an effort to get a mor liberal stand on Sunday recreation here remains to be seen.

The whole question revolves aroun whether the Sunday activities will in terfere with church services. Walte Hoyle, temporary chairman of th Progressive Charlotte Associatio says the free shows didn't. Theatr manager say the same thing.

Seattle Men Plan Outin

SEATTLE, May 8.—The third annu golf tournament of the Northwe Film Club of this city will be hel June 16 at Maplewood golf cours Don Beckman, manager of the Wes ern Poster Co., has been named chai man. He will be assisted by Ro Peacock, Bjarne Moe, James Brook and William Kostenbader. Prelim nary plans call for an evening ge together meeting at the club quarter following the day's activities on th links.

Conn. Partners to Spli

HARTFORD, May 8.—Although so vent and with only $1,400 total li bilities, the Franklin and Majest theatres in Thompsonville are in th hands of receivers. The move is permit Nathan Sisitzky and Mr Harriet L. Burbank to dissolve partnership that prevents them fro coping with competition from th newly erected Strand. Attorne Hugh M. Joseloff and Frank Fahey are the receivers.

Co-Star Rainer, Grave

HOLLYWOOD, May 8.—M-G-M w co-star Luise Rainer and Ferna Gravet in "The Great Waltz," the V ennese story of the Johann Strauss father and son, and their efforts earn the title, "Waltz King of V enna." Julien Duvivier will direct.

Small to Do Bruce Yar

HOLLYWOOD, May 8.—Eddie Smal first for United Artists will be bas on a story written by George Bru about West Point life. It will st Jack Dunn.

Bruce has returned from a stay the Academy gathering color.

NDERELLA OF 1938. One secret of the amazing glamour of motion ctures is that they are a never-failing source of romantic success stories.

One year ago, director H. Bruce Humberstone saw a little Irish girl om Pueblo, Colorado, manicuring in a Hollywood barber shop and per- aded her to come to the 20th Century-Fox studio for a screen test. hen the test was shown to Darryl F. Zanuck, he immediately placed er under long-term contract. Within twenty-four hours, the test had eated a studio sensation.

Wise in the ways of building stars, Darryl Zanuck did not put her directly into a picture. Until she, herself, was ready, and until the proper role for her debut arose, he kept her in the studio drama school. Then she was cast as the feminine lead in one of the company's most important productions.

The girl is Arleen Whelan. The picture is Robert Louis Stevenson's "Kidnapped"

"Test Pilot" Los Angeles' Best Grosser

Los Angeles, May 8.—Practically the only important business of the week was done by "Test Pilot," dualled with "A Trip to Paris," at the Chinese and Loew's State. The gross at the former was $14,171, up by $1,671 over par, and at the latter it was $16,967, up by $2,967.

"There's Always A Woman" and "Little Miss Roughneck" were in the profit column at the Hillstreet and Pantages, the former on a take of $6,900 and the latter on $7,100.

Total first run business was $88,222. Average is $87,700.

Estimated takings for the week ending May 4:

"TEST PILOT" (M-G-M)
"A TRIP TO PARIS" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days, 2nd week. **Gross:** $14,171. (Average, $12,500)

"CHARM OF LA BOHEME" (Artcinema)
ESQUIRE—(900), 40c-55c, 7 days, 2nd week. **Gross:** $1,200. (Average, $2,500)

"MAYERLING" (Pax)
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,000. (Average, $1,200)

"THERE'S ALWAYS A WOMAN" (Col.)
"LITTLE MISS ROUGHNECK" (Col.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $6,900. (Average, $6,500)

"TEST PILOT" (M-G-M)
"A TRIP TO PARIS" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days, 2nd week. **Gross:** $16,967. (Average, $14,000)

"THERE'S ALWAYS A WOMAN" (Col.)
"LITTLE MISS ROUGHNECK" (Col.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $7,100. (Average, $7,000)

"DOCTOR RHYTHM" (Para.)
"THIS MARRIAGE BUSINESS" (RKO)
PARAMOUNT—(3,595), 30c-65c, 7 days. **Gross:** $14,500. (Average, $18,000)

"FOOLS FOR SCANDAL" (W. B.)
"ACCIDENTS WILL HAPPEN" (W. B.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $14,300. (Average, $14,000)

"FOOLS FOR SCANDAL" (W. B.)
"ACCIDENTS WILL HAPPEN" (W. B.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $12,084. (Average, $12,000)

"Chicago" $12,000 Leader at Montreal

Montreal, May 8.—"In Old Chicago" was the box-office favorite with a gross of $12,000, over par by $2,500 for the Capitol. It was held for a second week.

"Goldwyn Follies" took $6,500, as compared with average of $5,000, for its second week at the Orpheum and was held for a third week. It grossed $8,500 in its first week.

Chief counter-attraction was "Brother Rat" at His Majesty's. The weather was cool and wet.

Total first run business was $39,000. Average is $40,500.

Estimated takings for the week ending April 30:

"IN OLD CHICAGO" (20th-Fox)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $12,000. (Average, $9,500)

"ALL QUIET ON THE WESTERN FRONT" (Univ.)
"SHE'S GOT EVERYTHING" (RKO)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $6,000. (Average, $8,000)

"GOLDWYN FOLLIES" (U.A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 2nd week. **Gross:** $6,500. (Average, $5,000)

"MAD ABOUT MUSIC" (Univ.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $7,500. (Average, $11,000)

"FAREWELL AGAIN" (British)
"WHEN KNIGHTS WERE BOLD" (British)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,000. (Average, $7,000)

Hollywood Previews

"Vivacious Lady"

(RKO)

Hollywood, May 8.—There is the type of farce comedy which often sizzles spicily in "Vivacious Lady." It looks like an attraction capable of drawing generous general patronage. It takes liberal license with features that were considered taboo for several years, withal doing so in an intelligent style. Many incidents in the film—dialogue and action—might be considered too significant for impressionable adolescents, yet the preview audience at the Village Theatre, partly composed of collegians from the nearby university but mostly of general run-of-the-mill patronage from adjacent Beverly Hills, Santa Monica and Westwood, found the picture interesting and amusing.

The giddy action is sometimes threatened with submerging in a welter of excessive dialogue, but it makes a wide departure from the recent round of rowdy comedies. The basis of the story concerns the return of a young college professor and his night club bride to a dignified, tradition-encrusted university and precedent-worshipping parents. Where most pictures end with an engagement and wedding this one begins with a breezy flirtation, a whirlwind marriage and builds up through many complications, some slightly risque, to a startling finale.

It is handled with a broadness which apparently the production staff deemed compatible with the problems besetting typical modern newlyweds where the difference in social and professional strata are so marked. The plot and its ramifications stem from the hesitancy of the groom to break the news to his family. To the excitement of the family problem is added that of the enforced association of the bride and the husband's playboy cousin who would like to take more than a platonic interest in her.

Ginger Rogers and James Stewart, the leads, are presented in roles calling for both to be on their toes all the time. James Ellison finds himself in a part that demands he be a romantic menace with a pollyanna complex. The trio give the production zip and zest while Charles Coburn skillfully and with dexterity enacts the part of a would-be puritanical father who cannot hold back the tide that is smashing all his dignified ideals. Beulah Bondi, Franklin Pangborn and Frances Mercer provide much amusement.

The story was adapted from an I. A. R. Wylie yarn. The screenplay is credited to P. J. Wolfson and Ernest Pagano. Producer-Director George Stevens may have invited lightning, yet the picture bears Production Code Certificate No. 3,330.

Running time, 90 minutes. "A."

"Kentucky Moonshine"

(20th Century-Fox)

Hollywood, May 8.—The Ritz Brothers have a great reputation as comedy artists in vaudeville and films. This is upheld in "Kentucky Moonshine," 20th Century-Fox's latest effort in the musical film field, which is laid against a background of burlesque hillbillyism and radio broadcasting. The chief assets of the picture, the Ritz Brothers, hold up their end so well that the story sags when they are off the screen. And they are off the screen for about half of the 85 minutes running time.

A screamingly funny highlight of the film is the Ritzes, as mad as ever, in a burlesque of "Snow White and the Seven Dwarfs" for the finale. There is a loosely cemented story on which five writers—Art Arthur and M. M. Musselman on the screenplay, Musselman and Jack Lait, Jr., on the original, and Sid Kuller and Ray Golden on the additional dialogue and story—worked. It serves as a framework for a series of vaudeville acts by the three brothers. Other items worthy of consideration by showmen are Tony Martin and Marjorie Weaver supplying the love interest and singing, and Wally Vernon and Slim Summerville, John Carradine and Eddie Collins furnish some of the comedy. David Butler directed and Kenneth MacGowan produced.

The Ritz Brothers and Miss Weaver are actors who are trying to crash radio. They go to the hills of Kentucky when they learn that Martin and Vernon are going there to look for hillbilly talent for Martin's program. They sell themselves as real hillbillies and are brought to New York for the program. Blackmailed by a former associate, the Ritzes and Miss Weaver finally break down and confess the scheme. Miss Weaver, meanwhile, attempts to leave town. Martin dashes after her while the Ritzes put on an impromptu program. All ends well with Miss Weaver and Martin.

The story starts slowly with Martin singing "Swinging I Pagliacci." Various song numbers including three by Lew Pollack and Sidney D. Mitchell—"Moonshine Over Kentucky," "Reuben, Reuben, I've Been Swinging" and "Sing a Song of Harvest"—are interspersed.

The most vociferous in the preview audience was the studio section.

Running time, 85 minutes. "G."

Variety Club

Detroit

Detroit, May 8.—Albert E. Cobo, city treasurer, spoke at the luncheon on Ben and Lou Cohen Day held this afternoon. The Cohens operate the Hollywood and other Detroit theatres. The affair was broadcast over W8XWJ.

Saturday night was Bachelor Night, with the unattached barkers of Tent No. 5 serving as hosts for the evening.

Omaha

Omaha, May 8.—Omaha Variety Club will have its annual golf tournament on May 16 at the Highland Country Club. There will be a buffet lunch and prizes for which members, guests and exhibitors will compete.

Glenn Rogers heads the committee, assisted by Chief Barker Walter Green, A. M. Avery and Joe Scott.

Pittsburgh

Pittsburgh, May 8. — Harold Lund being congratulated on all sides on his promotion to a district managership by the Ross Federal Service.

Mike Gallagher is leaving shortly for Denver, where he has landed all of the concessions at the annual U. S. Golf Open.

Big badges have been assigned to every member to identify them at the club bar during the big nights.

Ben Brown's foot doctor thinks three weeks in Mt. Clemens would do him a lot of good.

John H. Harris was host to newspapermen and city officials at a chuck-wagon dinner at Duquesne Garden just before the opening of the 10-day rodeo.

Jerry Mayhall and Brian McDonald have been nicknamed the Wilken's Twins. They've been on the same radio program for Wilken's for three years now.

A series of affairs has been planned to mark the first anniversary of the club's new quarters in the William Penn Hotel this month.

Washington

Washington, May 8.—A gala event is planned for tomorrow night at the Willard Hotel, when the sage of Broadway, Walter Winchell, will be made to eat his words (after dinner) that no pretty girls work in the Government.

Members of the Variety Club, their wives and sweethearts will be present when he selects "the queen" from among 10 of the prettiest that the Government departments have to offer.

Principal guests include James Roosevelt, J. Edgar Hoover, Marvin H. McIntyre and others.

On Friday, May 20, the club will stage a golf tournament at the Congressional Country Club followed by a dinner-dance.

To Film Hecht Story

Hollywood, May 8.—Paramount has completed plans for the filming of "Underworld," a Ben Hecht story. Akim Tamiroff, Gail Patrick and Lloyd Nolan will play the leads, and Robert Florey will direct. "Underworld" previously was made in 1927 with George Bancroft, Evelyn Brent and Clive Brook featured.

Seattle Tips "Test Pilot" Up to $9,450

Seattle, May 8.—Most of the first un business was concentrated at the Paramount on "Test Pilot" during the week. The $9,450 gross was $3,450 par. The picture was held.

In its second week at the Fifth Avenue "In Old Chicago" took $7,100 and was moved to the Music Box. Jezebel" and "The First 100 Years," also in a second week, held up to $6,150 and were moved to the Blue Mouse.

Night baseball has started some new competition.

Total first run business was $38,050. Average is $36,500.

Estimated takings for the week ending April 27:

"ADVENTURES OF TOM SAWYER" (U. A.)
BLUE MOUSE—(950), 30c-40c-55c, 7 days, rd week, extended run from Paramount. Gross: $3,000. (Average, $4,000)

"IN OLD CHICAGO" (20th-Fox)
FIFTH AVENUE—(2,450), 30c-40c-55c, 7 days, 2nd week. Gross: $7,100. (Average, 7,000)

THERE'S ALWAYS A WOMAN" (Col.)
LIBERTY—(1,800), 30c-40c-55c, 7 days. Gross: $5,600. (Average, $5,000)

SNOW WHITE AND THE 7 DWARFS" (RKO)
MUSIC BOX—(950), 30c-40c-55c, 7 days, th week, extended run from Fifth Avenue. Gross: $2,850. (Average, $4,000)

"JEZEBEL" (W. B.)
"FIRST 100 YEARS" (M-G-M)
ORPHEUM—(2,450), 30c-40c, 7 days, 2nd week. Gross: $6,150. (Average, $6,000)

"BLONDES AT WORK" (F. N.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Vaudeville and band. Gross: $3,900. (Average, $4,500)

"TEST PILOT" (M-G-M)
PARAMOUNT—(3,050), 30c-40c, 7 days. Gross: $9,450. (Average, $6,000)

"Pilot" Is $13,200 Smash Hit at Omaha

Omaha, May 8.—"Test Pilot" grossed $13,200 in seven days at the Omaha for a smash profit of $7,700 over weekly par. The picture was held a second week.

Tri-States experimented with "Test Pilot" as a single, since their policy formerly has been duals on everything, even "In Old Chicago."

"Her Jungle Love" and "Checkers" did a satisfactory $8,800 at the Orpheum in seven days. This was $1,600 over seven-day average.

Total first run business was $25,000. Average is $16,700.

Estimated takings:

Week Ending April 27:

"THERE'S ALWAYS A WOMAN" (Col.)
"START CHEERING" (Col.)
BRANDEIS—(1,200), 25c-35c-40c, 6 days. Gross: $3,000. (Average, $4,000)

"TEST PILOT" (M-G-M)
OMAHA—(2,200), 25c-40c, 7 days. Gross: 13,200. (Average, $5,500)

Week Ending April 28:

"HER JUNGLE LOVE" (Para.)
"CHECKERS" (20th-Fox)
ORPHEUM — (3,000), 25c-40c, 7 days. Gross: $8,800. (Average, $7,200)

"Snow" in Venezuela Deal

RKO has completed a deal with Luis H. Muro for the distribution of 'Snow White and the Seven Dwarfs" in Venezuela. Salvador Carcel negotiated for Muro and R. K. Hawkinson for RKO. The film will open in Caracas about June 15.

Hollywood Previews

"Crime School"

(First National-Warners)

Hollywood, May 8.—It was inevitable that someone should build a picture around Humphrey Bogart and the seven youngsters Samuel Goldwyn cast with him in the production that won them group fame as "The Dead End Kids." It was by no means inevitable that the picture so built would be a good one, especially if it dealt with similar subject matter. Yet, "Crime School" is a good picture in the commercial sense at conservative least, and it presents the kids as the same incorrigibles in the same setting. It is different in that it presents Bogart as a champion of reformatory reform and the kids as duly reformed by fadeout time. Before it gets this small miracle accomplished it gives them plenty of scope for exercise of their well-grooved talents and piles up a number of situations more than likely to give a majority of theatregoers a stimulating evening.

Bryan Foy, rapidly becoming known as something of a box-office wizard, is down as associate producer. Crane Wilbur is credited with the original story and Vincent Sherman collaborated with him on the screenplay. Probably no censure should accrue to them from a striking similarity of the apex plot situation to that of last year's "San Quentin," since that was a property of the same company and there's no law against doing a good trick twice. This situation follows this time upon the incarceration of the boys in an ill-managed reformatory and their regeneration under Special Deputy Bogart's enlightened supervision. A venal guard induces one of the kids to tell another that Bogart's kindness to him is due to an improper interest in the boy's pretty sister. The kids set out to wreak armed vengeance, but Bogart convinces them his interest in the girl is orthodox and gets them back into school in time to foil the scheming guard. The kids are all gentlemen in a final sequence dated somewhat later.

Gale Page plays the girl, the only feminine role save bits by various character players. Lewis Seiler directed in a manner to give the kids plenty of camera at some small expense to the adult phases of the story. Deeds of youthful violence such as the theft of various items from cookies to bathtubs and the bludgeoning of an ungenerous junk dealer are portrayed graphically but unattractively and shown not to be so much fun. The film argues, in sum, that reform schools are schools, not prisons, and should be operated as such. Nobody is likely to argue that this is not so.

Running time, 85 minutes. "G."

"Torchy Blane in Panama"

(Warners)

Hollywood, May 8.—With Lola Lane and Paul Kelly taking over the leading roles, "Torchy Blane in Panama" is another number in the series which was begun by Glenda Farrell and Barton MacLane. Illogical in many ways as it treats the practical methods of crime solution and news gathering, it, nevertheless, is interesting and exciting. A melodrama, combative romance, comedy, action and those elements common to the hue and cry of mystery crime solutions are blended and production detail gives the film a sort of travelogue background. It is womanly intuition and not science that leads to the murdering crook's capture.

During the convention parade Anthony Averill kills as he robs a bank and loses himself among the marching delegates. Kelly is baffled. A rival reporter, Larry Williams, ridicules the police, Miss Lane deduces that the criminal would try to pass himself off as one of the visiting fraternity. Centering her suspicions upon Averill, despite Kelly's ridiculing objections, the girl follows him aboard ship as Kelly assigns Tom Kennedy to go along as her protector. In Panama, where Kelly eventually arrives, suspense and excitement are maintained and romance and comedy have their innings as pursued and pursuers play hide and seek. But Miss Blane, finally getting the evidence, also finds herself in danger. She is rescued, once again to demonstrate that a woman's guesswork is far more efficient than a man's scientific or practical methods.

For an average feature, the piece is well mounted and played in such style that it makes one forget the things accomplished are improbable and incredible. Anthony Coldeway wrote the original and George Bricker adapted it. They and William Clemens, who directed, concentrated on making the picture a bit of amusement rather than a lesson in the correct methods of crime solution.

Running time, 60 minutes. "G."

Martin Joins Filmack

Chicago, May 8.—Fred Martin has been engaged by the Filmack Trailer Co. as office and personnel manager.

Remodel Warner Office

Omaha, Mav 8.—Remodeling of the Warner exchange at a cost of $20,000 is nearly completed.

Short Subjects

"Private Life of Mussolini"

(Hullenger Productions)

This was produced by Edwin Ware Hullenger, with the cooperation of Italian authorities in Rome. About half of the footage is old newsreel shots combined with new material in which Mussolini posed with his children and his wife.

Scenes showing the birthplace of Il Duce and his war activities are made from still pictures with some of the wartime footage of battlefront and behind the lines.

Its chief appeal should be to Italian audiences. The editing is excellent, but the condition of the old negative makes the prints grainy. It is the first of a series of screen biographies which Hullenger intends to produce. Distribution will be through state rights. Running time, 29 mins.

"Wynken, Blynken and Nod"

(Disney-RKO)

Eugene Field's familiar nursery poem has been made into the sort of Disney fantasy that makes delightful entertainment, especially suited for the younger audience but which also should be appreciated by their elders. The subject is ingenious and cleverly executed, aided by the color. Running time, 8 mins. "G."

"Music Made Simple"

(M-G-M)

This is one of the funnier Robert Benchley films. He gets himself into a dither while doing a guest spot on a radio program—commenting on classical music. The script utilizes a number of tongue-in-cheek musical titles and the gags remind one of Ed Wynn's librettos. Entirely too short Running time, 8 mins. "G."

"Blue Monday"

(M-G-M)

This second number of "The Captain and the Kids" cartoon series is not as good as the initial films. The action falls into routine channels and follows familiar lines to the end. It is fair. The producers should follow the comic strip more closely. Running time, 8 mins. "G."

Wall Street

Loew's Best Board Gain

	Open	High	Low	Close	Net Change
Cons.	1⅜	1⅜	1⅜	1⅜	+ ¼
E. K.......	151	151	151	151	.....
Loew	41⅜	42⅛	41⅜	42⅛	+1
Para.	8⅛	8⅛	8⅛	8⅛	+ ⅛
Para. 2.....	9⅛	9⅛	9⅛	9⅛	.....
Pathe	4¾	4¾	4¾	4¾	— ⅛
R. K. O....	2¾	2⅞	2¾	2⅞	.....
20th Fox....	21½	21¾	21½	21¾	+ ¼
W. B.......	5⅛	5⅛	5	5	— ⅛

Little Curb Activity

	Open	High	Low	Close	Net Change
Technicolor.	20¾	20⅞	20¾	20⅞	+ ⅛

Fractional Bond Gains

	High	Low	Close	Net Change
Loew 3½s '46....	99½	99½	99½	+ ⅛
Paramount Pictures '47........	71	70⅞	71	+ ⅛

(Quotations at close of May 7.)

F.C.C. Sets Added Dates on Hearings

WASHINGTON, May 8.—The Federal Communications Commission has assigned tentative dates for examiners' hearings in a number of broadcasting cases, some of them several months in the future, and indicated that it will conclude its current series of hearings early in July, not to renew them until after Labor Day.

Hearings designated were as follows:

June 16: Application of Miami Broadcasting Co. for a 1,420-kilocycle, 100 watt station at Miami.

June 17: Applications of KFEQ, St. Joseph, Mo., for increase of time from day only to local sunset, Pacific Coast Time, with 500 watts power night, 2,500 watts day, and WCKY, Covington, Ky., for increase of power from 10,000 to 50,000 watts.

July 6: Applications of Paul R. Heitmeyer for a 1,210-kilocycle station at Cheyenne, Wyo., with 100 watts night, 250 watts day; Frontier Broadcasting Co., for a 1,420-kilocycle station at Cheyenne, with 100 watts night, 250 watts day, and Cheyenne Radio Corp., for a 1,210-kilocycle station at Cheyenne, with 100 watts night, 250 watts day.

Sept. 6: Application of WGTM, Wilson, N. C., for change of frequency from 1,310 to 1,420 kilocycles and increase of time from day to unlimited with 100 watts power night, 250 watts day.

Nov. 7: Application of The Monocacy Broadcasting Co., for a 1,140-kilocycle, 250-watt daytime station at Rockville, Md.

FCC Sets Hearings During Coming Week

WASHINGTON, May 8.—Hearings for the current week on broadcasting applications are scheduled by the Federal Communications Commission as follows:

May 12, before the commission: Applications of Sherman V. Coultas, Milton Edge & Hobart Stephenson for a 1,310-kilocycle, 100-watt station at Jacksonville, Ill.; Piedmont Broadcasting Corp. for a 1,500-kilocycle station at Salisbury, N. C., with 100 watts night, 250 watts day, and WDNC, Durham, N. C., for change of frequency from 1,500 to 600 kilocycles and increase of power from 100 to 1,000 watts.

May 12, before an examiner: Application of Roberts-MacNab Co. for a 1,310-kilocycle station at Livingston, Mont., with 100 watts night, 250 watts day.

May 13, before an examiner: Application of Greater Greenwood Broadcasting Station for a 1,420-kilocycle station at Greenwood, S. C., with 100 watts night, 250 watts day.

Plan Summer Symphony

"Everybody's Music," a CBS summer symphony series, will enter its third season when it resumes on May 15 at 3 P. M., E.D.S.T. Howard Barlow conducts the orchestra.

Montgomery on Program

Robert Montgomery, Maureen O'Sullivan, Una Merkel, Mickey Rooney, Dennis O'Keefe and Douglas MacPhail will be featured on "Good News of 1938" May 12, over the NBC-Red.

Radio Personals

GEN. FRANK T. HINES, Administrator of Veteran's Affairs, and Capt. Watson B. Miller, director of the National Habilitation Committee of the American Legion, will speak over WOR-Mutual tomorrow at 6:45 P. M., E. D. S. T., on "Government Insurance." . . . Martha Deane recently celebrated her fourth anniversary on WOR . . . Basil Rathbone, Isobel Jewel and Toscha Seidel will be Bing Crosby's guests on the Kraft Music Hall Thursday . . . Phil Baker is a father again. Mrs. Baker gave birth to a girl at Doctor's Hospital on Friday . . . Don Costello has been engaged to impersonate "Popeye" on a forthcoming CBS program.

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Mary Boland will be Al Jolson's guest on the latter's CBS program May 17 . . . Connie Boswell will appear on the "Watch the Fun Go By" program May 17, with Al Pearce . . . Bruna Castagna will be guest soloist with the Ford Symphony Orchestra next Sunday . . . Tommy Dorsey will return to Cincinnati May 18 for another Amateur Swing Contest in order to take care of enthusiasts who were unable to receive auditions the last time . . . Vivienne Segal will be Leo Reisman's guest on the Schaefer Revue May 18.

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Hollywood

"One Man's Family," NBC dramatic serial has begun its seventh year on the network . . . Replacing "Thrills," Union Oil Co. is sponsoring "The Passing Parade" on the NBC coast hookup, with John Nesbitt as master of ceremonies for the half-hour variety show. David Broekman's orchestra, a chorus and Donald Novis are featured . . . Alvin Wilder has begun a series of new commentaries on KFWB . . . Toscha Seidel, violinist, arrived last week to do special recording for M-G-M. W. Arthur Rush of Columbia Management set the deal . . . Dan Brenner, who came out from Kansas City and make good, is collaborating on the "Laugh and Let Laugh" program over the California Radio System (KFWB and six other stations) Tuesday nights.

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Philadelphia

Jack Barry, former WIP announcer, is now airing the Rochester ball games via WHEC, Rochester . . . Benjamin Eshelman agency placed a year's contract for six-spot announcements weekly over WIP, in the interests of Lee Tire and Rubber Co. . . . George Hogan has left the WCAU announcing staff, to complete his law studies at Manhattan College. Hogan will do part time announcing at WNEW, New York, while pursuing his studies . . . Vikonite Tonic has contracted for six quarter-hours a week over WIP. Account was placed by Julius Klein agency . . . Manning Hall, erstwhile press chief of WPEN, now doing art work for *Radio Press*, local fan weekly . . . General Mills and Mobiloil are co-sponsoring a two-hour variety show tabbed "Philly Bandwagon" on WCAU . . . Leon and "Ike" Levy of WCAU have purchased stock in Transradio News Service . . . Thomas Dean has replaced George Sutherland on the WIP announcing staff . . . Ben Alley, now doing six shots weekly over WCAU for Household Finance, has been booked for a week at the Earle during May.

Amateurs Form Net

Kansas City, May 8. — Twenty amateur radio station operators of Kansas have formed the "Kansas Pink Network" to broadcast nothing but "hot air." The group inaugurated the network with a dinner at the Union Station last week.

Five New Accounts Are Signed at WOR

WOR has closed five new accounts. The periods include four new programs and a one-time shot, sponsored by the Eaton Paper Corp., of the broadcast of the reenactment of the Wright Brothers flight at Kitty Hawk.

The other programs are: a transcribed period, "Bob White and His Swing Orchestra," sponsored by De Forest Training, Inc.; "Martha Deane," sponsored by the New Jersey State Council; the same program, sponsored by John Morrell & Co., and "Novelty Orchestra" sponsored by Rival Packing Co.

Paul Hodges Joins WCPO

CINCINNATI, May 8.—Paul Hodges, formerly with WROL, Memphis, has joined the staff of WCPO, Scripps-Howard station, operated by the *Cincinnati Post* here, as special events announcer and program director.

Change Newscast Time

CINCINNATI, May 8.—Paul Sullivan's daily commercial newscast, heretofore heard at 6:30 P. M. over WSAI, has been moved to a 9:30 P. M. spot.

Satellite Station Is Sought by WFBR

WASHINGTON, May 8.—Application for authority to construct a satellite station at Frederick, Md., for experiments to improve coverage in that section of the state, has been filed with the Federal Communications Commission by WFBR, Baltimore.

The satellite station would operate on the WFBR frequency of 1,270 kilocycles, synchronously with the main station, and would have a power of 10 to 100 watts.

Applications have also been filed with the commission by WMFF, Plattsburg, N. Y., for change of frequency from 1,310 to 1,240 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts, and WOMI, Owensboro, Ky., for change of frequency from 1,500 to 1,200 kilocycles.

Set Spanish Series

A new series of news broadcasts of interest to women and announced in Spanish will go out to Latin America over W2XE, CBS international station, every Tuesday and Thursday, 10:30 to 10:45 A. M., starting May 10.

Start Series Based On the Constitution

Films, radio and other media will be used in a national campaign "to arouse popular interest in the first 10 amendments to the Constitution," launched by the American Union for Democracy, it was said over the weekend by C. I. Stewart, secretary.

The campaign has received wide support among persons connected with films, the theatre and radio, according to Stewart. A series of weekly broadcasts are being sponsored o[illegible] WQXR, from 8 to 8:30 P. M. on Tuesday nights. Known as the American Dinner Hour, the broadcasts consist of dramatic programs developed about the Bill of Rights, as the first 10 amendments are known. Tomorrow night's program will be presented by Mrs. Beatrice (George S.) Kaufman, Marc Connolly, Alice Duer Miller, Melvin Levy and Jean Muir.

Electrical transcriptions of the broadcasts will be offered to local stations for re-broadcasting. Among those cooperating in the campaign are Burgess Meredith, Frances Farmer, Fredric March, Florence Eldridge, George S. Kaufman and Moss Hart.

Six New Accounts Close WNEW Deals

Recent new business at WNEW includes six new accounts and two renewals. The programs involved comprise spot announcements, a one-shot baseball broadcast, a new period and participating programs.

Leroy of New York has been signed for seven quarter-hours per week, indefinitely, for piano lessons. Canadian Fur Trappers Corp. has booked 52 weeks of "Make Believe Ballroom" for six quarter-hours per week. The Crowell Publishing Co. has also booked time on the "Ballroom" for 13 weeks, three quarter-hours per week. Rialto Fashion Clothes, Jordan's Women's Apparel Shops and Lorstan-Thomas-Lincoln Studios, photographers, have closed for the spot announcements. Axton-Fisher Tobacco Co. has closed for six spot announcements a week for nine weeks, and Madison Personal Loan has taken a participation schedule on "Zeke Manners," "Make Believe Ballroom" and "The Scoreboard" for 26 weeks.

Program to Back Drive

Thomas E. Dewey, Kate Smith James Cagney, Morton Downey and Tommy Dorsey and his orchestra will be featured on WOR May 11 at 10:30 P. M., E.D.S.T., in a special program in connection with the Greater New York Fund Drive. The program will originate in Madison Square Garden.

To Discuss Cairo Meet

Senator Wallace H. White, Jr., of Maine, chairman of the American delegation to the international radio conference in Cairo, will discuss results of the meetings over WABC-CBS, May 10, from 10:45 to 11 P. M. E.D.S.T.

Set New WICC Show

BRIDGEPORT, May 8.—A new program, called "Shopping Parade," will begin on WICC Tuesday. Virginia Miller will conduct the period. The first program will have Charles Clapp Jr., author, as guest. The time is 10:30 A. M., E.D.S.T.

Mr. and Mrs. Theatre Owner

RELAX

COMBINE A LITTLE PLEASURE WITH BUSINESS.

Come along for a grand and glorious round of entertainment

at the

Allied National Convention

to be held at the

William Penn Hotel ***May 17-18-19, 1938***
PITTSBURGH, PA.

•

CONVENTION HOTEL RATES WILL BE IN EFFECT

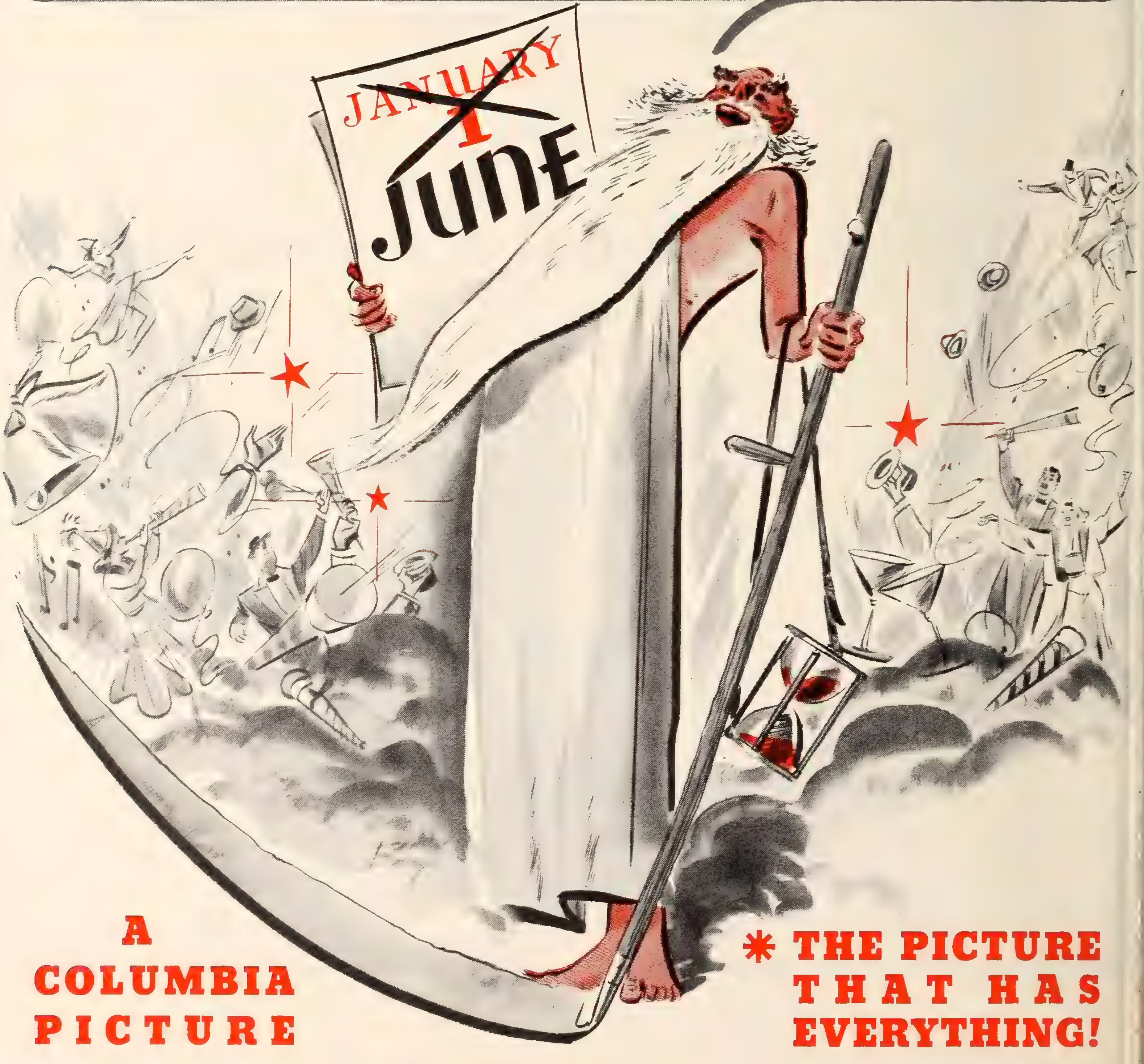
•

WE WILL HAVE ON DISPLAY A LATE AND GREAT ARRAY OF EQUIPMENT, FIXTURES, AND ACCESSORIES PERTAINING TO THEATRE BUSINESS

A REASON FOR REAL CELEBRATION!
THERE'S NEW YEAR'S EVE BUSINESS IN

HOLIDAY*

IN JUNE!


~~JANUARY 1~~
JUNE

**A
COLUMBIA
PICTURE**

*** THE PICTURE
THAT HAS
EVERYTHING!**

DO NOT REMOVE

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ntelligent
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to the Motion
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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 108 NEW YORK, TUESDAY, MAY 10, 1938 TEN CENTS

oew "Lynton")amages Fixed \t $587,604

'aster Cites Total in Report to Court

Loew's, Inc., and subsidiaries are ble for damages amounting to 37,604, representing profits from owings of the film, "Letty Lynton," cording to the final report of Spe- l Master Gordon Auchincloss filed the U. S. District Court here yesday.

An earlier court order declared that M-G-M picture was an infringe- nt of the play, "Dishonored Lady." e authors of that play, Edward eldon and Margaret Ayer Barnes, entitled to all of the profits from showing of the picture in the form damages, the court had held.

Loew's attorneys said yesterday that company probably would appeal m the Auchincloss findings in the nt the special master's report is ıfirmed by Federal Judge John C. ox. It was reported that John W. vis would be retained by Loew's

(Continued on page 9)

scap Loses Move)n Washington Law

TACOMA, May 9.—A three-judge ision filed in Federal Court here ay denied the petition of Ascap for injunction against the State of ashington on the enforcement of a yright law passed in 1937, requir- two or more copyright holders, en pooling their interests, to file omplete list of works with the Sec- ary of State. The decision, writ- by Judge E. E. Cushman and ned by Judges B. E. Haney and n C. Bowen, dismissed the Ascap e for lack of jurisdiction.

Ascap attacked the Washington

(Continued on page 4)

Makes Hole in One

Earl W. Wingart of 20th Century-Fox has joined the Hole-in-One Club.

On his vacation last week he took a swing at the ball on the 155-yard hole of the Peoria Country Club. He couldn't believe his eyes until the caddie went into a state of mind bordering on hysterics.

Observers Predict Neely Bill Vote in Senate in Day or Two

Washington, May 9.—Indications here are that the Neely bill will be brought up again in the Senate on Tuesday or Wednesday and will be put to a vote. Some political observers give the measure a 50-50 chance of passing, but most predict its defeat.

The defeat of the bill during this session would mean that its backers, if they are inclined to champion an anti-block booking measure again, would have to have it reintroduced as a new bill at the next session and public hearings on it would have to be held.

Monogram to Set Goal at 7,000 Sales

CINCINNATI, May 9.—Monogram sales forces will have a goal of 7,000 exhibitor accounts next season, or an increase of 2,000 over the current season, W. Ray Johnston, president, indicated today in addressing the company's national sales convention which opened at the Netherland Plaza here today.

Johnston said that the company's sales quota for the new season had been fixed at $6,345,000, or an advance of $2,000,000 over the current year. He said the advance was accounted for by increases in production budgets on the company's two Jackie Cooper pictures, the four Boris Karloffs and the three with Movita and John Carroll. Johnston said the first Cooper

(Continued on page 14)

Warners Will Announce 60 For 1938-39

Warners' new season program, expected to total 60 features, will be announced at the eastern regional convention this afternoon at the Roosevelt by S. Charles Einfeld, director of advertising and publicity.

The short subject schedule will be outlined this morning by Norman H. Moray, Vitaphone sales head. The afternoon session will also have as speakers Mort Blumenstock, who will describe advertising plans for the coming year; Joseph Bernhard, general manager of Warner theatres, and Jake Wilk, story editor, who will give the delegates information on story properties for 1938-'39.

Roy Haines, eastern and Canadian sales manager, who is presiding,

(Continued on page 14)

Warners Start Convention With a Tremendous Bang

By C. S. AARONSON

They opened the Warner eastern sales convention at the Hotel Roosevelt yesterday morning with a bang—literally.

Although they were too modern to admit it, the idea was an Einfeld-Rechetnik "special," without a doubt. It's a good thing somebody had enough forethought to tip off Commissioner Valentine's flat—pardon, policemen, or they might have carted away the whole Warner crowd in patrol wagons.

The whole idea was that action was to be demonstrated for the boys, and if a sales manager told them they were on the firing line, they had no choice but to believe it.

Signs, spotlights and et ceteras indicated to the sales gang before they entered the meeting room that action was going to be the backbone of Warner product in 1938-'39, or something along that general line.

The men filed in and took their seats, when Gradwell Sears called, "Well, boys, come and get it." The dais chairs were filled, all to the tune of the Riff Song from "The Desert

(Continued on page 14)

Yesterday's Radio Developments—P. 15

Exchange Pact Bars Strikes Before Talks

IATSE Agrees to Help Perform Contracts

Industrial peace is provided in contracts signed by the major distributors with the I.A.T.S.E., covering 3,000 exchange employes in 31 distribution centers.

Local agreements, ratified by George E. Browne, president of the I.A.T.S.E., bar any stoppage of work for any cause prior to submission of the grievance to a board of conciliation, to be made up of three distribution executives and three officers of the union.

These are the only I.A.T.S.E. contracts in the industry to provide for settlement of disputes by arbitration, with the exception of the Local 306 operators' agreement in New York. The clause in the latter pact was the inspiration for the provision in the exchange unions' contracts, it was said.

Should the conciliation board fail to reach an agreement, the I.A.T.S.E. machinery provides for an international representative to step in. The agreements bind the parent union to "take the necessary steps" to have the locals

(Continued on page 9)

NLRB Avoids Row of Producers, Directors

HOLLYWOOD, May 9.—The National Labor Relations Board today advised Dr. Towne Nylander, regional director, to adopt a hands off policy in the current war of words being waged between producers and the Screen Directors Guild. The guild seeks a collective bargaining contract with the studios for directors, assistants and unit managers.

Following a week of conferences and statements emanating from both sides,

(Continued on page 9)

Fields Quits Para.

Hollywood, May 9.—Paramount and W. C. Fields have parted company as a result of the comedian's dissatisfaction with the material given him.

His last picture was "The Big Broadcast," and the next film for which he was scheduled, "Mr. Bumpus Goes to London," was shelved following his protest last week.

KRS Refutes Claim Grading Ups Rents

London, May 9.—The Kinematograph Renters' Society (distributors) met in full council session today on the troublesome feature grading problem and, refuting the contention of the Cinematograph Exhibitors' Association that the plan was designed to increase rentals, reaffirmed the object of the plan.

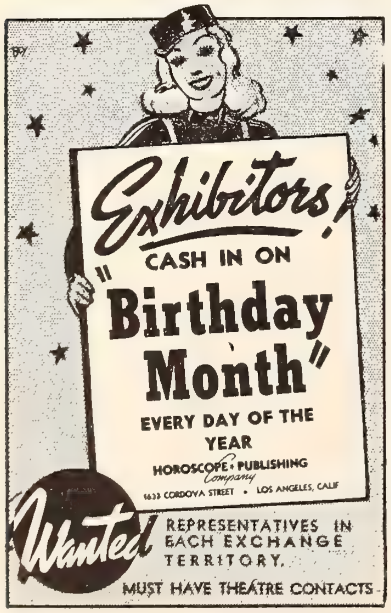
The organization insisted that the scheme was aimed at the elimination of excessively long theatre programs. The distributors declared there never was any intention at collusion among members, and offered to submit to independent arbitration the question of whether grading was intended to increase rentals. It was indicated that the judgment of the Board of Trade in the matter would be accepted.

The K.R.S. declaration is expected to affect the deliberations of the General Council of the C.E.A. on Wednesday. At a London meeting of the C.E.A. today, which was heavily attended, the C.E.A. opposition to the grading plan was endorsed and support to Ken Nyman, president, was pledged. He advised members to ignore any K.R.S. attempts at conciliation and to await the council's report after Wednesday's meeting.

Submit Nominations For English Council

London, May 9.—The New Films Council, as required under the terms of the recently enacted Films Act of 1938, is expected to include the following representatives, in addition to Sir Frederick White, who is expected to be named president of the council.

The list, unofficial but from authoritative sources, includes: Sam Smith, head of British Lion; George Smith, independent; Norman Loudon, chief of Sound City, and one other, from which the Board of Trade will select two, for the producers; Arthur Jarratt, G. B.; Theodore Fligelstone, independent; Charles Metcalfe, ex-president of the C.E.A., and Alex King, Scotch representative, for exhibitors. The Kinematograph Renters' Society (distributors) has submitted an entire panel asking the Board of Trade to select two. Labor nominees are Tom O'Brien and George Elvin.


Exhibitors!
CASH IN ON
"Birthday Month"
EVERY DAY OF THE YEAR
HOROSCOPE PUBLISHING Company
1633 CORDOVA STREET • LOS ANGELES, CALIF
Wanted
REPRESENTATIVES IN EACH EXCHANGE TERRITORY.
MUST HAVE THEATRE CONTACTS

◂ Purely Personal ▸

Harry Arthur, Fanchon & Marco, vice-president, flew back to St. Louis last night after quick checkup here over the weekend. He is negotiating for the sale of his home and farm at Peekskill, now that his headquarters are in St. Louis.

•

Ben Henry, general manager of Associated British Film Distributors, is scheduled to sail tomorrow on the *Queen Mary*. Also booked are **Mary Maguire**, 20th Century-Fox contract player, and her mother, **Mrs. M. J. McGuire**.

•

Parker Brooks Sturgis, formerly assistant vice-president of the TWA, has been named executive creative contact in the Jam Handy organization.

•

Jack Bellman, Republic eastern sales manager, is recovering at his home from an appendicitis operation. He is expected back at his desk next week.

•

William C. Gehring, 20th Century-Fox central division manager, left last night for meetings in the Detroit and Chicago exchanges.

•

Cliff Lewis, Paramount studio advertising manager, who is in town for a few days, visited the home office yesterday.

•

Emanuel Cohen is expected back in New York from an extended European vacation early next week.

•

John Hay Whitney will sail from Europe on the *Normandie* tomorrow, arriving here next Monday.

•

Nate J. Blumberg, Universal president, expects to leave for the coast by the end of the week.

•

Phil Goldstone is en route to the coast, with stopovers in Cleveland and Chicago.

Arthur A. Lee, G. B. vice-president and general manager, **Arthur Greenblatt** and **Albert Margulies** have returned from the company's regional meeting in Denver. **Clinton White**, assistant general manager, stopped off in Chicago on his way back and will return to New York tomorrow.

•

. . . Indianapolis

Herbert Kenney, dramatic writer on the *Indianapolis News*, has announced his engagement to **Ruth Brinkman** of Indianapolis.

Joe Finneran has joined Syndicate Theatres, Inc., and will assist in booking and buying.

•

. . . Pittsburgh

Owen Cleary has returned to his Fulton post after a vacation in Washington.

Harry Feinstein has gone in for golf seriously, even to taking lessons.

A. W. McCormick is out of the hospital again after having his appendix removed.

Larry Golob of Warners' art department in New York was in town.

Mrs. Harold Bloom, **Joe Feldman's** sister, has returned to New York after a month's visit here.

Abe Walker and **Sally Nibal** will be married on June 5.

•

. . . Wilmington

Carlton Duffus of the M-G-M Washington office, and **Carter Barron**, Loew's district manager of Washington, attended a luncheon meeting arranged by **Frank M. Murphy**, manager of Loew's Wilmington.

Stanley Zebroski of the Warner Aldine is temporarily replacing **Merritt Pragg** as assistant manager of the Grand.

Preston Smith of the Aldine staff and **Josephine Niglio** were married recently.

A. Willard Wilson, Aldine electrician, and **Mrs. Wilson** are vacationing in Florida for two weeks.

Anstett Named Head Of TPA in Contest

In one of the hottest election contests held by Local 1, Theatrical Protective Union, Bobby Anstett, property master at the Roxy, was elected president over James Brennan, who has held the office five years. Anstett received 868 votes over Brennan's 444.

Brennan's position as sixth vice-president of the I.A.T.S.E. is not affected by the election, which was held all day Sunday at union headquarters.

S. Pernick was elected vice-president, succeeding Joseph Meeker, who held the office five years, and the following were re-elected: John C. McDowell, recording secretary; John J. Garvey, financial secretary-treasurer; Vincent Jacobi and Frank Powderly, business managers; Charles Murphy, sergeant-at-arms.

John F. Casey and Joseph Dwyer were elected as trustees, and Morris Fox was re-elected, these three leading in a field of 13. Ten delegates were elected to the I.A.T.S.E. convention in Cleveland in June: Harry L. Abbott, E. P. Gately, Sam Goldfarb, Louis Yeager, Anstett, Casey, Jacobi, McDowell, Pernick, Powderly.

Big Crowd Turns Out For Local 306 Party

The silver jubilee dinner-dance of Local 306 at the Hotel Astor early yesterday attracted 1,200 members and guests, including a number of theatre executives. The party started after midnight and didn't break up until 4 A. M.

Among those attending who are prominent in the I.A.T.S.E. were George E. Browne, president; Lou Krouse, secretary-treasurer; Dick Walsh, vice-president, and Glen Humphries, chairman of the 10th district, which includes New York. Other I.A.T.S.E. locals in the city and state sent representatives. The affair celebrated the 25th anniversary of the granting of an I.A.T.S.E. charter to Local 306.

Chapman Exchange Head

J. K. Chapman, associate of Harry Thomas, will be in charge of the new New York exchange opened by Thomas in the Film Center Building. Among the attractions which will be handled through the new exchange will be "Wajan," now in its fifth week at the Gaiety.

W. F. Rodgers, Ear On Allied's Progra

Pittsburgh, May 9.—Most of
principal officers of Allied, Gove
Earle of Pennsylvania and Willian
Rodgers, general sales manager
M-G-M, will speak at the four-
session of the annual convention
Allied States Association which
get under way next Monday at
William Penn Hotel.

Rodgers will discuss "Conci
and Arbitration," a subject he br
up recently at the New England
lied session.

Mayor Cornelius D. Scully of P
burgh will deliver the address
welcome Tuesday morning and
J. Herrington, secretary of
M.P.T.O. of Western Pennsylva
will respond. M. A. Rosenberg
outline the convention program
talks will be delivered by Nat
Yamins, H. M. Richey and W.
Steffes, with discussions following
percentages, preferring playing t
double bills and independent pc
exchanges. There will be entert
ment in the evening.

Reports of committee and talks
sales managers will feature
Wednesday morning session anc
the afternoon Abram F. Myers
Rodgers will talk, with discuss
following. At the banquet that e
ing the speakers, in addition to
ernor Earle, will be Deputy Atto
General N. M. Katz, Mayor Sc
and Frank J. Harris. The final b
ness session will be held Thursda

Entertainment for women gu
includes a fashion show, a trip thr
the H. J. Heinz plant and bridge.

William Scully on Coa

William Scully, John Joseph
Marshall Grant arrived today at
Universal studio.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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JAMES A. CRON, Advertising Manager.
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mann, representative. SHANGHAI: Rooms
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naga, representative. VIENNA: Neustif
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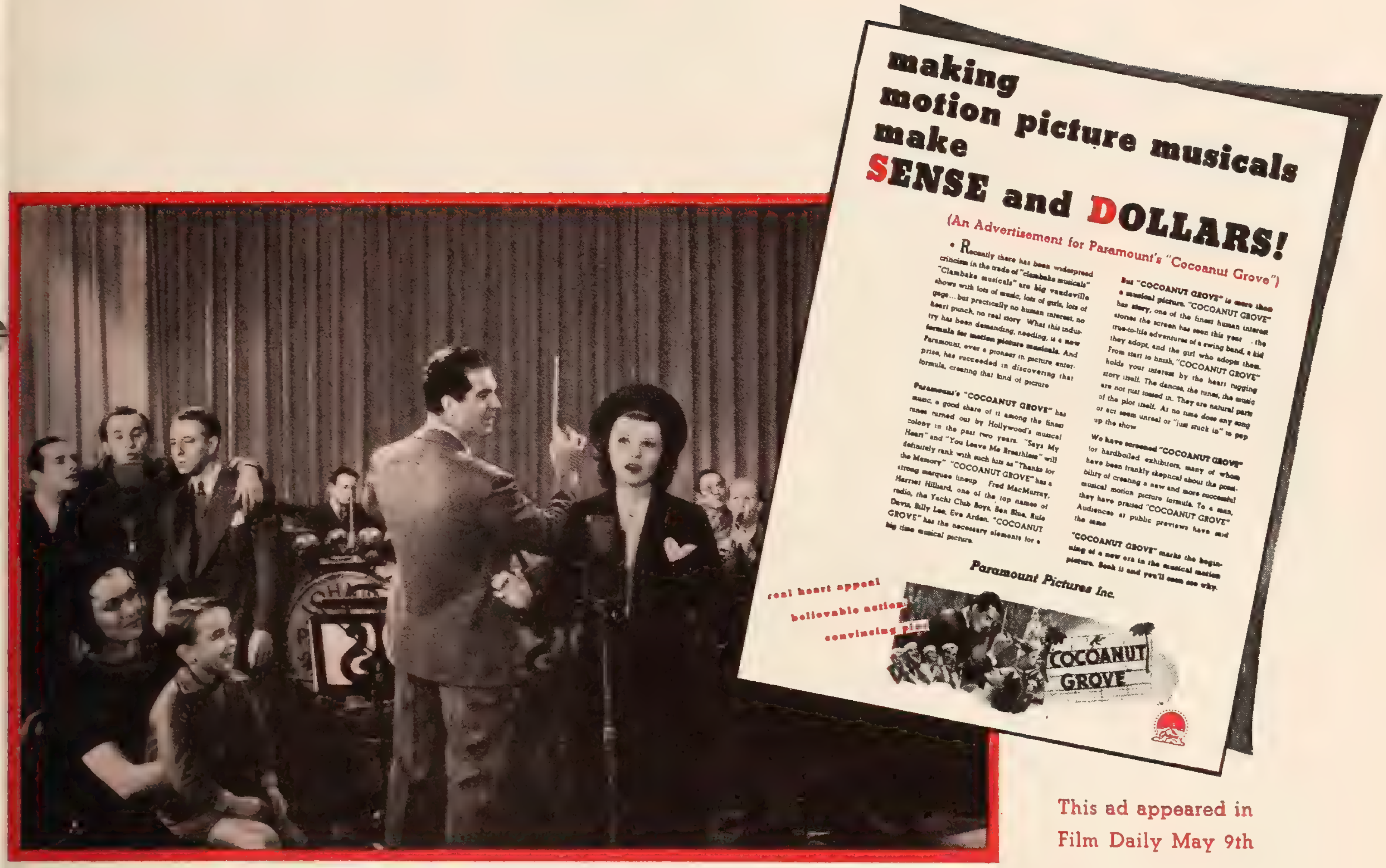


making
motion picture musicals
make
SENSE and DOLLARS!

(An Advertisement for Paramount's "Cocoanut Grove")

• Recently there has been widespread criticism in the trade of "clambake musicals" "Clambake musicals" are big vaudeville shows with lots of music, lots of girls, lots of gags... but practically no human interest, no heart punch, no real story. What this industry has been demanding, needing, is a **new formula for motion picture musicals.** And Paramount, ever a pioneer in picture enterprise, has succeeded in discovering that formula, creating that kind of picture.

Paramount's "COCOANUT GROVE" has music, a good share of it among the finest tunes turned out by Hollywood's musical colony in the past two years. "Says My Heart" and "You Leave Me Breathless" will definitely rank with such hits as "Thanks for the Memory." "COCOANUT GROVE" has a strong marquee lineup: Fred MacMurray, Harriet Hilliard, one of the top names of radio, the Yacht Club Boys, Ben Blue, Rufe Davis, Billy Lee, Eve Arden. "COCOANUT GROVE" has the necessary elements for a big time musical picture.

But "COCOANUT GROVE" is more than a musical picture. "COCOANUT GROVE" **has story,** one of the finest human interest stories the screen has seen this year ... the true-to-life adventures of a swing band, a kid they adopt, and the girl who adopts them. From start to finish, "COCOANUT GROVE" holds your interest by the heart tugging story itself. The dances, the tunes, the music are not just tossed in. They are natural parts of the plot itself. At no time does any song or act seem unreal or "just stuck in" to pep up the show.

We have screened "COCOANUT GROVE" for hardboiled exhibitors, many of whom have been frankly skeptical about the possibility of creating a new and more successful musical motion picture formula. To a man, they have praised "COCOANUT GROVE". Audiences at public previews have said the same.

"COCOANUT GROVE" marks the beginning of a new era in the musical motion picture. Book it and you'll soon see why.

Paramount Pictures Inc.

real heart appeal
believable action
convincing plot

COCOANUT GROVE

This ad appeared in
Film Daily May 9th

One band that DOESN'T sound a FALSE NOTE!

We'll admit that in a lot of "clambake musicals" swing bands, not to mention symphony orchestras, just sort of drop into the picture from nowhere in particular and begin to play. Yes, and we'll admit they very often, no matter how good they are, bust up the continuity, knock the plot for a loop...sound a very definitely false note. **Not so the band in Paramount's "Cocoanut Grove".**

When **FRED MacMURRAY** steps up in front of his band boys and gives them the go signal on the hit tune "Says My Heart", it's the natural thing to do. For Fred and his band are the very center of the picture. Their playing has been carefully fitted into the plot structure. You believe in them. And their music, instead of breaking the plot structure, carries it forward, strengthens it. We mention this here because we believe this is one of the many reasons why exhibitors who have seen "Cocoanut Grove" claim it is the answer to their demand for **a musical comedy romance formula with story-sell in it. "Cocoanut Grove"** has hit tunes. It has gags, and terrific ones. It has dancing, and swell dancing. But the tunes, the gags, the dances are so cleverly woven into the plot that they pack the wallop of heart interest, of natural character development, of dramatic build-up which make pictures sell—and sell big.

For a complete sales analysis of this new kind of musical picture see special press book on "Cocoanut Grove", obtainable at your nearest Paramount Exchange.

Paramount Pictures Inc.

G. B. Studies Own Exchange System Here

Gaumont British is considering setting up its own distribution system in this country, and continuance of its physical distribution arrangement through 20th Century-Fox is indefinite, it was learned yesterday with the arrival from England of Jeffrey Bernerd, general manager of Gaumont British Distributors, Ltd.

When S. R. Kent, 20th Century-Fox president, left for Europe three weeks ago, he said: "G. B. are our allies. There's no reason for discontinuing the arrangement."

Bernerd was informed of this statement yesterday. "We may have something to say about that," he declared.

He professed to know little or nothing about the negotiations by Arthur A. Lee, G. B. vice-president, to take over the Grand National exchanges, but said this development was "not being taken very seriously in London."

G.N. Liquidation Expected

It is understood that Lee proposes to take over the G. N. distribution machinery and liquidate the company, which is chiefly a distributing organization, thereafter to have a national system of exchanges for G. B. This is aside from the deal which E. W. Hammons, president of Educational, is shaping up for a possible purchase of an interest in G. N. However, G. N. principals have said repeatedly that they do not intend to give up control.

Bernerd said that contrary to the impression here, G. B. has not discontinued production, and that although its Shepherd's Bush studios have been closed for many months, the company has sponsored production elsewhere. A larger program is being planned for the new season, including the usual Jessie Matthews' films, he said.

This is Bernerd's first visit here in about two years. He expects to stay a month, and will devote his time chiefly to conferences with Lee and a survey of prospects for the new season.

Lee Back in New York

Arthur Lee returned to New York from the coast by plane yesterday but declined to comment on the prospect of a G. B. tiein with Grand National.

"Nothing concrete has developed," Lee said, "so obviously there is nothing to be said."

It was reported from Hollywood, however, that Lee conferred at length over the weekend with Lloyd Wright and Edward Alperson, Grand National trustees, and would make his report on the situation to Bernerd immediately upon his arrival in New York. Lee and Bernerd conferred here yesterday and indications are that further developments may be expected within the next few days.

"Daughters" Retitled

HOLLYWOOD, May 9. — Title of "Wayward Daughters," Progressive, has been changed to "Rebellious Daughters."

In the Money

Motion pictures bought the oats for the Kentucky Derby winner and the "show" horse, Herb Woolf's Lawrin and Myron Selznick's Can't Wait, respectively. Woolf, a Kansas City chain clothing store owner, is associated with M. B. Shanberg, now of Miami Beach, in the Loew's Midland property in Kansas City. They formerly owned the Midland circuit, now the property of National Theatres. Selznick, of course, is a Hollywood agent. His horse was backed by Joseph M. Schenck.

Korda Will Start Shortly on Eight For U. S. Release

By AUBREY FLANAGAN

LONDON, May 9.—Alexander Korda, head of London Films, arrived here today from the conferences in the United States which resulted in a realignment of the United Artists setup, to disclose that he will resume production within a month. He plans eight high-budget pictures, he indicated, designed for release in the United States.

In addition, he plans other smaller pictures and French versions, with French directors on certain films. It is anticipated that the contract under which Irving Asher, former head of Warner English production, will produce for Korda, will be signed in a few days.

Lubitsch May Direct

It is believed that among the players and directors who will come to England during the year to make pictures for Korda will be Ernst Lubitsch, Alfred Lunt and Lynn Fontanne, and Paulette Goddard.

Among the pictures planned by Korda are: "Four Feathers," "Prison Without Bars," "Calcutta," in color; "Lawrence," directed by Brian Desmond Hurst; "Paris," in color. Directors will include Michael Powell, Marc Allegret and others. Korda may direct certain of the pictures himself, he indicated.

Ascap Loses Move On Washington Law

(*Continued from page* 1)

law on constitutional grounds, claiming that it was in violation of the 14th amendment in that it confiscated property without due process of law. The publishers claim that the expense of filing hundreds of thousands of titles and making monthly changes, as required by law, would result in such expense as to make copyrights worthless.

The court held that the society is a non-profit organization and that it was not shown that any person having a pecuniary interest had the jurisdiction amount of $3,000 involved. An appeal direct to the U. S. Supreme Court is expected.

"Pilot" Again Out Front in Chicago Loop

CHICAGO, May 9.—The second week of "Test Pilot" was the brightest business in a rather dull week for the Loop. The gross of $19,200 was $4,200 above average for the United Artists.

"In Old Chicago," "Snow White" and "Mad About Music" grossed slightly over average at the Roosevelt, Garrick and Apollo.

"Joy of Living" at the Palace and "Dr. Rythm" at the Chicago were disappointing.

Total first run business was $118,700. Average is $121,000.

Estimated takings:

Week Ending May 5:

"MAD ABOUT MUSIC" (Univ.)
APOLLO—(1,400), 35c-55c-65c, 7 days, 4th Loop week. **Gross:** $6,700. (Average, $6,500)

"DR. RHYTHM" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $20,000. (Average, $32,000)

"SNOW WHITE AND THE SEVEN DWARFS" (RKO)
GARRICK—(900), 35c-55c-75c, 7 days, 9th Loop week. **Gross:** $6,600. (Average, $6,500)

"BLUEBEARD'S 8TH WIFE" (Para.)
ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $15,300. (Average, $18,000)

"JOY OF LIVING" (RKO)
PALACE—(2,509), 25c-55c-75c, 3rd week, 7 days. Stage: Red Skelton and Revue. **Gross:** $17,200. (Average, $19,000)

"WALKING DOWN BROADWAY" (20th-Fox)
STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $11,700. (Average, $13,000)

Week Ending May 6:

"IN OLD CHICAGO" (20th-Fox)
ROOSEVELT—(1,300), 35c-55c-75c, 3rd week, 7 days. **Gross:** $12,000. (Average, $11,000)

"TEST PILOT" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 2nd week, 7 days. **Gross:** $19,200. (Average, $15,000)

"Test Pilot" Takes $11,500, New Haven

NEW HAVEN, May 9.—"Test Pilot" flew high on a dual with "Island in the Sky" at the Loew-Poli, taking $11,500, over by $3,500. The bill was held for a second week at the College.

"A Trip to Paris" on the screen and "Town Topics Revue," annual amateur show with local camp benefit tieup, grossed $6,000 in eight days at the College, over the usual at lower admissions by $3,200.

Total first run business was $26,900. Average is $20,200.

Estimated takings for the week ending May 6:

"A TRIP TO PARIS" (20th-Fox)
COLLEGE—(1,499), 25c-40c, 8 days. Stage: "Town Topics Revue." **Gross:** $6,000. (Average, $2,800)

"TEST PILOT" (M-G-M)
"ISLAND IN THE SKY" (20th-Fox)
LOEW-POLI—(3,040), 35c-50c, 7 days. **Gross:** $11,500. (Average, $8,000)

"COLLEGE SWING" (Para.)
"TIP-OFF GIRLS" (Para.)
PARAMOUNT—(2,248), 35c-50c, 7 days. **Gross:** $4,500. (Average, $4,700)

"THE JOY OF LIVING" (RKO)
"THE KID COMES BACK" (W. B.)
ROGER SHERMAN—(2,200), 35c-50c, 7 days. **Gross:** $4,900. (Average, $4,700)

"Test Pilot" Sole Frisc Profit-Make

SAN FRANCISCO, May 9.—"T Pilot" was the bright spot in spri poorest week, continuing to soar a normal at the Warfield. The s week take of $15,000 was $2,000 average. "Club de Femmes" at Clay, a small house, equalled par $1,300. All others were in tailspin

"Four Men and a Prayer" "Battle of Broadway" drew $9,500 at the Paramount. "Her Ju Love" and "Penrod and His Broth took $4,000 at the St. Francis. were nine-day runs.

Total first run business was $66, Average is $87,800.

Estimated takings:

Week Ending May 3:

"CONDEMNED WOMEN" (RKO)
GOLDEN GATE—(2,850), 35c-40c-55 days. Stage: Vaudeville. **Gross:** $1 (Average, $16,000)

"OF HUMAN HEARTS" (M-G-M
"ROSE OF RIO GRANDE" (Monogra
EMBASSY — (1,400), 15c-35c-40c-55c days. **Gross:** $4,000. (Average, $5,000)

Week Ending May 4:

"COLLEGE SWING" (Para.)
"TIP-OFF GIRLS" (Para.)
FOX—(5,000), 15c-35c-40c-55c-75c, 7 **Gross:** $9,500. (Average, $17,000)

"FOUR MEN AND A PRAYER" (20th-Fox)
"BATTLE OF BROADWAY" (20th-
PARAMOUNT — (2,740), 15c-35c-40c 75c, 9 days. **Gross:** $9,500. (Aver $13,000)

"THERE'S ALWAYS A WOMAN" (
"RECKLESS LIVING" (Univ.)
ORPHEUM — (2,440), 15c-35c-40c-55 days, 2nd week. **Gross:** $5,000. (Aver $8,500)

"HER JUNGLE LOVE" (Para.)
"PENROD AND HIS BROTHER" (W
ST. FRANCIS—(1,400), 15c-35c-40c-55c 9 days, 2nd week (moved over from P mount). **Gross:** $4,000. (Average, $7,0

Week Ending May 5:

"TEST PILOT" (M-G-M)
WARFIELD—(2,680), 15c-35c-40c-55c 7 days, 2nd week. **Gross:** $15,000. (Aver $13,000)

Week Ending May 6:

"ADVENTURES OF TOM SAWYE (U.A.)
UNITED ARTISTS—(1,200), 15c-35c 55c-65c, 7 days, 3rd week. **Gross:** $ (Average, $7,000)

"CLUB DE FEMMES" (Pathe-Nata
CLAY—(400), 15c-35c-40c, 7 days. **G** $1,300. (Average, $1,300)

Ohio Orders 21 Cuts

CINCINNATI, May 9.—The division of film censorship reviewe total of 500 reels in April from w 21 eliminations were ordered. T was but one elimination in 135 for the week ending April 15, du which the controversial film, " Birth of a Baby," was passed. above figures compare with 676 and 33 eliminations in March of year, and 605 reels with 35 elim tions in April, 1937.

Fee Increase Shelve

OKLAHOMA CITY, May 9.—A posal to increase annual licenses city theatres has been ordered p poned indefinitely by the City Cou The new ordinance, if passed, w have doubled the license fees of larger theatres in the city but w have had little or no effect on smaller houses with low admis prices.

Covered With New Glory

WARNER BROS.

CRIME SCHOOL

Pre-Release Premiere N. Y. Strand Today!

They're Back! They're Terrific!

THE "DEAD END" KIDS

BILLY HALOP · BOBBY JORDAN · LEO GORCEY
GABRIEL DELL · HUNTZ HALL · BERNARD PUNSLEY

HUMPHREY BOGART

GALE PAGE

Directed by LEWIS SEILER
A First National Picture
Screen Play by Crane Wilbur and Vincent Sherman
From a Story by Crane Wilbur · Music by Max Steiner

Imagine! Right after Robin Hood!

Distinctly a socko!
—*Hollywood Reporter*

A sock! Will send them out talking!
—*Variety Daily*

Straight from the shoulder entertainment!
—*M. P. Herald*

Swell drama! Should attract much business!
—*Showman's Trade Review*

"For heaven's sake, put this one on your 'must-see' list" *. . . shouted Jimmie Fidler over his nation-wide radio hook-up*

"A strong first-run release justifying extra booking days and extra advertising" *. . . says Variety to a show world starving for big attractions*

"Will ring the box-office bell" *. . . says Film Daily to box-offices on the breadline*

"Hollywood returns to fundamentals of film making . . . will gain money-making returns wherever it is shown" *. . . hollers Red Kann's Box-Office . . . and they know what you're up against*

"It has everything which means box-office smash" *. . . cheers Hollywood Reporter ranking the picture tops in comedy this year*

"Will bet my shirt this will prove to be the season's outstanding hit and a great audience picture . . . Will definitely play two weeks in Reading and Harrisburg"

. . . wires Jay Emanuel, showman, and publisher of Jay Emanuel Exhibitor Publications

WHEN THEY TALK LIKE THAT, MISTER, YOU'VE GOT A SHOW . . . RIGHT *NOW* WHEN YOU NEED IT!

GINGER ROGERS JAMES STEWART

VIVACIOUS LADY

JAMES ELLISON BEULAH BONDI CHARLES COBURN

PANDRO S. BERMAN IN CHARGE OF PRODUCTION · A GEORGE STEVENS PRODUCTION

RKO RADIO PICTURE

Screen Play by P. J. Wolfson and Ernest Pagano

SCORES OF LUCKY FIRST RUNS ARE OPENING WITH IT THIS WEEK AND NEXT! . . . THEY'VE GOT THE YEAR'S BIG WINNER . . . *NOW* . . . AND THEY KNOW IT!

Dana Is Honored at Banquet in Albany

Albany, May 9.—The film industry turned out in force here tonight to honor Peter T. Dana, new Universal manager, at the Ten Eyck Hotel. With Dave Miller as toastmaster, the speakers included: Si Fabian, Moe Silver, Warner zone manager; J. Meyer Schine of the Schine circuit; Frank J. A. McCarthy, Universal sales executive; Phil Fox of Columbia, Charles Hayman of Buffalo, William Benton of Benton Theatres, Buffalo; Bernie Kranze, RKO, and Norman Ayres, Warners. Silver predicted a rosy future for Dana.

Fox was in charge of arrangements, Kranze handled the speaking schedule, Ayres headed the reception committee and M. A. Grassgreen of 20th Century-Fox acted as treasurer.

Among those in attendance were: A. Gerald Leary, M. A. Silver, Ben Smith, Joe Wander, S. H. Fabian, Sam Rosen, Walter Reade, Jr., Phil Fox, Henry Frieder, Gene Vogel, Joe Shure, F. J. A. McCarthy, William Benton, Frank P. Williams, Lou Golding, Sol Ullman, Sid Deneau, Sam Kerkowitz, Tom J. Walsh, E. Hochstim, J. Armm, M. Cohn, Lou Olshan, John M. Cooney, Larry Cowens, Leo Rosen, Ralph Pielow, Clayton Eastman, Ralph Maw, Charles Boasberg, Floyd Stone, Herbert M. Miller, Charles A. Smalwitz, Woodrow Campbell, Julius Curley.

From Buffalo also were: Joseph Friedman, James Fater, Matt Marcus, Ralph W. Moore, Sidney Samson, George Haney, Stanley Konczakowski, Jacob Levine, head of the Buffalo Variety Club; Robert Murphy and Sidney Lehman. George Smith same from Syracuse.

Grand National Meet Is Again Postponed

Los Angeles, May 9.—The Grand National creditors' meeting, scheduled for May 2 and postponed a week, has again been deferred, this time to May 17. Edward Alperson, president, is working on two deals for distribution of product, and it is understood he asked for a postponement until the contracts are signed. Alperson and Loyd Wright, co-trustees, are to give the creditors a report on reorganization progress.

M. J. Siegel Returns

M. J. Siegel, head of the Republic studio, arrived from the coast yesterday. Local exchange personnel returned from the company's coast convention yesterday, but home office executives are not expected until tomorrow. H. J. Yates is expected to remain on the coast another 10 days and may return here with James R. Grainger, who is to be president of Republic Pictures. Herman Gluckman, eastern franchise holder, is also staying over a few days.

"Buy U. S."—Laemmle

Carl Laemmle, Sr., formerly president of Universal, urged that a "Buy American" campaign be launched, in a letter to the *New York Sun*. Laemmle signed himself, "yours patriotically," and said in part, "our only chance for complete recovery rests in the determination of all Americans to rally to the support of American industry."

Hollywood Previews

"One Wild Night"

(20th Century-Fox)

Hollywood, May 9.—A cast dominated by such veterans as Sidney Toler, Andrew Tombes, Romaine Callender and Lyle Talbot furnish lively comedy background for the unstressed romance played out by June Lang and Dick Baldwin, who are given top billing in this flippant and frequently very funny treatment of the plot about the girl reporter and the policeman. Miss Lang is quite effective as the witless newspaper gal and Baldwin gives a passable performance, but the laughs, which are plentiful, are obtained by the more seasoned performers in their experienced execution of some decidedly novel gag situations and incidents worked into the screenplay by Charles Belden and Jerry Cady or, perhaps, by Edwin Dial Torgerson, who supplied the original idea. The film is genuinely diverting most of the way, weak only at start and finish.

Tombes is police chief of a small city shocked by unsolved abductions of three prominent citizens. Toler is his assistant and Baldwin is a son home from detective school to help his father unravel the mystery. Miss Lang is a bungling newspaper reporter and Callender her editor, who fires her every few minutes but can't keep her fired. Ransom money pops up in possession of all the town's best people and the boy detective suspects everybody. J. Edward Bromberg is the town banker who turns out to have been responsible for a frameup to cloak his shortages by inducing the missing persons to pretend to have been abducted. It's funnier, as worked out, than it sounds.

John Stone was associate producer. Eugene Forde directed with considerable skill. The picture contains a good deal of shooting, all for comic purpose, and is clean in every particular.

Running time, 72 minutes. "G."

"Gun Law"

(RKO)

Hollywood, May 9.—In a plot cut to the pattern of the Lone Ranger radio programs, but a deal more snugly contrived and intricately planned, George O'Brien gives the western fans an hour of brisk entertainment. His feats are less incredible than is par for the course and the production, save for the setting in of a swing music session such as the stagecoach drivers of the period probably didn't have to cheer them up between trips, is commendably in key with the time and tone of the story. It's a far better than average western.

O'Brien, a United States marshal, disguises himself as a notorious bad man, whom he buries in the desert, and arrives in Gunsight, crime ridden cow town, intent on finding out who's doing all the killing and robbing. The audience is let know right off that Robert Gleckler, who runs the saloon, and Paul Everton, respected mayor, are the galoots doing the dirty work. O'Brien joins the gang and is persuaded to pose as the marshal he really is. Ray Whitley, a supposed itinerant entertainer, is his accomplice on the side of justice. Everybody but O'Brien and the audience gets confused about the marshal's real identity, but he finally gets the goods on the mayor and closes in with his deputies. Rita Oehmen plays a girl who thinks O'Brien's pretty nice and vice versa.

Story and screenplay are by Oliver Drake and the picture, produced by Bert Gilroy, was admirably directed by David Howard.

Running time, 60 minutes. "G."

"Hold That Kiss"

(M-G-M)

Hollywood, May 9.—This is a new treatment of the plot wherein a middle class boy and girl mistake each other for idle rich and prolong the deception as long as possible. As produced this time by John W. Considine, Jr., and directed by Edwin L. Marin from story and screenplay by Stanley Rauh, it generates plenty of auditorium laughter.

Maureen O'Sullivan is the girl in this version and Dennis O'Keefe the boy. She's a mannikin and he's a travel agent. They meet at the swank home of George Barbier, millionaire, mistake each other for guests and pursue the delusion throughout various subsequent dates. Mickey Rooney plays one of her brothers, Frank Albertson and Phillip Terry two others, Fay Holden her mother, and Jessie Ralph an aunt. Edward S. Brophy plays O'Keefe's race-happy roommate. These and a St. Bernard dog figure vitally in a series of unfamiliar and divertingly executed situations.

Dialogue is especially well done. Some of the gags, notably those having to do with operations of a motion picture theatre in which one of the characters is employed as usher, made the preview audience laugh loudly and long enough to drown out substantial sections of wordage. Mickey Rooney's performance as juvenile leader of a swing band and household terror kept the preview crowd in stitches.

Running time, 75 minutes. "G."

Variety Club

Cleveland

Cleveland, May 9.—Variety Cl
will hold a celebration in the clu
rooms of the Allerton Hotel May
in honor of Maurice and Doroti
Spitalny, who are leaving Clevela
to locate permanently in Pittsburg
Maurice Spitalny, leading orchest
leader, is in charge of the musical pr
grams of KDKA, Pittsburgh.

Detroit

Detroit, May 9.—The Saturd
Night Family Party on May 14 w
be known as "Newspaper Night
with associated barkers of the pre
and their wives acting as hosts a
hostesses.

Those scheduled to attend includ
Walter and Mrs. Fuller, Rex a
Mrs. White, Herschell and Mrs. Ha
Harold and Mrs. Hefferman, repr
senting the *Detroit News;* Jose
and Mrs. Maloney, James and Mi
Pooler, Len and Mrs. Shaw, Glad
McCracken, representing the *Fr*
Press; Ralph and Mrs. Holmes, Ja
Schermerhorn, Charles Gentry, *D*
troit Times; Frank and Mrs. Smit
Michigan Film Revue, and Fredd
and Mrs. Schader, he being publici
director of the club.

Next Monday's luncheon will
designated "Barney Kilbride Day
and Barney will introduce his ass
ciate, L. G. Hillier, and Lou Mitche
Alfred Lane and Michael Schoenher
managing the Beverly, Alhambra a
Strand, respectively.

Kansas City

Kansas City, May 9.—Cinen
Club, Reel 1, organization of your
film and theatre men under the wi
of Variety Club, will hold its install
tion dinner May 12 at Variety Clu
rooms. R. R. Biechele, chief bark
of Tent No. 8, will act as installati
officer.

Officers are: Stanley Goldber
president; Harry Wheeler, fi
vice-president; George Friedel, se
ond vice-president; Walt Kirkha
secretary, and John Scott, treasure

Wall Street

Short Gains on Board

	Open	High	Low	Close	Net Chan
Col.	12½	12⅝	12⅜	12⅜	—
Cons.	1⅜	1⅜	1⅜	1⅜	....
E. K.	150¾	152	150¾	152	+1
E. K. pfd.	170	170	170	170	+
Loew	41¾	43	41¾	43	+
Para.	8⅛	8¼	7⅞	8¼	+
Para. 1	77	77	76½	77	+1
Para. 2	8⅞	9⅛	8⅞	9⅛	....
Pathe	5	5	5	5	+
RKO	2⅞	2⅞	2⅞	2⅞	....
20th Fox	21¾	22⅛	21⅝	22	+
W. B.	5	5⅛	4⅞	5⅛	+
W. B. pfd.	29	29	29	29	....

Curb Rises in Fractions

	Open	High	Low	Close	Net Chan
Monogram	1⅝	1⅝	1⅝	1⅝	+
Sentry	5/16	5/16	5/16	5/16	+1/
Sonotone	1⅝	1⅝	1⅝	1⅝	....
Tech.	20½	21	20⅜	21	+
Trans-Lux	2⅛	2⅛	2⅛	2⅛	....
Univ. Corp.	2⅛	2⅛	2⅛	2⅛	+

Bonds Move Lightly

	High	Low	Close	Net Chan
Loew 3½s '46	99¾	99¼	99¾	+
Para. Pict. 6s '55	89½	89½	89½	—
W. B. 6s '39	75⅛	74¾	75⅛	+

(Quotations at close of May 9)

Exchange Pact Bars Strikes Before Talks

(*Continued from page* 1)

ully perform" all the conditions conned in the agreements.

addition to the local contracts, distributors and the I.A.T.S.E. esident have signed a national conact which is virtually identical with local pacts, except that the lat- include the conciliation feature. age scales and terms negotiated last mmer are made a part of the local reements. All contracts are retrotive to Feb. 1, this year, and expire v. 30, 1939.

Union the Bargainer

It is estimated that the wage ineases and other concessions made the distributors will cost them an gregate $400,000 a year. Shippers, ster clerks, combination men, inspecs and assistants, termed "back m" workers, are covered.

The agreements recognize the union the sole bargaining agency for such ployes and provide that new emyes must join the union within 60 s. Employes in one classification y be called on to do the work of other in case of emergency, without ange in salary. Where an ad sales nager is in charge of a poster detment, it is provided that there ll be no head poster clerk, but he prevented from performing any nual labor.

While performance of the agreents by the employes is vested in the .T.S.E., the distributors retain conl of operating policies by a clause nting them the right to make rules l regulations.

Vacations Covered

Other provisions are: a 40-hour ek, which may be spread over five a half days, but no employe shall regularly required to work more n eight hours a day. Overtime rk shall be paid for at the time and half rate, except overtime necessied by vacation or sick leave, which ll be performed by the same emye or others without additional npensation. Where companies elimie vactions, employes may take m, with pay, provided no additional ense is incurred by the distribus.

Salaries in excess of the regular le shall continue during the emye's employment. Night workers ll be paid at the rate of $2 a week re than the prevailing day rate. A ht worker is an employe who starts rk after 5 P. M. for three or more s a week. Part-time workers shall paid for no less than four hours, rate to be based on the prevailing ekly wage.

n the event a distributor ceases to n or operate an exchange, the agreent shall be terminated on one ekly wage.

Clark's Condition "Good"

ohn D. Clark's condition at the untainside Hospital, Montclair, terday was reported as "good." 20th Century-Fox sales executive ently underwent an operation.

NLRB Avoids Row of Producers, Directors

(*Continued from page* 1)

the complete result of which was to cover the same ground gone over four months ago when the guild filed before the regional labor board a petition seeking an election under N.R.L.B. auspices, Darryl F. Zanuck late last night charged the guild with bad faith in conducting negotiations.

Dr. Nylander, after unofficially being informed of guild attempts to negotiate, suggested to the N.L.R.B. that a hearing on the petition be held now instead of waiting until the board has decided in the Screen Writers Guild matter, but was advised today not to enter the current case. The guild, meanwhile, has scheduled a mass meeting of directors, assistants and unit managers for Thursday night and has announced that the group will remain intact and will not negotiate separately —as the producers desire—for pacts governing conditions for each of the three classifications.

Capra Answers Zanuck

The main point in the controversy is the divorce of assistants and unit managers from directors, the producers having made an offer to talk to representatives of each group separately.

Frank Capra, chairman of the guild committee of Edward Sutherland and Gregory LaCava, in a letter to Zanuck, likewise charged the producers with bad faith in breaking off negotiations and insisting that the guild be split up.

Col. Has 9 Under Way

Hollywood, May 9.—With camera work on Frank Capra's "You Can't Take It With You" starting this week, Columbia will have nine features on its current studio roster. Those now in work in addition to the Capra picture are "Holiday," "City Shadows," "Pioneer Trail," "Orphans of the Law" and "Highway Patrol." Those completed recently are "Crime Takes a Holiday," "Law of the Plains" and "West of Cheyenne."

Painters Local Asks Scenic Artists Vote

Hollywood, May 9. — Painters Local 644, A. F. L. affiliate, today filed a petition before the Regional Labor Relations Board seeking an election to determine the collective bargaining agency for scenic artists in the studios. The painters local already holds a contract with the studios for painters and claims a majority of the scenic artists on the lots are members of their group.

Other groups claiming jurisdiction over the scenic artists are Local 37, I. A. T. S. E., Scenic Arts Association of America and United Scenic Artists.

Judell Shifts Studios

Hollywood, May 9.—In line with his expansion of the production program, Ben N. Judell, head of Progressive Pictures, has moved from the Grand National lot to larger quarters at Selznick International.

Judell has taken over the former David L. Loew Productions space as part of the new quarters.

Serial for Jackie Cooper

Hollywood, May 9.—Universal will star Jackie Cooper in a serial on Boy Scout life following completion of "That Certain Age," in which he is featured. Henry McCrae will produce. There will be 15 chapters.

Circuit Moves Office

Detroit, May 9. — The general offices of United Detroit Theatres will move about May 15 from the Madison Theatre building to the Stroh building, where the company will occupy the entire 16th and 17th floors.

May Robson Ill

Hollywood, May 9.—May Robson has been removed temporarily from the cast of Warners' "Sister Act," because of illness.

New York Preview

"The Charm of La Boheme"

(*Artcinema Corp.*)

Based on the Puccini opera, "La Boheme," and recounting the opera's story and the film's story virtually as one, this European picture, produced in Vienna by Inter-Gloria Films, offers much to those who appreciate fine music, instrumental and vocal, and excellent acting. The language is German, but there are ample subtitles to make for ready understanding of the story.

Many metropolitan audiences here will be familiar with, and attracted to the names of the two stars, Jan Kiepura, noted Polish opera singer and screen star, who has just completed a season at the Metropolitan Opera House in New York, and Marta Eggerth, Hungarian film star, who has an excellent voice and is an attractive and highly competent actress. The rest of the cast is adequate, but unimportant to the American audience.

The story aptly blends comedy and tragedy. Perhaps many in this country will be dissatisfied with the tragic end of the film but it is nonetheless in keeping with the story of the opera. Many of the outstanding arias from "La Boheme" are sung by either or both of the leading players. Actually, the tragic operatic story of Mimi, a consumptive, who sacrifices her life for the success of her lover on the opera stage, has its actual counterpart in the picture. The strongly emotional character of the story is skillfully handled, with a careful avoidance of overplaying, which might have been disastrous.

Running time, 99 minutes. "G."

Loew "Lynton" Damages Fixed At $587,604

(*Continued from page* 1)

for the appeal. O'Brien, Driscoll & Raftery, attorneys for the plaintiffs, will file their motion to have the report confirmed after 20 days. The Auchincloss report showed only a minor reduction in the amount of the Loew's liability from that set forth in the special master's preliminary report, which was issued about six weeks ago, subject to revision after briefs had been submitted on it by attorneys for both sides.

The 87-page report found that Metro-Goldwyn Pictures Corp. was liable for profit in the amount of $268,861; that Metro-Goldwyn-Mayer Distributing Corp. was liable in the amount of $68,603; Loew's, Inc., in the amount of $97,466, and Culver Export Corp. in the amount of $152,673.

Covers Only Loew Houses

The liabilities cover only distribution and film rental profits from showings of the Joan Crawford picture in Loew's theatres. A separate finding for the plaintiffs on profits from the engagement at the Capitol, here, was made some time ago. Although the Federal court has held that the plaintiffs are entitled to all of the profits from the picture, it is doubtful whether an action will be brought to obtain an accounting of the rentals and profits from theatres other than Loew's. However, no decision on this has been made yet, according to plaintiff's attorneys.

The Auchincloss report noted that in arriving at the findings of profits a liberal deduction was allowed for overhead, a deduction of 20 per cent was allowed for distribution costs and deductions were allowed for print costs and Erpi royalties. Credits were allowed where losses were sustained.

Hearings before the special master were held from Sept. 9, 1936, to March 16, 1938, and a total of 1,240 pages of testimony was taken here and in California. The infringement case itself has been in the courts for more than four years and was carried to the U. S. Supreme Court.

Form Union at Frisco

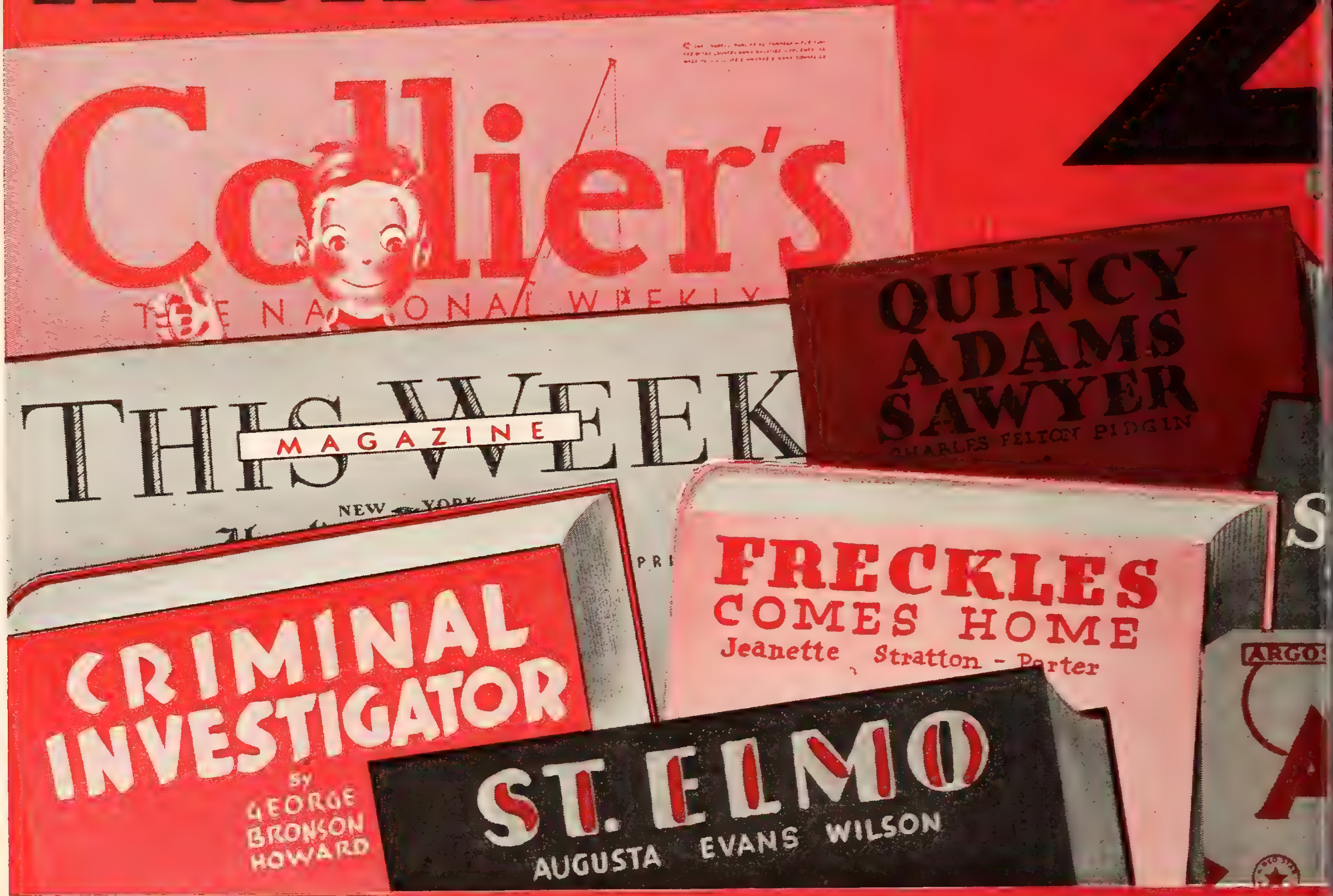
San Francisco, May 9.—A local chapter of the Theatrical Managers, Agents and Treasurers Union has been formed here by Hal Oliver and Joe Silverman, national organizers. E. O. Bondeson has been named local representative with 26 charter members. Permanent officers are to be named soon.

This is the ninth local union in the country. Another unit is to be formed in Denver, it was stated.

Shorts Winners Listed

Philadelphia, May 9.—Of 18 short subjects of the past year adjudged leaders in various classifications by a vote of exhibitors conducted by the Jay Emanuel Publications, Inc., M-G-M and Warners won five awards each. Paramount won three, RKO, two, and Republic, Educational and Universal, one each.

MONOGRAM'S



Collier's
THE NATIONAL WEEKLY
THIS WEEK
MAGAZINE
NEW YORK
QUINCY ADAMS SAWYER
CHARLES FELTON PIDGIN
FRECKLES COMES HOME
Jeanette Stratton - Porter
CRIMINAL INVESTIGATOR
By GEORGE BRONSON HOWARD
ST. ELMO
AUGUSTA EVANS WILSON
ARGOS

15 JOHNSTON ANNIVERSARY
SPECIALS

"THE CIRCUS COMES TO TOWN"
by Marion Orth and Karl Brown

"THE DOLLAR CHASERS"
by Earl Derr Biggers

"SWEETHEART of the CAMPUS"
by Leona Dalrymple

"MURDER IN THE BIG HOUSE"
by Rev. Patrick O'Neil

"CRIMINAL INVESTIGATOR"
by George Bronson Howard

"STAR REPORTER"
by Al Block

"ST. ELMO"
by Augusta Evans Wilson

"GIRL FROM RIO"
by Josephine Bancroft

"GANG BULLETS"
by Harrison Jacobs

"THE GIRL FROM NOWHERE"
by Arthur Fitz-Richard and Scott Darling

"TEMPEST AND SUNSHINE"
by Mary J. Holmes

"THE COWARD"
by Robert Lewis

"BAREFOOT BOY"

"WANTED BY THE POLICE"
by Gilbert Layre

"BOYS' REFORMATORY"
by Albert Ronson

JACKI
"THAT OL
"STREETS

BIG I
"QUINCY
by CHA
"FRECKL
by JEAN

2

MONOGRAM

FOR 1938-1939

PEST
HINE
MES
THE SATURDAY EVENING POST
OSY
WEEK
WOMAN'S HOME
Companion

OOPER
" OF MINE"
W YORK"

VELS
SAWYER"
PIDGIN
S HOME"
ON-PORTER

BORIS KARLOFF

STARRING IN **4** JAMES LEE WONGS

"MR. WONG, DETECTIVE"•"MR. WONG in CHINATOWN"
"Mr. WONG at HEADQUARTERS"•"The MYSTERY of Mr. WONG"
From COLLIER'S MAGAZINE stories by HUGH WILEY

•

3

CO-STARRING

MOVITA and JOHN CARROLL

"UNDER NORTHERN LIGHTS"
by James L. Fredericks

"LOST LEGION"
by Ruth Erwin

"ISLE OF TERROR"
By Alan Vaughan Elston

•

8 TEX RITTER WESTERNS

8 JACK RANDALL WESTERNS

MOTION PICTURE DAILY'S HANDY BOOKING CHART

[*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]

	COLUMBIA	G. B.	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
April 15	Flight Into Nowhere (G) (O) *Jack Holt* *Wells*	Sailing Along (G) (M) *Jessie Matthews* *Roland Young*		Female Fugitive (G) (D) *Venable* *Reynolds*	Her Jungle Love (G) (C) *Lamour* *Milland*	Outlaws of Sonora (O) Call of the Yukon (G) (O) *Arlen*	Joy of Living (G) (C) *Dunne* *Fairbanks, Jr.*	In Old Chicago (G) (D) *Power* *Faye*	Divorce of Lady X (A) (C) Marco Polo (A) (D)	Nurse From Brooklyn (G) (D) *Eilers* *Kelly*	Fools for Scandal (G) (C) *Lombard* *Gravet*
April 22	There's Always A Woman (A) (C) *Joan Blondell* Extortion (D)		Test Pilot (G) (D) *Clark Gable* *Myrna Loy* *Spencer Tracy*		Heart of Arizona (G) (O) *Boyd* *Natalie Moorhead*	Under Western Stars (G) (O) *Roy Rogers* *Burnette*	Go Chase Yourself (G) (C) *Ball* *Penner*	Battle of Broadway (G) (C) *McLaglen* *Hovick*		Lady in the Morgue (D) *Preston Foster* *Patricia Ellis*	Women Are Like That (G) (D) *Kay Francis* *Pat O'Brien*
April 29	Call of the Rockies (O) *Starrett*	To the Victor (G) (D) *Will Fyffe* *Loder*		Two Gun Justice (O) *McCoy*	College Swing (G) (C) *Burns & Allen* *Raye*			Four Men and A Prayer (D) *Loretta Young*	Return of Scarlet Pimpernel (G) (D) *Barnes*		Beloved Brat (G) (D) *Granville* *Dolores Costello*
May 6	The Main Event (D) *Paige* *Wells*				Doctor Rhythm (G) (C) *Crosby* *Carlisle* *Lillie*	Romance on the Run (G) (D) *Donald Woods* *Patricia Ellis*	Law of the Underworld (A) (D) *Chester Morris* *Shirley*	A Trip To Paris (G) (D) Life Begins at 40 (G) (D) *Will Rogers*			Torchy Blane in Panama (G) (D) *Paul Kelly*
May 13	Law of the Plains (O) *Starrett* *Iris Meredith*	The Show Goes On (D) *Neagle* *Carminati*	Hold That Kiss (C) *O'Keefe* *O'Sullivan* *Rooney*	Gunsmoke Trail (O) *Jack Randall*	Stolen Heaven (G) (D) *Raymond* *Bradna*	Gangs of New York (D) *Bickford* *Dvorak*	Vivacious Lady (A) (C) *Ginger Rogers* Gun Law (O) *O'Brien*	Kentucky Moonshine (G) (C) *Ritz Bros.* *Martin*		Air Devils (C) *Dick Purcell* *Beryl Wallace*	Adventures of Robin Hood (G) (D) *Flynn* *de Havilland*
May 20			Swiss Miss (G) (C) *Laurel and Hardy*	Numbered Woman (G) (D) *Sally Blane* *John Arledge*	Cocoanut Grove (M) *MacMurray* *Hilliard*		Blind Alibi (D) *Richard Dix* *Bourne*	Rascals (G) (D) *Jane Withers* *Robt. Wilcox*		Sinners in Paradise (G) (D) *Boles* *Evans*	Mystery House (D) *Purcell* *Sheridan*
May 27			Yellow Jack (D) *Montgomery* *Bruce*	Phantom Ranger (O) *McCoy*	Hunted Men (D) *Lloyd Nolan* *Carlisle*	Desert Patrol (O) *Bob Steele*		Kidnapped (D) *Warner Baxter* *Bartholomew*	The Rising Tide (D) *Madeleine Carroll* *Fonda*	The Devil's Party (D) *McLaglen* *Roberts*	Crime School (G) (D) *Gale Page* *Bogart*
June 3		3 on a Week End (D) *Margaret Lockwood* *John Lodge*	Three Comrades (D) *Robt. Taylor* *Sullavan*		You and Me (D) *Raft* *Sidney*		Saint in New York *Hayward* *Sutton*	Josette (C) *Simon* *Ameche*		Rocket Ship (D) *Crabbe* *Jean Rogers*	Little Miss Thoroughbred (G) (D) *Sheridan*
June 10	City Shadows (D) *Fellows* *Carrillo*		The Toy Wife (D) *Rainer* *Douglas*	Marines Are Here (D) *June Travis* *Gordon Oliver*		Riders of the Black Hills (O) *3 Mesquiteers*		Home Town G-Man (C) *June Lang* *Lyle Talbot*		Suspicion (D) *Warren William* *Gail Patrick*	Gold Diggers in Paris (M) *Rudy Vallee* *Rosemary Lane*
June 17	Holiday (D) *Hepburn* *Cary Grant*	Crime Over London (D) *Margot Grahame* *Paul Cavanaugh*	Lord Jeff (D) *Bartholomew* *Rooney*		Prison Farm (D) *Lloyd Nolan* *Carlisle*		Muddled Deal *Fontaine* *DeMarney*	Three Blind Mice (C) *Loretta Young* *Joel McCrea*			When Were You Born? *Anna Wong*

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Already more than 5000 theaters have installed high intensity projection. With high intensity projection in one theater out of every three, audiences are rapidly becoming aware of the difference. They are seeking out the theaters that provide better picture quality on the screen, more comfortable seeing and more pleasant general illumination. With old style low intensity projection there is seldom enough light on the screen for good, comfortable seeing even in the best seats. At the back of the house screen brightness is so much reduced that pictures are dim and unsatisfactory.

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Warners Will Announce 60 For 1938-39

(Continued from page 1)

opened the three-day convention yesterday morning with the assertion that "Warners is planning for action."

Gradwell L. Sears, general sales manager, conducted an open forum discussion and roused the delegates with the statement that "the company will not flood the market with reissues of old features." The conventioneers agreed with him unanimously.

"Warners is in a strong position to release a strong lineup during the summer months, so that we see no point in bringing back past pictures during this period," he said. "Having foreseen a production shortage, we have prepared ourselves to meet it. Our men feel that a blanket policy of reissues by all the companies may have a negative effect in that it may serve to keep the public away from theatres. The marquees will be billing all old pictures at a time when the public is shopping for a new supply of entertainment.

Will Heed Public Demand

"The only time we will reissue one of our films is when we feel there is a definitely manifested public demand for that picture."

During the morning session, Haines introduced the following speakers: Ben Kalmenson, southern and western sales manager; Robert Perkins of the legal department; Sam Schneider, home office executive; Sam E. Morris, vice-president in charge of foreign sales; Carl Leserman, assistant general sales manager; Arthur Sachson, head of the contract department; A. W. Schwalberg, supervisor of exchanges; H. M. Doherty, auditor of exchanges, as well as Sears, Moray, Einfeld and Blumenstock and Albert Warner, vice-president and treasurer.

Leserman, at the afternoon session, discussed the remaining films on the current schedule. Haines introduced the district managers in his division, including: Wolfe Cohen, Canadian district, Toronto; Bob Smeltzer, central district, Washington, and Ed Schnitzer, eastern district, New York.

Drive Winner Canadians

Haines announced Wolfe's Canadian district as winner of $12,500, first prize, in the 16-week Sears Drive which ended April 16. Leserman, as drive coordinator, presented the check to Cohen, who will divide it among the personnel at the following branches: Montreal, M. J. Isman branch manager; Winnipeg, Gordon Simmons; Toronto, H. O. Paynter; St. John, Lew McKenzie; Vancouver, Joseph Plottel.

It was announced that the drive was the most successful in the company's history, with billing and collections topping previous campaigns by 37 per cent. More than $1,000,000 was collected in the final week, Haines said, this exceeding the biggest business week during the past 10 years by 45 per cent.

Other prize winners in the drive will be announced at the southern and western convention, to be held next week in Dallas.

Prominent exhibitors and circuit buyers from the metropolitan area and Canada have been invited to attend today's sessions. Among them will be Ike Libson, Maurie White, Edward Rugoff, Harry Shiffman, Sam Rinzler, Louis Frisch, J. J. O'Connor, head of RKO theatres; Max Fellerman, Joe Eagan, Eugene Picker, Al Suchman, Dinty Moore, Harry Brandt, Charlie Moses, W. F. Marshall, Ted Schlanger, Nat Feliman, W. C. Patterson, Harry Goldberg, Joseph Bernhard, I. J. Hoffman, Don Jacocks, Moe Silver, Harry M. Kalmine, Harry Feinstein, Walter Reade, Leo Justin, Irwin Wheeler, Louis Notarious, Fred Schwartz and A. J. Kearney.

Remaining films on this season's schedule discussed by Leserman included "The Adventures of Robin Hood," "Crime School," "Little Miss Thoroughbred," "Gold Diggers in Paris," "When Were You Born," "White Banners," "Cowboy from Brooklyn," "Men Are Such Fools," "Four's a Crowd."

Sears announced that 13 featured players will be elevated to stardom during 1938-'39, as follows: Anita Louise, Priscilla and Rosemary Lane, Wayne Morris, Ann Sheridan, Claude Rains, Jane Bryan, Gloria Dickson, Bonita Granville, Dick Foran, John Litel, Gale Page and Dick Purcell. Miss Granville has not yet reached her 15th birthday.

Warners Start Convention With a Tremendous Bang

(Continued from page 1)

Song," which Warners are planning to make, and a tuneful number from "The Cowboy from Brooklyn."

Sid Rechetnik ushered us into the room and carefully to one side. We were told something about sparks and the possible danger to the most important part of our trousers if they should become ignited. We added our insurance with lightning-like rapidity, and stepped nonchalantly behind a pillar—a big one.

The men quieted down under the benign hand of Roy Haines, who was presiding, gavel in hand.

"Boys," he said, after a brief word of welcome, "you want action. You've been praying for action (with considerable emphasis on the words), and by heaven, you're going to get action."

The last word was accompanied by a sharp tap of the gavel, and that was the signal for pandemonium to break loose. A half-dozen tommy machine guns, loaded with blanks, and hidden in various parts of the big room, let go all at once, and the air was filled with sparks, the smell of powder and a plentiful supply of noise.

It all ended with a dull boom, as a curtain at one side of the room fell to reveal a 15-foot high gilt replica of an "Oscar," Academy award statuette, only this was no "ette."

The tumult and the shouting died, and Sid ushered the trade paper representatives toward the door with a kindly but definitely firm hand, while Haines started to call the roll in the background.

Sid explained, "Haines is calling the roll to check on casualties—but that's just a gag."

Rogers and Baxter

Ginger Rogers will make one for Warners this year, and so will Warner Baxter, but when that became known yesterday, Warners were not ready to release the information. It happened this way:

The reporter at the sales meeting glanced at the wall and there was a big picture of Ginger Rogers. Questioning brought out the fact that she will make one for the company next season, and the remark: "Look around, and you'll see Warner Baxter's picture up there, too."

With the Warnerites

Harry Seed, Pittsburgh branch manager, is chewing the ear off of **Joe Minsky**, Cleveland salesman, telling him about his son **Marty**, who is an ad salesman in Cleveland.

+

Johnnie Pavone of New Haven was responsible for salesman **Mike Anderson** attending the meet. It seems that **Mrs. Anderson** didn't believe that **Mike** was going away for business—until **Johnnie** convinced her it was on the up and up! Now all **Mike** has to do is bring back a picture showing him attending.

+

Bob Burns, from Cleveland, is getting calls from people who are confusing him with the "Bazooka tooter."

+

Jules Epstein, Warner contract writer, is in town and meeting the sales staff.

+

The boys planned a swell gag on **Norman H. Moray**, but the Vitaphone sales manager fooled 'em by being absent from the room when the stunt came off.

+

Bill Horne, the Rube from New Haven, took the Canadian contingent over in that Sunday evening poker session.

+

Roy Haines being congratulated on all sides on his able handling of the chair at this meet.

+

Charlie Rich still wearing his inimitable homburg. The boys don't know whether it's the same one—they all look alike.

+

John A. Schwalm, former exhibitor and now a city official of Hamilton, O., wired that he has arranged to allow Warners to put a sign on the Hamilton Court House plugging the Warner product.

Monogram to Set Goal a 7,000 Sale

(Continued from page 1)

picture and the first Karloff vehi will be delivered by Aug. 15.

Edward Golden, vice-presiden ported that 5,000 accounts had b signed by the company's sales for during the current season.

The convention will conti through Tuesday. Johnston, Gold George Weeks, Leon Fromk James A. Sisto, Sol A. Rosenbl Lou Lifton and other home office ficials will leave for New York same night.

McCarthy Joins Monogram

Cincinnati, May 9.—Jack McC thy, formerly with Paramount G. B., has joined Monogram as h of the Omaha exchange, and is h attending the company's annual sa convention. The Omaha exchange handled by Monogram Film Distri tors, Inc.

Randall Signed for Eight

Hollywood, May 9.—Jack Rand today was signed by Monogram to a series of eight musical westerns.

Henry Herbel Will Get a Warner Po

Chicago, May 9.—Henry Her who resigned recently as Univer branch manager here, will become sociated with Warners in an exe tive sales capacity in the near futu it was learned today. Herbel, w held the Universal post for more th 10 years, was president of the Fi Board of Trade here for sever terms. He will be tendered a dinr at the Congress on Friday.

Carl Leserman, assistant gene sales manager of Warners, confirm Herbel's association with the compa last night but stated that his dut have not yet been defined so that capacity with the company cannot announced yet.

Gillham Goes to Texa

Robert Gillham, director of adve tising and publicity for Paramou flew to Texas today for a swi through San Antonio, Dallas a Fort Worth. Gillham expects to wo out details of the premiere in Tex of "The Texan." Simultaneous pr mieres in three or four of the stat biggest cities will occur in July, pr ceding national release in Septembe

Freidman's Mother Die

Des Moines, May 9.—Mrs. R becca Friedman, mother of L. Friedman, manager for Natio Screen Service here, died at Io Methodist Hospital following an i ness of several weeks.

Bert Reisman Promote

Bert Reisman of the Havana RK office has been named Peru manag He succeeds William S. Farmer, r signed.

Banner LINES

NTER a defense for a lady. Several writers have declared that me. Yolanda Mero-Irion, chairwo- an and founder of the Women's ational Radio Committee, is also a id adviser for the "Rising Musical s," one of the programs of seri- music singled out for honors in at division by the committee.

Merely to say that such finger- inting is ungallant is not enough. It happens that many competent critics te "Rising Musical Stars" a sufficently good show to warrant such honor. Further, a selections com- ittee, not Mme. Mero-Irion, made e nominations. The line for making ologies forms at the right, boys.

▼

Ted Husing, it develops, is still the ng-pin network sports spieler. Ted's merous confreres all took turns at minating the winner of the Ken- cky Derby, but only Ted peered in- the correct crystal ball. He said awrin" long before the race was n.

▼

We refer that NBC page who voted r himself several hundred times llowing his appearance on the NBC Brass Button Revue" to a certain em written by Robert Burns. The Brass Button Revue" is a show put annually by NBC, the talent being stricted solely to the pages and ides in the network employ. The ize is a week's vacation with pay, e winner to be determined by the nount of audience mail received.

The program was aired Saturday, d yesterday morning a couple of ndred nicely printed cards, all vot- g for the same page, were received NBC. All were postmarked from e city. It didn't take much "master- nding" to figure out what had hap- ned, so NBC hastily had the rules vised, so that the fan mail now unts for but 25 per cent, while a ard of judges holds the balance of ting power.

▼

Jessica Dragonette's election as dio's leading feminine classical nger by the readers of *Radio uide* is really a remarkable trib- e, considering that the soprano s been absent from the air for any months.

▼

Listeners to yesterday's "Hilltop ouse" were urged to keep tuned to e program for an important contest nouncement. The show closed with- t further mention of the contest be- use someone had neglected to write tails of it into the script!

▼

For a real laugh, tune to that ooklyn station (for the life of us cannot recall its call letters) and ten to the Manischewitz matzos ogram. It's an all-Yiddish program, ve for two or three intervals when commercials are broadcast in Eng- h. The English plugs are deliv- ed by a Mr. O'Connor, who has a ogue thick enough to cut with a ife.

—JACK BANNER

Sarnoff Asks Air Policy Be Decided

WASHINGTON, May 9.—David Sarnoff, president of RCA, today told a Senate Interstate Commerce Committee that Congress should declare a national communications policy. He urged that such a policy be formulated after a careful investigation by a Congressional Committee or the Federal Communications Commission.

Sarnoff made this proposal as a result of his opposition to the Wheeler bill which would require the communications commission, as a fixed policy, to consider competition in the foreign communications field as being in the interest of the American public.

Sarnoff said that the Wheeler measure, if adopted, would place American communications agencies "at the mercy of foreigners." He asserted that the proposed legislation was inspired by the refusal of the F.C.C. to grant an application to the Mackay Co. for a radio circuit to Oslo, Norway. In previous hearings the Mackay Company charged that RCA Communications was operating a monopoly in foreign radio communications.

The RCA president told the committee that Mackay, by duplicating RCAC's circuit to Japan in 1934, brought about a decrease in revenue to American investors. To meet the Mackay terms, he testified, RCAC was forced to make a contract giving a major share of the revenue to Japan.

Set Baker Replacement

John Nesbitt's "Passing Parade," now a west coast radio feature, and last year a coast-to-coast NBC presentation on NBC for the Duart Sales Co., has been signed as the summer replacement show for Phil Baker on the Gulf Gas series. Nesbitt will take over the broadcast of July 3. The Gulf show is a Sunday CBS presentation. Young & Rubicam handles the account.

Buy Rights to Cartoon

Stuart Erwin and Una Merkel have purchased the radio rights to the King Features cartoon strip, "Blondie," by Chic Young, and are now seeking a sponsor to place it on the air. It is understood they are now engaged in trying to induce Fannie Brice to play the part of the baby.

Crosby to Gardner

Leigh Crosby, recently with the Gardner Co. agency, and for several years account executive for Blackett-Sample-Hummert in charge of the General Mills account, has joined the Gardner Advertising company as a vice-president.

To Speak to the Y. L. A.

Bob Schmid, Mutual's promotion director, will make an address at the Advertising Club this week before the Young Lithographers' Association. His subject will be "Merchandising the Radio Program."

Anderson Joins Kudner

William A. Anderson, formerly vice-president of Thornley & Jones and associate director of copy at N. W. Ayer & Son, has joined the copy staff of Arthur Kudner, Inc.

▸ *Radio Personals* ◂

DON ROSS and Jane Froman are tendering a cocktail party to the press in their penthouse home tomorrow afternoon . . . Jessica Dragonette will terminate her first concert tour on May 15, singing at the annual musicale of her alma mater, Georgian Court College, Lakewood, N. J. . . . Bess Flynn, author and actress of and in network programs, is in the hospital for a two-week rest . . . The "King's Jesters," currently at the Carleton Hotel, Washington, will come to New York to make a Decca recording, the deal set by Paul Kapp of the New York office of Consolidated . . . Martin Block, WNEW "em cee," has been made an honorary life member of Local 402, Yonkers, of the A. F. of M.

+

Hildegarde has been signed for a guest appearance on the "Hit Parade" May 28 and for a similar appearance on the George Jessel show the following day. . . . William Gordon, NBC page who appeared on the "Brass Button Revue," is being tested by Paramount.

Issue New Magazine

SAN FRANCISCO, May 9.—American Television Engineers, Inc., recently organized here, has published the first issue of a monthly magazine dealing with radio, electricity, electronics, sound motion pictures and television. Alfred W. Harris is chairman of the firm which seeks organization of associated chapters on a nationwide basis.

Seattle Union, NBC Row

SEATTLE, May 9.—The Seattle Central Labor Council has placed NBC and its local outlets, KJR and KOMO on the unfair list. The action was taken at the request of the Musicians' Union of Seattle, A. F. of L., No. 76, because these stations and the network have not signed contracts with the A. F. of M.

Plan Air Mail Tieup

PHILADELPHIA, May 9.—WCAU will set aside a complete floor for an exhibit as a tieup with National Air Mail Week. Beginning May 14, the station will have a complete exhibit in cooperation with Pan-American, TWA and Eastern Air Lines, and will air special programs dedicated to the air mail service.

Change WKRC Tag Line

CINCINNATI, May 9.—"Columbia Station for Cincinnati" now is being used as the tag for WKRC, Columbia wholly-owned station. This is the first time that reference to CBS ownership has been made on the air locally.

Renew Uncle Don Show

The Greenwich Savings Bank, sponsors of Uncle Don, has renewed its contract with WOR for another 52 weeks. The program is heard on Mondays at 6 P. M., E.D.S.T. The agency is Metropolitan Advertising Co.

FCC Ordered To Reconsider Station Plea

WASHINGTON, May 9.—Reconsideration by the Federal Communications Commission of an order denying an application of the Pottsville Co. for permission to construct a broadcasting station at Pottsville, Pa., was ordered today by the U. S. Court of Appeals.

The commission's denial was based on testimony that subscriptions for stock in the company were contingent on the approval of the Pennsylvania Securities Commission and that Charles D. Drayton, Washington lawyer, who subscribed to all but 75 of the corporation's 2,625 shares, is not a resident of Pottsville and not acquainted with the needs of that area.

In its decision, the court pointed out that the approval of the Pennsylvania commission is not necessary for issuance of the stock, since the corporation was chartered in Maryland. It was held, further, that the F.C.C. has not heretofore laid down a policy of refusing construction permits to nonresidents, and should reconsider the case, the court adding that if the commission should desire to establish such a policy and refuse to issue a permit on the ground of non-residence, it might do so.

Wide Network Will Carry Jones Speech

LITTLE ROCK, May 9.—A network of almost a score of stations has been arranged by KARK to carry the commencement address of Jesse H. Jones, chairman of the R. F. C., who will speak at John Brown University May 12 at 10:30 A.M. Governor Carl E. Bailey of Arkansas and Governor E. W. Marland of Oklahoma will also make brief addresses.

The stations which will comprise the special network are KARK, KFPW, KELD, KUOA, KGKO, KPRC, KTBS, WMC, KVOO, KWTO, KTOK, KCRC, KGFF, KBIX, KADA, KVSO and WBBZ.

Film Stars Aid Drive

CINCINNATI, May 9.—Jackie Cooper, Movita, Jack Randall, John Carroll and Tex Ritter, here for the Monogram sales convention, gave a half-hour program on an open-air stage erected on Fountain Square in the heart of the business sector Sunday noon in behalf of the local Community Chest drive. The program was broadcast by the WSAI mobile unit.

Start KRC Program

SAN FRANCISCO, May 9.—"Agricultural Daily," new half-hour five-day-a-week program dedicated to the farmers of the Pacific Coast region, will start Wednesday on KFRC with Harold Bratsberg as commentator and Chester Smith's orchestra. The program will feature farm, crop and market reports.

June Bilderback Wed

DES MOINES, May 9.—June Bilderback of the KSO-KRNT traffic department, was married to Joseph A. Jarc in Omaha on Saturday.

DAISIES WON'T TELL, but we will!

"SWISS MISS"

(just previewed) is the biggest HOWL ever delivered by

LAUREL-HARDY

HAL ROACH-M-G-M SIDE-SPLITTER!
with DELLA LIND • WALTER WOOLF KING
ERIC BLORE • Original Story by Jean Negulesco and Charles Rogers • Screen Play by James Parrott, Charles Melson and Felix Adler
Music by Phil Charig • Lyrics by Arthur Quenzer • Associate Producer S. S. Van Keuren • Directed by John G. Blystone • An M-G-M Picture

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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
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43. NO. 109 NEW YORK, WEDNESDAY, MAY 11, 1938 TEN CENTS

entals Loom As Topic for Allied Meet

nciliation Moves Also Will Be Discussed

ITTSBURGH, May 10.—Distribution cies and film rentals as affected theatre conditions will be discussed exhibitors from various sections at rum at the national Allied conven- to be held here next Tuesday, dnesday and Thursday.

n addition to William F. Rodgers, G-M general sales manager, who is eduled to speak on conciliation, lliam Sussman, 20th Century-Fox tern division manager, and George Weeks, are slated as speakers.

he "behind the scenes" of Allied's slative campaign and "recent utnces" by distribution executives arding conciliation will also be dissed. Allied takes credit for bring-

(Continued on page 3)

EC Asks Federal Company Licenses

VASHINGTON, May 10.—Enactment a legislative program including leral licensing of corporations ened in interstate commerce was recnended to Congress today by the urities and Exchange Commission the seventh of a series of reports ed on studies of corporate reorganions and protective committees, and uding many studies of film comies. The investigation was begun October, 1934.

oday's report was based on an intigation of investment trusts and estment companies under the Public

(Continued on page 3)

ıdell to Produce As an Individual

n a declaration of personal indedence in which he repudiated the n "independent producer" Ben N. lell announced on arrival in New rk that he has formed a closed poration for making pictures as "individual producer."

udell, a veteran of more than 30 rs in the picture business, with a ng of exchanges in the midwest,

(Continued on page 8)

Radio News—P. 8

"U" Will Have 40 Features; 24 Are Named

Production Policy Will Be "Flexible"

Universal will release 40 features, four serials, 12 westerns, 81 short subjects and 104 issues of the newsreel for the 1938-'39 season, the company stated yesterday.

Four regional sales meetings will be held, the first of which will convene in San Francisco on Friday and continue for three days. It will be followed by a Chicago meeting, May 19, 20 and 21; a New Orleans meeting, May 23 and 24, and a final meeting in Washington, D. C., May 26, 27 and 28.

The company stated that as a result of the recent product conferences participated in by Nate J. Blumberg, president; Charles R. Rogers, production head, and William A. Scully, general sales manager, a "flexible" production policy will be maintained

(Continued on page 8)

Columbia Regional Will Start Friday

Columbia's first regional sales meeting will be held at the Hotel Warwick, from Friday through Sunday, with sales representatives from 10 eastern branches and Canada attending. Abe Montague, general sales manager, said yesterday. The meeting will be followed by regionals at Chicago, Dallas and San Francisco.

Home office officials who will attend the sessions here include Jack Cohn, Rube Jackter, Abe Schneider, Nate

(Continued on page 3)

Six from Plays

Six of the announced Warner films will be based on plays which, according to Broadway report, were financed to some extent by the company in their stage production. The sextet includes "Boy Meets Girl," "Brother Rat" and "Yes, My Darling Daughter," all successful comedies, as well as "The Amazing Dr. Clitterhouse," brought over from London to Broadway; "Blondie White," another English import, and "Chalked Out" by Warden Lewis E. Lawes of Sing Sing.

RKO Selling "Snow" Away From Saenger

RKO will sell "Snow White and the Seven Dwarfs" away from the Saenger circuit in New Orleans and other situations in the Louisiana-Mississippi area as a result of the circuit's inability to agree with the distributor on playing terms, it was learned yesterday.

The Walt Disney picture will open this week in three independent neighborhood first runs in New Orleans, the Laurel, Fifth Avenue and Peacock, and will play other neighborhood and suburban independent houses subsequently. The picture had its New Orleans first run at the Orpheum, an RKO house operated by Mort Singer. Statewide deals outside of New Orleans are also being set by RKO on the same basis. The deals are among a very few to be made on an outstanding picture outside the Saenger circuit in that territory.

Olympe Bradna and Mother Visit Uncle Fred at Circus

By J. M. JERAULD

Olympe Bradna and her mother went over to Brooklyn yesterday to call on Olympe's uncle who is equestrian master of the Ringling Brothers-Barnum & Bailey Circus, it was an incognito, informal trip.

Olympe hadn't seen Uncle Fred and Aunt Ella in years and years and she confided to Tom Waller of the Paramount publicity department that she was lonesome. So Tom arranged it.

In three limousines filled with photographers, some assorted trade and daily press writers and Olympe's mother and her secretary the party slipped away from the Warwick about 12:30 and landed at the circus grounds about the time the matinee audience was filing in. Without attracting attention they slipped in the main entrance and down the left side of the tent in front

(Continued on page 3)

Titles of 47 Disclosed at Warner Meet

List Three Minus Names; 10 Are Indefinite

A total of 47 titles of the 60 features scheduled by Warners for release during 1938-'39 was announced at the company's eastern and southern convention at the Roosevelt yesterday. Three others were listed without titles as two Miriam Hopkins starring vehicles and one to star Jean Arthur. No information was given on the remaining 10 on the program, these being indefinite as yet.

Three musicals, scheduled on a big scale; four pictures of prison life, biographical and historical material, stories of "racket busting," the underprivileged and other themes of big city life, as well as detective stories and a number of comedies are planned.

The musicals include "Sally" and "The Desert Song," both previously made by Warners, and "Garden of the Moon." "The Desert Song" will be in Technicolor, as will "Valley of the Giants," from Peter B. Kyne's novel.

James Cagney's return to the Warner fold will result in three films for the new season, in which he will

(Continued on page 6)

Ascap Will Appeal Washington Ruling

Ascap will appeal to the U. S. Supreme Court from the Federal statutory court's decision handed down in Tacoma on Monday denying the society's petition for an injunction to restrain Washington officials from enforcing the state's anti-Ascap law, Louis D. Frohlich of Schwartz & Frohlich, Ascap counsel, said yesterday

The court dismissed the petition for lack of jurisdiction, contending that it had not been shown that the required

(Continued on page 7)

Lachmann Quits 'U'; Joseph Takes Over

HOLLYWOOD, May 10.—Marc Lachmann, publicity director at the Universal studios since December, 1936, resigned today, effective immediately. John Joseph, publicity and advertising director, will take over the studio duties in line with the general con-

(Continued on page 2)

Purely Personal

JULES LEVY, general sales manager for RKO, and WALTER BRANSON, captain of the company's Ned E. Depinet Drive, are expected back today from a tour of the American and Canadian branches.

•

JOSEPH FINLEY, Paramount attorney at Minneapolis, is in New York for conferences with the company's New York attorneys on the North Dakota affiliated theatre divorce case which is scheduled for hearing June 1 at Fargo.

•

MICHAEL BARTLETT has been cast for the role of Nanki-Poo in the screen version of Gilbert and Sullivan's "The Mikado," which will be produced in England during the late summer by GOEFFREY TOYE.

•

WALTER I. BROWN, western division manager of Ross Federal Service, will leave today for Chicago following several weeks of conferences at the home office.

•

ED FINNEY, Monogram producer, flew in from the convention in Cincinnati for one day to see his mother here, then flew back again.

•

L. W. CONROW, president of Altec, has left for conferences in Chicago and Kansas City and to inspect Altec facilities on the west coast.

•

TOMMY BUPP, 10-year-old veteran of many films, will sail for Europe today on the *Queen Mary*. He is cast in G.B.'s "Chicago Ben."

•

GEORGE J. SCHAEFER and JAMES MULVEY may get away tonight for product conferences at the United Artists studio.

•

RUSSELL HOLMAN will arrive in New York tomorrow from product conferences at the Paramount studio.

•

JOSEPH M. SCHENCK is due Friday morning from the south. The date of his sailing for Europe is indefinite.

•

JOHN NOLAN has recovered from several weeks of illness and is back at his office.

AMERICAN FLAGSHIPS
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AIRLINES INC.

Metro Launches Radio Show To Boost Its Short Product

M-G-M last night inaugurated over WHN what is intended to be a series of Tuesday night half-hour programs devoted to dramatizations of its short product.

The program, which started at 9:30 o'clock, dramatized "The Man in the Barn," one of the "Historical Mysteries" which on the screen are narrated by Carey Wilson. A cast of 42 took part. Frank Nugent, *Times* film critic, urged more attention to shorts by the exhibitor and the public.

The program was conceived and arranged by Herb Morgan, short subjects publicity director. Morgan said that at the start films that will average a year in age will be dramatized, the chief purpose being to promote the cause of shorts generally. Listeners were told that if they enjoyed the air program, and would like to see other shorts of the same type, they should contact the local theatre manager.

The M-G-M shorts department is making a strong effort to boost its product. Six months ago it launched its *Shortstory* magazine, a monthly, which now goes to list of 15,000, including the company's shorts accounts, newspaper editors, women's club members and others.

Condor Holders Sue B. E. Buchman & Co.

LOS ANGELES, May 10.—Thirty-seven stockholders of Condor Pictures, Inc., now undergoing Federal bankruptcy act reorganization, today filed Federal Court suit against B. E. Buchman & Co., Wisconsin brokerage firm, its officers and Condor executives seeking return of $20,000 investments and $10,000 exemplary damages. Charging that the Buchman firm was an unauthorized underwriter of the Condor stock and that misrepresentations made in the S.E.C. registration caused that Government body to cancel the stock selling permit, the plaintiffs said they bought 5,780 shares of common stock upon illegal statements made by brokerage concern.

Named in the suit were the Buchman firm, B. E. Buchman, president of the brokerage company; George Hirliman, H. J. Van Beuren, Michael Hoffman, Frank M. Snell, Albert Lieberman, Max Forest, David Brown, Harry J. Rothman, Glenn Stephens, William Siegel, Thomas Hutton and Louis George.

Condor was not named as the business is tied up in Los Angeles Federal court in its reorganization proceedings which come up again this month.

Sues RKO on Plot Idea

LOS ANGELES, May 10.—Benee C. Russell, New York playwright, today sought $2,000,000 damages from RKO Pictures, Inc., RKO Studios, Inc., RKO Theatres, Inc., RKO Distributing Corp. and Jesse Lasky charging piracy of his story, "Dream Me a Song," in "Radio City Revels." Russell stated he worked on the story at the studio on speculation and suggested certain changes in the script of the film. He left the studio and then submitted to it "Dream Me a Song," which was rejected.

Lachmann Quits 'U'; Joseph Takes Over

(*Continued from page 1*)

centration of the advertising, publicity and exploitation departments on the coast. Dave Lipton, Harry Ormiston and Al Hirsch of the New York office will augment the local forces.

Lachmann said he would take a vacation for several weeks before announcing a new position.

Film, Labor Groups Named by N.Y. Allied

Max A. Cohen, president of the newly formed Allied Theatre Owners of New York, yesterday announced the personnel of film and labor committees that will function in the metropolitan area and a statewide committee to arrange for the unit's convention in September.

The film committee consists of Irving Gerber, Irving Landau and A. Levy; labor, Max A. Cohen; convention, Landau, Louis Goidel, Joseph Rosenzweig, Irving Wormser, A. Stone, John Gardner, William Smalley, Mitchell Conery and Gerber.

Constitutional Meet Discusses Lotteries

ALBANY, May 10.—The Constitutional Convention held its first public forum this afternoon as the Bill of Rights Committee listened to discussions for and against a half dozen resolutions proposing state-operated lotteries. Additionally, Delegate Henry Herschberg's suggestion that the existing anti-gambling prohibition be stricken from the constitution, was under consideration.

The hearing, which lasted nearly five hours, was mainly devoted to condemnation of the lottery program.

Brandt Reelection By ITOA Due Today

Harry Brandt is scheduled for reelection as president of the I.T.O.A. for a sixth term at a meeting at the Hotel Astor this afternoon.

All other officers are slated for reelection, with the exception of Bernard Barr, who will be succeeded by Dave Weinstock as first vice-president, and George Rudnick, who will be replaced as second vice-president by Stanley Lawton.

The I.T.O.A. attack on Hollywood stars which created a furore last week is scheduled to come up for discussion.

Ginsberg Coming East

HOLLYWOOD, May 10.—Henry Ginsberg, vice-president and general manager of Selznick International, will leave for New York by train on Friday for conferences with John Hay Whitney.

Decision Reserved In Bank Night Sui

DOVER, Del., May 10.—Judges W
W. Harrington and C. S. Richards re
served decision today in Superic
Court here after hearing argument i
the action brought by Affiliated Ente
prises, Inc., against Roland H. Walle
manager of the New Waller at Laure
involving Bank Night. The plainti
charges breach of contract and
suing for $5,000.

Waller is alleged to have agreed t
use Bank Night, and to have signed
contract, but later he is said to hav
abandoned the plan when a questio
of the game's legality was raise
Attorney General Percy W. Gree
informed the municipal authorities
Wilmington and Middletown recentl
that in his opinion Bank Night
illegal in Delaware.

U. A., Buckley File Denials

United Artists Corp., through Har
D. Buckley, vice-president, filed ye
terday in the U. S. District Cou
answers to an interrogatory in the i
fringement suit of Film Sonores Tob
Societe Anonyme against Charl
Chaplin, Charles Chaplin Film Cor
and United Artists for alleged plagia
ism of "A Nous La Liberte" i
"Modern Times."

Buckley, in his answers, denied th
United Artists furnished or advance
to Charles Chaplin Film Corp. a
financial support during the produ
tion of "Modern Times." He furth
denied that U. A. had any advan
knowledge of the alleged similarity t
"A Nous La Liberte."

Grainger East Shortly

HOLLYWOOD, May 10.—J. R. Grai
ger will leave next week for Ne
York, where on May 23 he will a
sume the presidency of Republic.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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gatan 36; Ragnar Allberg, representative. TOKY
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naga, representative. VIENNA: Neustiftgass
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Newsreel Parade

Movietone News
Vol. 20, No. 69
h Century-Fox)

The Kentucky Derby has the lead osition in this issue. The filming horoughly covers the race, the crowd nd contains candid glimpses of peronalities. Foreign affairs, always a ood filler in a dull session, accounts or other interesting screen news. But here isn't any Lew Lehr.

Hitler is seen leaving Berlin, ariving in Rome to be greeted by the ing of Italy, Mussolini and Count iano and then in the welcome proession. The King and Queen of ngland open the Glasgow Fair. A 6-year-old high school boy explains is artificial radium discovery. King og of Albania and his bride are seen their civil wedding ceremony. Helen Vills Moody arrives in England. The resident of Ireland, Douglas Hyde, oses for his camera portrait. Woolen ashions in dresses and bathing suits re presented in the Vyvyan Donner nanner and the reel closes with shots f a Batavia, N. Y., youth who asends in a balloon, does a few acroatic maneuvers aloft and comes down o earth in a parachute. It is different nd amusing. Running time, 10 mins. P.

News of the Day
Vol. 9, No. 267
M-G-M)

The balance of interesting home afairs, sport, foreign events and other lm news is nicely maintained.

The marriage of King Zog of Alania to the Countess Geraldine Aponyi in a civil ceremony opens the eel. It is followed by a glimpse of Douglas Hyde, the new president of reland. The "Snapshots" division ffers scenes of the banding of wild eese to study their migration; two ongressmen who depart for Jersey ity with dramatic speeches and then ail to show up; the activity in Journal Square in Jersey City. In another ivision Adolf Hitler is seen arriving n Rome and the King and Queen of ngland open a fair in Glasgow. The Sporting Page" offers good coverage f the Kentucky Derby and the Engish soccer classic, the cup final, at Vembley. Running time, 9 mins. P.

Paramount News
ssue No. 80
Paramount)

This issue covers a lot of territory. t opens with a tremendous crowd at soccer game in England. The crowd nd the game are both impressive.

In the "Names and Events in Europe" department the highlight is Hiter's visit to Mussolini. The Italians ut on quite a show, with some of the hotography done at night. The lightng effects are striking. Other Euroean subjects of lesser interest are the edding of King Zog and Countess pponyi, a speech by King George of ngland at the opening of the British mpire Exhibition, and Princess Juana sitting in a window with her aby while subjects place flowers on he grounds outside.

After showing shots of Jersey City rowds parading in protest against the invasion of two Congressmen, the reel shows Representative O'Connell of Montana saying he will speak there yet in spite of Mayor Hague.

The closing number is the Kentucky Derby—a subject of interest to the losers as well as the winners. Running time, 9 mins. J.

RKO Pathe News
Vol. 9, No. 84
(RKO)

The accent is on sports in this issue, with three of eight subjects devoted to some phase of it, thus imparting a good portion of action to the reel. The important soccer finals in England, attended by the King and Queen, the Kent School crew preparing for international competition ahead, and the running of the Kentucky Derby, which always is good for a fast clip are the sports subjects.

The rest of the reel shows President Roosevelt returning from his vacation cruise, the crowds in Journal Square, Jersey City, waiting for the excitement of a defiance of Mayor Hague which never quite happened, Thomas Mann explaining that he intends to make the United States his home, Administrator Harry Hopkins insisting over the air that every WPA worker is entitled to vote as he desires, despite reports to the contrary, and a Fascist parade in London which broke up in a riot, and which is an excellent bit of camera reporting. Running time, 8 mins. A.

Universal Newsreel
Vol. 10, No. 665
(Universal)

The 64th running of the Kentucky Derby, treated lightlv for a few laughs, stands out as the most interesting event offered in this issue. The balance of the material is run-of-the-mill stuff picturing personalities, a publicity stunt, a factory fire and political problems.

A G. A. R. parade in Santa Monica opens the reel. Thirty-nine veterans of the Civil War are seen. Three are able to walk. The others ride. Edouard Daladier, Premier of France, is shown boarding an airplane for London. May Day is celebrated in Prague. A factory burns in Kensington, Conn., with toppling walls and all the necessary coverage. Jersey City and Washington supply pro and con in the Hague affair. Two women die when a seaplane cracks up at Seattle and there is a beauty contest featuring cows at Sabetha, Kan.—Running time, 9 mins. P.

Olympe Bradna and Mother Visit Uncle Fred at Circus

(*Continued from page 1*)

of the grandstand seats while the band played, and then out through the big entrance, where the parade lines up, into what?—a sea of mud.

Uncle Fred was glad to see her. He sloshed across the goo onto a pathway made of hay. The hay covers the mud so the pedestrians don't know what they're walking in, except that it's soft—a psychological effect. Uncle Fred led the party to wagon No. 59 and Aunt Ella came out dressed in fluffy white. She rides a white horse in the circus.

Clowns, Chinese acrobats, Hindus, Moros, dwarfs and others gathered around—some with autograph books. Some of the cameramen stood in wheelbarrows marked ELEP: Things went along swimmingly. It wasn't raining very hard. And then the Bengal Lancers answered a bugle call with some high class splashing. A uniformed attendant standing beside Herb Berg shouted: "Look out!" Herb glanced behind him and leaped away from the horn of a yak, bouncing as he did so into a trained goose in the arms of a clown. The goose aimed his bill at Herb's left ear and missed.

By that time the camels were coming out. They may be ships of the desert, but they don't like mud. One of them bucked and kicked like a broncho. In the meantime the women performers who weren't working continued to do their washing and hung their clothes on the line. Olympe took it very calmly until her secretary came running out of a white tent and shouted: "It's colossal!"

Even the photographers had to have a look. Inside was a glass cage with its own air conditioning system and a big black gorilla with a spare truck tire for a teething ring. It's a young gorilla, they say.

Frank Buck went by on an elephant and waved to the photographers, but they had no telescopic lenses with them. Lunch was served in a tent standing up. Jack Harrower, who was dieting, had two pieces of apple pie followed by a pork chop. A couple of zebras tried to horn in despite the big spread of hay. It developed later that their keeper wanted an autograph and couldn't leave the zebras wandering around.

Uncle Fred went into the big tent and did his act and came back.

The exit was made unostentatiously. Olympe and the photographers walked half the length of the tent again with the band playing soft music and eight riflemen following Gargantua and his white cage.

On the way back across the Williamsburg Bridge Waller confided to the trade press that "Stolen Heaven," in which Miss Bradna and Gene Raymond are starred, opens this week at the Paramount. Gene missed something.

G. N. British Plans Are Discussed Here

Ben Henry, general manager of Associated British Film Distributors, which distribute G. N. product in Great Britain, said yesterday that his company's future relations with G. N. have not been definitely determined and that he plans to return here in six months for further conferences.

Henry recently met Edward Alperson, G. N. president, in Chicago for a discussion of mutual relations considering G. N.'s 77B status. He said that while current problems have been ironed out, nothing has as yet been determined for next season.

A.B.F.D. plans to make from six to eight features at its studio. Some of these may be designated as G. N. quota films, he said. With Mrs. Henry, he will sail on the *Queen Mary* today.

Rentals Loom As Topic for Allied Meet

(*Continued from page 1*)

ing about a revival of the conciliation idea as a result of the pressure exerted by its legislative campaign. Delegates will also discuss whether to press for theatre "divorcement" legislation in their states, as well as the possibility of a Department of Justice investigation of the industry under President Roosevelt's recent recommendation on strengthening the anti-trust laws.

The convention will be made the occasion for a tribute to Fred Herrington, secretary of the M. P. T. O. of Western Pennsylvania, who has been identified with the organization since its foundation 26 years ago. The local organization is the convention host.

SEC Asks Federal Company Licenses

(*Continued from page 1*)

Utility Holding Company Act, but no suggestion was made that the legislation be confined to such concerns.

Because of the failure of corporate managements in the past to make full and informative disclosure of the scope and operation of proposed voluntary plans and their effect upon both investors and management, the S.E.C. recommended legislation requiring full disclosure in the case of substantially all plans of reorganization or readjustment effected without resort to judicial proceedings.

The commission suggested the use of the Federal taxing power in a manner to render more difficult and less attractive the migration of corporations to states whose corporation statutes are noteworthy for their liberality to corporate organizers and their disregard for the interests of security holders.

Columbia Regional Will Start Friday

(*Continued from page 1*)

Spingold, Louis J. Barbano, Joseph McConville, Lou Weinberg, Lou Astor, M. Weisfeldt, H. C. Kaufman, G. Josephs, M. Bergman, F. McGrann, Al Sherman, M. Grad, A. Seligman, B. E. Zeeman, V. Borrelli, W. Brennan, S. Liggett, M. Hancock, L. Jaffe, Charles Schwartz, Louis Picker, I. Moross, M. Wormser and C. W. Sharpe.

Louis Rosenfelt and Dave Coplan will represent the Canadian branches.

McKay Rites Tomorrow

Plainfield, N. J., May 10.—Funeral services for Neil McKay, 70, father of Willard McKay, will be held here Thursday from Grace Church. He died at Vero Beach, Fla., on Monday.

J. L. McIntosh Killed

James L. McIntosh, vice-president of the Dictaphone Corp., was killed yesterday by a fall from a window of his seventh story office in the Graybar Building.

Clark **GABLE** ★ Myrna **LOY** ★ Spence **TRA**

The grandest cast since "Grand Hotel" brings you the greatest thrills since "Hell Divers." Hold tight...here they come ...in Metro-Goldwyn-Mayer's heart-stopping love story...

VICTOR FLEMING'S

TEST PILOT

WITH **LIONEL BARRYMORE**

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[illegible] by FRANK WEAD

A Metro-Goldwyn-Mayer Picture · Directed [illegible] ING · Produced by LOUIS D. LIGHTON

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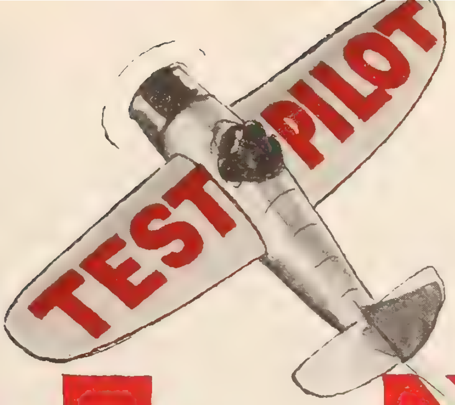


HELD OVER

New York, N. Y.	*Capitol*	4 weeks
New Haven, Conn.	*Poli to College*	2 weeks
Milwaukee, Wisc.	*Wisconsin*	2 weeks
Philadelphia, Pa.	*Stanley*	2 weeks
Portland, Oregon	*United Artists*	3 weeks
San Francisco, Calif.	*Warfield*	2 weeks
Detroit, Mich.	*U. A. to Madison*	3 weeks
Cincinnati, Ohio	*Albee to Capitol*	3 weeks
Buffalo, N.Y.	*Great Lakes*	2 weeks
Worcester, Mass.	*Poli to Elm St.*	2 weeks
Dallas, Texas	*Palace to Tower*	2 weeks
Hartford, Conn.	*Poli to Palace*	3 weeks
Galveston, Texas	*Martini*	Extended
Miami Beach, Fla.	*Sheridan*	Extended
Indianapolis, Ind.	*Palace*	2 weeks
Kansas City, Mo.	*Midland*	2 weeks
Louisville, Ky.	*Loew's*	2 weeks
St. Louis, Mo.	*Loew's*	2 weeks
Atlanta, Ga.	*Grand*	2 weeks
Houston, Texas	*State*	2 weeks
Nashville, Tenn.	*Vendome*	2 weeks
New Orleans, La.	*State*	2 weeks
Columbus, Ohio	*Ohio*	2 weeks
Syracuse, N. Y.	*State*	2 weeks
Oklahoma City	*Criterion to Tower*	2 weeks

Providence, R. I.	*Loew's*	2 weeks
Richmond, Va.	*Loew's*	2 weeks
Boston, Mass.	*State & Orpheum*	2 weeks

(Day and Date, virtually 4 weeks!)

Wilmington, Del.	*Loew's*	2 weeks
Reading, Pa.	*Colonial*	2 weeks
Baltimore, Md.	*Century*	2 weeks
Harrisburg, Pa.	*Regent*	2 weeks
Rochester, N. Y.	*Loew's*	2 weeks
Dayton, Ohio	*Loew's*	2 weeks
Omaha, Nebraska	*Omaha*	2 weeks
Spokane, Wash.	*State*	2 weeks
Washington, D. C.	*Palace*	2 weeks
Chicago, Ill.	*United Artists*	2 weeks
St. Paul, Minn.	*Paramount*	11 days
Minneapolis, Minn.	*State*	2 weeks
Cleveland, Ohio	*State to Stillman*	2 weeks
Salt Lake City, Utah	*Paramount*	2 weeks
Los Angeles, California	*State & Chinese to U. A. & Wilshire*	3 weeks

(Day and Date, virtually 6 weeks!)

Seattle, Wash.	*Paramount to Blue Mouse*	3 weeks
Toledo, Ohio	*Valentine*	2 weeks

The Greatest Extended Run Clean-up of Years!

Warners' Executives In Convention Moods

Varying convention moods of Warner executives caught at the eastern sales meeting at the Hotel Roosevelt. At right is a serious moment, with Grad Sears, general sales manager, holding forth to (l. to r.) Major Albert Warner, vice-president and treasurer; Roy Haines, eastern and Canadian sales head, and Carl Leserman, Sears' assistant. The executives on the dais below are enjoying a joke. From the left, they are: Wolfe Cohen, Canadian district head; Ed Schnitzer, eastern district; S. Charles Einfeld, advertising and publicity director; Sears, Haines, Leserman, Ben Kalmenson, southern and western sales head; Mort Blumenstock, advertising and publicity (east); Bob Smeltzer, central district; Arthur Sachson, contract department.

Titles of 47 Disclosed at Warner Meet

(*Continued from page* 1)

be co-starred with Pat O'Brien. Edward G. Robinson will have two starring vehicles, including "The Amazing Dr. Clitterhouse."

Four stars will appear in Warner films on loan from other studios, Miriam Hopkins and Ginger Rogers from RKO, Warner Baxter from 20th Century-Fox and Jean Arthur from Columbia.

Four for Miss Davis

Bette Davis, one of Warners' top money-making stars, will appear in four films. Paul Muni will be starred in "Juarez," historical picture planned on a grand scale, and "The Sea Wolf." Scheduled as one of the season's big pictures is "The Life of Haym Salomon," with Claude Rains in the title role.

The comedy division will be highlighted by stage plays, including "Boy Meets Girl," "Brother Rat" and "Yes, My Darling Daughter."

Series films will be increased in the new year. The "Torchy Blanes" will be continued with three pictures, and there will be two new series, including four "Secret Service Mysteries" and four "Nancy Drew" detective girl stories, featuring 14-year-old Bonita Granville.

The program as announced follows:

Four Bette Davis films: "The Sisters," based on Myron Brinig's novel; "Memphis Belle," by Mark Hellinger; "The Lady with Red Hair," based on the life story of an American actress: "We Are Not Alone," from the best seller by James Hilton.

"Juarez," starring Paul Muni in the title part; biography of the Mexican Indian patriot.

Cagney-O'Brien for Three

Three James Cagney-Pat O'Brien films: "Boy Meets Girl,' from the play by Sam and Bella Spewack; "Angels with Dirty Faces," by Rowland Brown, author of "Doorway to Hell"; "Oklahoma Kid," story of the frontier days.

"Wings of the Navy," naval aviation drama produced with cooperation of the Navy Department; all-star cast; director, Lloyd Bacon.

"The Desert Song," musical in Technicolor with all-star cast; director, Michael Curtiz.

"Sally," musical with Dick Powell and Priscilla Lane.

"Garden of the Moon," musical based on *Saturday Evening Post* serial by H. Bedford-Jones and Barton Browne; with Pat O'Brien, John Payne, Margaret Lindsay; director, Busby Berkeley.

"Brother Rat," from stage success by John Monks, Jr., and Fred F. Finklehoffe, with Wayne Morris and Priscilla Lane; director, William Keighley.

"Sister Act," from Fanny Hurst story, with Priscilla, Rosemary and Lola Lane playing sisters.

"Dodge City," story of two-gun heroes of old west; all-star csat.

Two Edward G. Robinson starring vehicles: "The Amazing Dr. Clitterhouse," from the stage hit by Barre Lyndon; "The $1,000 Widow," race track original by Mark Hellinger.

"The Sea Wolf," adaptation of the Jack London novel, with Muni tentatively cast as Wolf Larsen.

"You Can't Escape Forever," from the *Cosmopolitan Magazine* comedy romance by Thelma Strabel; with Errol Flynn and Ginger Rogers.

"The Life of Haym Salomon," with Claude Rains; story of the Jewish patriot of the American Revolution.

"Valley of the Giants," from Peter B. Kyne's novel, in Technicolor, with Wayne Morris, Claire Trevor, Humphrey Bogart; screen version, Seton I. Miller; director, William Keighley.

Three Kay Francis starring vehicles: "Lady Doctor"; "In Every Woman's Life," with Anita Louise, John Litel, Bonita Granville; "Curtain Call," from novel by Faith Baldwin.

"Baby Doctor," starring Warner Baxter, from story by Charles Bonner.

"Blackwell's Island," based on actual adventures of prison life; prepared in collaboration with David Marcus, New York Deputy Commissioner of Correction.

"The Return of Dr. X," with Boris Karloff, announced as a sequel to "a screen thriller."

"Girls on Probation," with Gloria Dickson; story of struggles of delinquent girls.

Mountie Story Set

"Heart of the North," with George Brent; romance of Northwest Mounted Police.

"Blondie White," with Joan Blondell; adapted from London stage hit by Ladislaus Fedor, Jeffrey Dell and Bernard Berivalo.

"Each Dawn I Die," prison story by Jerome Odlum.

"Hell's Kitchen," story of "tough" New York district, with Humphrey Bogart, Gail Page and "Dead End" and "Crime School" youngsters.

Two Miriam Hopkins starring vehicles, as yet unselected.

One Jean Arthur film.

Three "Torchy Blane" pictures, with Glenda Farrell, creator of the girl reporter

(*Continued on page* 7)

Among the Warnerites

A. W. SCHWALBERG, supervisor o exchanges, had quite a time durin his address to the delegates, what wit his speech being interrupted by violent sneezes. SCHWALBERG's hay feve seemed to be in good shape!

+

The boys are waiting to hear ALBERT HOWSON's famous limerick which he promised to recite for then while "quaffing the ale" at Toot Shor's Tavern tonight.

+

LUIS ZINGONE, famous exposer o card sharps, intrigued the delegate with his adroit exhibition of tric poker hands. Straight flushes an four aces came out of nowhere.

+

JAMES CAGNEY told the delegate and exhibitors how glad he was t be back with Warners, and describe his forthcoming three pictures for th company.

+

FLOYD GIBBONS was met by MARVI BOOKER of Daytona Beach, Florida who hitch-hiked all the way to presen to FLOYD his "true life adventure, hoping it will be brought to the scree by GIBBONS and SAM SAX.

+

CLAYTON BOND, Warner film buyer has decided to accompany the boy to the Dallas convention.

Titles of 47 Disclosed at Warner Meet

(Continued from page 6)

character, Barton MacLane and Edgar Kennedy.

Four "Secret Service Mysteries," featuring Ronald Reagan as Operative 62.

Four "Nancy Drew" pictures, from series of books by Carolyn Keene; featuring Bonita Granville as a girl detective.

"Unfit to Print," newspaper drama, with Humphrey Bogart and the "Crime School" kids.

"The Good Die Poor," story of life in a large city; with featured players as in "Unfit to Print."

"Racket Busters," story of a New York special prosecutor's battle with the underworld; with Humphrey Bogart, George Brent, Gloria Dickson, Allen Jenkins.

"Yes, My Darling Daughter," from Mark Reed's Broadway play; co-starring Olivia de Havilland and Wayne Morris.

"Chalked Out," from stage play by Warden Lewis E. Lawes of Sing Sing, author of "20,000 Years in Sing Sing."

Ascap Will Appeal Washington Ruling

(Continued from page 1)

pecuniary interest of $3,000 was involved. The case was argued 14 months ago and the court had it under consideration since. Two other Federal statutory courts in similar cases involving Nebraska and Florida anti-Ascap laws granted injunctions to the society, although Florida officials will appeal the decision in their case to the U. S. Supreme Court. A similar action is still pending in Montana where hearings were held more than a year ago without a decision as yet having been handed down by the Federal statutory court.

Frohlich said he expected the Washington appeal would be filed about mid-June and would be heard by the Supreme Court next fall.

Acquires "Marriage"

Jack Stats has acquired from Phil Goldstone the New York territorial rights to "Marriage Forbidden," which was released last year by Grand National as "Damaged Goods."

Wall Street

Warner Up 3 on Board

	Open	High	Low	Close	Net Change
Col.	12⅛	12¾	12⅛	12⅝	+ ¼
Col. pfd....	33½	33½	33½	33½	— ½
E. K.	152½	153	152½	153	+1
G. T. E.....	12	12	12	12	+ ½
Loew	43¾	43¾	43½	43½	— ½
Para.	8⅜	8½	8¼	8¼	.....
Para. 2.....	9½	9½	9½	9½	+ ⅜
Pathe	5⅛	5½	5⅛	5⅜	+ ⅜
RKO	2⅞	2⅞	2¾	2¾	— ⅛
20th Fox ..	22	22⅛	21⅝	22	.....
W. B.	5⅛	5⅜	5⅛	5⅛	.....
W. B. pfd	32	32	32	32	+3

Curb Off Generally

	Open	High	Low	Close	Net Change
G. N.	7/16	½	7/16	7/16	—1/16
Tech.	22⅞	23¼	22	22	— ¾
Trans-Lux	2⅛	2⅛	2⅛	2⅛	.....

Bonds Fluctuate Fractionally

	High	Low	Close	Net Change
Loew 3½s '46....	99¾	99¾	99¾	+ ¼
Para. Pict. 6s '55	89¾	89¾	89¾	+ ¼
W. B. 6s '39	76	76	76	+ ⅞

(Quotations at close of May 10)

Warner Convention Will End Tonight

Warners' eastern and Canadian convention will wind up tonight after a third day of sessions at the Roosevelt. This morning there will be a resume of the previous two days' discussions and in the afternoon there will be district managers' meetings in which branch heads will participate.

The convention will close with an informal dinner at the Tavern. Some of the delegates will leave tonight, the majority departing tomorrow.

Yesterday morning's session was featured by an outline of the short product by Norman H. Moray, Vitaphone sales manager. Moray introduced the following speakers, all concerned with the company's shorts production: Sam Sax, head of the Vitiphone studios; Commander Gatti, who is planning another expedition to Africa; Ralph Day, managing editor, Fawcett Publications; E. M. Newman, who produces travel films; Clem McCarthy, sports commentator; Louis Zingone and Floyd Gibbons.

Other speakers at the morning session, introduced by Roy Haines, eastern and Canadian sales manager, who is presiding, were H. M. Doherty, auditor of exchanges, and A. W. Schwalberg, exchange supervisor.

Sears in Chair

The afternoon session was opened by Gradwell L. Sears, general sales manager, who introduced S. Charles Einfeld, advertising and publicity director, who analyzed the 1938-'39 program. He was followed by Mort Blumenstock, eastern advertising and publicity head, who outlined campaigns for the new season.

Joseph Bernhard, general manager of Warner theatres, gave his views on the new product and introduced five zone managers: Ted Schlanger, Philadelphia; I. J. Hoffman, New England; Moe Silver, Albany; Harry Kalmine, Pittsburgh, and Don Jacocks, New Jersey. Also introduced were Harry Goldberg, advertising head for Warner theatres, and Leon Schlesinger and Willard Patterson, Bernhard's assistants. Jimmy Cagney was an afternoon speaker. He told the delegates about the three forthcoming releases in which he will be starred, and said that one, "The Oklahoma Kid," may be in color.

"Cristo" Gross at Rivoli Is $16,000

"The Count of Monte Cristo" grossed $16,000 at the Rivoli and is being held three extra days, to be followed on Saturday by a Columbia revival, "It Happened One Night." Originally released four years ago, "Monte Cristo" is U. A.'s first reissue.

"College Swing," with Kay Kyser and his band on the stage, did $25,000 in a second week at the Paramount, compared with $35,000 in the first.

The Capitol will wind up its four-week run of "Test Pilot" tonight, opening tomorrow with "The First 100 Years." "Invisible Enemy" did $7,800 at the Criterion. "The Fight for Peace," a documentary film, will open at the Criterion on Friday.

"Beloved Brat" did $4,000 in its final three days at the Strand.

Monogram's 3-Day Meeting Concludes

Cincinnati May 10.—Monogram's three-day national sales convention ended here today. The sixth annual meeting, which was held at the Netherland Plaza, was attended by Jackie Cooper, Tex Ritter, Jack Randall, Movita and John Carroll. All will appear in Monogram product for 1938-'39. Cooper headed for the coast and production on "Streets of New York," immediately after the convention.

Movita and Carroll will leave here tomorrow on a personal appearance tour of New England in connection with their starring film, "Rose of the Rio Grande," a Monogram release.

Following the sessions here today a group of home office executives headed for New York. They included: W. Ray Johnston, president; Edward A. Golden, vice-president; George Weeks, general sales manager; Leon Fromkess, treasurer; James A. Sisto, Sol A. Rosenblatt and Lou Lifton.

Goldwyn Buys "Exiles"

Hollywood, May 10.—Samuel Goldwyn has purchased for early production, "The Exiles," a story of dictatorships and their effects by Vera Caspary and George Sklar. Jascha Heifetz, violinist, will have a dramatic role in the production.

Takes French Picture

Pax Films, distributors of "Mayerling," has acquired American distribution rights to "Mail of Lyon," French film produced by Albert N. Chaperau. The picture will have English titles.

Official in Dallas On Interstate Case

Dallas, May 10.—Assistant Attorney General B. W. Henderson arrived today from Washington to participate in the hearing Wednesday before Federal Judge W. H. Atwell to determine conclusions at law in the Interstate Circuit case which was sent back from the U. S. Supreme Court for that purpose. George S. Wright, local attorney, will represent the circuit and distributor defendants at the hearing.

After Judge Atwell has completed the findings of fact as directed by the high court, a new decree will be entered in the case and the circuits and distributors will bring a new appeal to the U. S. Supreme Court which will be heard next fall.

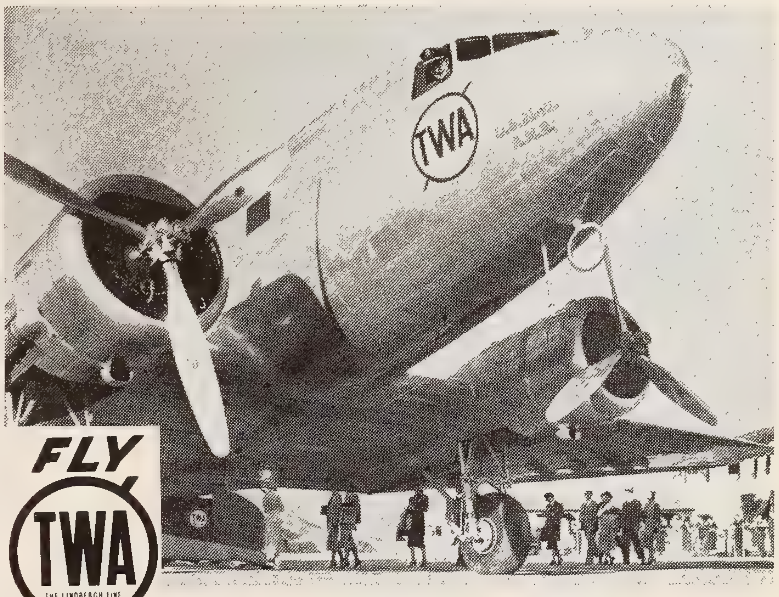
The Supreme Court returned the case to Judge Atwell three weeks ago with the statement that it could not review his decision holding that the distributors and circuits conspired together in making contracts regulating subsequent run admissions without the lower court stating its findings and conclusions of law in accordance with accepted practice.

Al Fields Sues Warners

Albert H. Wolffield, known as Al Fields, orchestra leader, filed a bill of particulars in his suit for an injunction and accounting of profits on several Warner shorts. The bill of particulars alleges that the plaintiff was the originator of the type of music known as "tic toc music" and that Ted King, orchestra leader, plagiarized this style of music and termed it his own in shorts which he made for Warners.

The suit is also against Stanley-Mark-Strand Corp., owner of the Brooklyn Strand.

Where to . . . . ? ?
LOS ANGELES—SAN FRANCISCO



Free Meals Served Aloft
Delicious complimentary meals are served aloft by charming hostesses. You pay "nothing extra" for TWA's Traditional luxury. Fly TWA your next trip to Calif.

When you travel to California FLY . . . and FLY TWA—the Lindbergh route . . . shortest, fastest, coast-to-coast. New and faster schedules are now in effect. Fly the TWA Sky Chief to Los Angeles! Leave New York this afternoon at 5:30; arrive Los Angeles 7:56 tomorrow morning. Overnight Skysleeper luxury, or if you prefer a daylight scenic trip, leave New York at 7:30 tomorrow morning on the Sun Racer which arrives in Los Angeles at 11:43 tomorrow night.

CALL TWA, MUrray Hill 6-1640 or PEnnsylvania 6-6000 for reservations.

SHORTEST... FASTEST... COAST TO COAST

MOTION PICTURE
DAILY

Wednesday, May 11, 19

▸ Radio Personals ◂

PHIL LORD is in Surrey, Me., to open his estate for the summer . . . Ken Sisson is back in New York negotiating for an NBC series . . . Jimmy Dorsey's band will close its current engagement in New York on Monday to go on the road for an extended tour of theatres and colleges . . . Phil Cohan, CBS producer of the Paul Whiteman program is on the road ahead of the Whiteman troupe to audition college students for appearances on the Whiteman programs . . . Harold Stretch, formerly WHN salesman, is now in charge of the local Atlas Radio Corp. office.

✚

Harry Von Zell will leave for a four-week vacation following tonight's Fred Allen show. There is talk that Harry may "em cee" the summer replacement for the Allen series. . . . Mary Pickford will be interviewed by Radie Harris on Mutual tomorrow night.

P & G Schedule on CBS to Be Revised

Procter & Gamble shows on CBS will be revised, effective May 30. The changes in schedule follow:

"The Goldbergs," now heard from 12:15 to 12:30 P.M., will change to 1 to 1:15 P.M., Monday through Friday; "The Gospel Singer," currently on NBC, will be heard on CBS Monday through Friday from 1:45 to 2 P.M.; "Road of Life," now 9:30 to 9:45 A.M. will change to 1:30 to 1:45 P.M.; and "Vic & Sade," now on NBC, will be presented on CBS from 1:15 to 1:30 P.M., Monday through Friday.

Seek Station in Alaska

Washington, May 10.—Issuance of a construction permit for a new station at Fairbanks, Alaska, to operate on 610 kilocycles with 1,000 watts power, has been asked of the Federal Communications Commission by the Midnight Sun Broadcasting Co.

Also filed with the commission was a petition by KLS, Oakland, Cal., for increase of power from 250 to 500 watts.

Dave Rubinoff Improves

Battle Creek, Mich., May 10.—Dave Rubinoff, orchestra leader and radio star, who underwent an emergency appendicitis operation in Battle Creek Sanitarium, is much improved and will be able to leave here in about three weeks, according to the attending physician.

Close Deal Over WHN

American Beverage Co. has entered into a 13-week contract with WHN for Dr. Brown's Cel-Ray, starting May 17. The programs will be 15-minute transcriptions called "Robinson Crusoe, Jr.," heard three times weekly. Humbert & Jones is the agency.

End Series for Summer

The "Dick Tracy" script for Quaker Oats Co. will fade from the air following the June 3 broadcast, to return in the fall. It is an NBC-Red program.

McNinch Foresees U. S. Broadcasts To Latin America

Washington, May 10.—Possibilities of Government broadcasting were envisioned today by Chairman Frank R. McNinch of the Federal Communications Commission as a means of combating German-Italian propaganda in Latin America.

McNinch announced that a report of the counteracting of propaganda in South America would be submitted to the White House this week, but that it would make no direct recommendations, leaving to President Roosevelt the decision as to whether steps should be taken to inaugurate an American propaganda service and, if so, whether it should be conducted through private or Government-owned stations.

NBC Will Begin New Sustaining Program

An elaborate new sustaining presentation, with an audience participation angle to it, will begin over the NBC-Blue next Tuesday. It will be titled "Information, Please."

Listeners and the studio audience will be asked to present questions to a jury of celebrities in various fields. Prizes of $2 will be offered for queries, with an additional $5 prize if the jury is unable to give the answer to a question. Franklin P. Adams, "F.P.A." to newspaper readers, will be a permanent member of the jury. Clifford Fadiman, book review editor of the *New Yorker*, will be the "em cee."

The presentation time will be 9 to 9:30 P.M.

Confer on Airing Games

Des Moines, May 10.—Fifteen advertiser, agency and station representatives met here to discuss major league baseball broadcasts fed by KRNT to a four-station hookup. Representatives from General Mills, Knox Reeves, the Katz agency, WMT, KMA, WNAX, KFAB and KRNT attended the meeting.

Bill Ross to Wed Dancer

Portland, Ore., May 10. — Bill Ross of KGW and KEX, of the *Oregonian*, who conducts the "Everybody Sing" program over KEX Sunday nights, will marry Dorothy Biles Portland dancer, in July.

Allied, MPTO Hold Joint Conn. Meeting

New Haven, May 10.—The largest exhibitor meeting ever held in this territory took place here last night, with most of the theatres in the area represented in a joint Allied-M.P.T.O. meeting. A committee was appointed to work for a reduction of electric light and power rates for theatres. The committee includes: Jack Fishman, Harry Shaw, Maurice Shulman, Irving Jacocks, C. P. O'Toole, Edward Levy and Joseph Reed.

No definite action was taken by the meeting on giveaways. It was decided that the series of joint meetings of Allied and the M.P.T.O. will continue with a session on May 24.

"U" Will Have 40 Features; 24 Are Named

(*Continued from page 1*)

in order to permit the acquisition of stories and personalities which will meet reigning public tastes. However, 24 picture titles are on the schedule already and reissues of four leading Universal pictures are included.

The schedule lists the following productions:

Three starring Deanna Durbin, one a sequel to "Three Smart Girls," a second as yet untitled picture, and "First Love."

Danielle Darrieux in two, as yet untitled. One will be produced by B. G. DeSylva.

Irene Dunne in one, as yet untitled.

Margaret Sullavan in "Service de Luxe."

Bergen, McCarthy Set

Edgar Bergen and "Charlie McCarthy" in one, as yet untitled.

Two Joe Pasternak productions, the first, "Youth Takes a Flight," with Andrea Leeds, Joel McCrea and Helen Parrish in the leading roles, with Archie Mayo directing. The second is titled "Trocadero."

Four other "specials" listed are: "The Last Frontier," an outdoor drama; "Big Town Czar," by Ed Sullivan; "The Sun Never Sets," a story of the English diplomatic service in the Far East, and "The Road to Reno," to be produced by Edmund Grainger and directed by Sylvan Simon, starring Hope Hampton, Randolph Scott and Mischa Auer.

A "marquee" group of 16, titled "Transatlantic Flight," "Under Western Skies," "Submarine Pirate," "The Black Fleet," "S.O.S.," "Flying Cadets," "Modern Monte Cristo," "Fighting the Underworld," "Graft," "Big House for Ladies," "New Orleans," "Lady Raffles," "Adam's Evening" and two as yet untitled productions from Ken Goldsmith.

Two sets of "series" pictures will include four "Crime Club mysteries and four college life stories to be produced by George Bilson.

Four reissues will include "All Quiet on the Western Front," "Frankenstein," "Lady Tubbs" and "Love Before Breakfast."

Plan Four Serials

Four serials will be presented by Henry MacRae and Barney Sarecky, three of which will be Johnny Mack Brown in "Flaming Frontiers"; Larry Crabbe in "Red Barry" and Jackie Cooper in a Boy Scout adventures serial.

The 12 westerns will include six starring Bob Baker and six others to be designated later.

Henry Koster's new season productions have not been assigned yet, but he will be in charge of several, as will De Sylva, in addition to one Darrieux picture mentioned earlier. John M. Stahl will produce one picture next season which has not been assigned yet, the company's announcement states.

On the short subject list are 13 two-reel musical Mentones, 13 one-reel "Stranger Than Fiction," 13 one-reel "Going Places," 16 one-reel "Vagabond Cameraman," in color, and cartoons.

Scully will preside over the fo regional sales meetings, which w be for district and branch manage only. At the San Francisco meeti will be representatives from Los A geles, Denver, Portland, Salt La City, Seattle and San Francisco. the second meeting, in addition to t Chicago men, will be representativ from Detroit, Des Moines, India apolis, Kansas City, Milwauk Minneapolis, Omaha and St. Lou At the New Orleans meeting, addition to the local men, w be others from Atlanta, Charlot Dallas, Memphis and Oklahoma Ci At the final meeting will be represe tatives from Washington, Albar Boston, Buffalo, Cincinnati, Clevelar New Haven, New York, Philad phia and Pittsburgh.

Judell to Produce As an Individua

(*Continued from page 1*)

is here for three weeks to make di tribution deals for his Progressi Pictures Corp. He has three featur ready for July release, "Delinque Parents," "Rebellious Daughters" a "Slander House," and three more production for August showing.

"I decided I'd go into the produc business myself when I found th exhibitors were earning little enou from their contracts which were pric and based on incomes from precedi good years," he said.

"I pay as I go. I have no choice Judell laughed. "But it's lucky f me I've got the dough to do it. I want something I buy it and pa cash. I'm carrying nothing on t cuff."

Judell is breaking a lot of Holl wood precedents. In addition to h "pay and shoot" policy, he has turn thumbs down on Hollywood preview "The best they could say of my pi tures is that they're good 'indie' pr ductions," he said. "I don't have go out of my way to get a reacti like that."

Judell plans to make inexpensi pictures with selling titles and bo office values. He would not reve what his picture budgets are, sayi merely that they were low. "No u telling how much a picture costs; i how entertaining it is, how it sells," said.

Eventually, Judell plans his ov exchanges in various key cities. Pr gressive is definitely set to open New York exchange during Judel stay here, and will supply midwe exhibitors with their pictures throu the Judell-operated exchanges in Ch cago, St. Louis, Milwaukee, India apolis, Detroit and Kansas City

Buster Crabbe, J. Farrell Ma Donald and El Brendel are und three-year contracts to Progressive.

United Dividends Set

Semi-annual dividends of 30 cen each on the Class A and B stoc have been declared by United Amus ment Corp., Ltd. They are payab May 31 to holders of record May 1

Retitle "Rising Tide"

Hollywood, May 10.—Walter Wa ger's film, "Rising Tide," has been r titled. It is now "Blockade."

Alert.
ntelligent
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ndispensable
o the Motion
icture
ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 110 NEW YORK, THURSDAY, MAY 12, 1938 TEN CENTS

howmanship Need Grows, Says Zanuck

tresses Point in Talk On Quigley Awards

Hollywood, May 11.—The industry lay is called upon to exercise showship to a degree that was not convable several years ago, Darryl F. nuck declared yesterday in his caity as toastmaster at the luncheon ich marked the presentation of the 7 Quigley Grand Awards to Ted rkmeyer of the Rio, Helena, Mont., his exploitation of "A Star Is rn," and Jules Seltzer of the Boyd, iladelphia, for "The Life of Emile la."

The two came to Hollywood via ited Airlines for a week's visit as guests of Quigley Publications. proximately 75 producers, execues and stars attended the award

(Continued on page 2)

tlas to Present Revised Plan on RKO Next Monday

Atlas Corp. will submit a revised n of reorganization for RKO to the deral court on Monday in which lier proposals for raising new cash the reorganized company have en abandoned because of prevailing ditions in the financial market, it s stated officially yesterday.

Assuming that court hearings on revisions in the plan make normal ogress, the reorganization of the

(Continued on page 7)

.A. to Release 2 Monthly—Schaefer

United Artists expects to release o pictures a month starting next ptember, George J. Schaefer, viceesident and general manager of tribution, said yesterday in adnce of his departure for the coast train. He was accompanied by mes Mulvey, vice-president of Sam Goldwyn, Inc.

Noting that Samuel Goldwin, Alex-

(Continued on page 7)

Radio News—P. 8

K.R.S. Suspends Plan on Grading

By AUBREY FLANAGAN

London, May 11.—The vigorous fight of the Cinematograph Exhibitors' Association against the grading plan of the Kinematograph Renters' Society (distributors) came to a dramatic end today when the distributors offered to suspend the grading policy. Exhibitors had insisted the scheme was designed solely to increase rentals, an assertion which was denied vigorously by the K.R.S.

Pending arbitration of the problem, it was agreed by both sides that no films will be classed as "A" or "B." Following the K.R.S. offer on Monday to submit the matter to impartial arbitrators as a proof of their innocence of any reason for the plan other than to eliminate excessively long theatre programs, it was decided at a joint meeting to suspend the plan pending a decision.

'AD' FILMS BARRED IN WARNER HOUSES

Theatres Not the Place for Advertising, Joseph Bernhard Tells Sales Force At Convention Session Here

Commercially sponsored films will find no place on the screens of Warner theatres, Joseph Bernhard, head of the Warner circuit, told the company's eastern and Canadian sales convention at the Roosevelt yesterday.

"In our judgment the film theatre is not the place for advertising," he said. "It is unfair to draw the public into a place of amusement and then confront them with the surprising fact that they have paid at the box-office to be subjected to advertising matter on the screen."

Bernhard said that the Warner company considers daily newspapers "primarily the proper place for paid advertising." There are other appropriate media, also, "but the motion picture theatre emphatically is not one of them," he declared.

In this connection, Bernhard praised newspapers for their value as an advertising medium.

Gradwell L. Sears, general sales manager, told the delegates that the company now has its largest talent roster under contract, including 20 stars, 50 featured players, nine players who will appear in special pictures, 14 directors, eight dialogue writers, 43 writers, six song writers and eight associate producers.

The convention wound up last night with a beefsteak dinner at the Tavern. Today branch managers will meet

(Continued on page 7)

Scully to Preside at "U" San Francisco Convention

Los Angeles, May 11.—William A. Scully, Universal general sales manager, left here for San Francisco today where he will open a three-day regional sales meeting for the company's Pacific Coast and far western exchange managers at the St. Francis Hotel on Friday. Scully was accompanied to San Francisco by representatives from the company's Los Angeles branch.

Attending the meeting, in addition to the San Francisco and Los Angeles representatives, will be managers from the Portland, Denver, Salt Lake City and Seattle branch offices.

Assisting Scully in conducting the four scheduled regional meetings is F. J. A. McCarthy, assistant general sales manager. The two will acquaint the western sales forces with Universal sales policies for the new season and will detail the 40 features, four serials, 12 westerns and 81 short subjects which were announced yesterday for new season release. The San Francisco meeting will be followed by a Chicago meeting, May 19, 20 and 21; a New Orleans meeting, May 23 and 24 and a final meeting to be held in Washington, D. C., May 26, 27 and 28.

"The regional meetings," Scully said, "were decided on because we believe the sales problems and plans for each section of the country can be easily and informally discussed with the men in their individual territories."

W. A. Scully

F. J. McCarthy

Conciliation Moves Hinge On Neely Bill

Washington, May 11.—Senator Neely and Majority Floor Leader Barkley fell out over the former's efforts to secure consideration of the block booking bill today, following disposition of the merchant marine legislation.

Rising to his feet, Neely found himself sidetracked when Senator Truman (Dem.) of Missouri was recognized in favor of a bill he wants considered. Later Barkley asked that Truman's bill be set aside, and Neely protested.

After a brief interchange, Neely withdrew his objection, but announced he would seek tomorrow to have everything else laid aside in favor of the film bill. Barkley replied that he would insist upon the regular procedure.

The distributors' course on conciliation of trade disputes hinges on passage of the Neely anti-block booking bill. Should the measure pass, the companies will abandon present efforts to gain industry acceptance of conciliation boards, but if it goes by the board at this session, a move will be put under way to set up the contemplated procedure along lines previously suggested.

That is the major distributors' pres-

(Continued on page 7)

Purely Personal

JACK MEREDITH, formerly with Paramount, and more recently with Saenger Theatres, arrived in New York yesterday as advance man for a 14-car train which the State of Louisiana will send through 15 states, beginning June 6, as "Ambassador of Good Will," to create interest in Louisiana industry and its merchants.

•

W. Ray Johnston, Monogram president, is heading the home office delegation in its return tonight from the Cincinnati convention. Final sessions of officers and franchise holders yesterday concluded the affair.

•

Jules Levy, Cresson Smith and Walter Branson will arrive in New York tonight following a final Ned E. Depinet sales drive meeting for the Charlotte and Atlanta branches in the latter city, Tuesday.

•

Clyde Wilson Reid, distributor in Australia and New Zealand for Alexander Film Co., has arrived here from England. After local conferences he will return to his headquarters via the west coast.

•

G. L. Carrington, vice-president of Altec Service Corp., and F. C. Gilbert, chief engineer, are in Boston surveying plant facilities. Carrington later will go to Buffalo and will return here Monday.

•

Mead Walworth, managing director of Western Electric Co. (New Zealand) Ltd., is en route to San Francisco from where on May 24 he will sail for New Zealand.

•

W. S. Tower, Jr., general manager of Western Electric Co., Inc., of Cuba, on Saturday will leave Miami for a tour of the offices in the Caribbean territory.

•

Bill Saal, Grover Schaefer, Ralph Poucher, Al Adams and Sam Hacker are due today from the Republic convention on the coast.

•

Claudette Colbert and Dr. Joel Pressman, her husband, sailed from France on the *Normandie* yesterday and are due here Monday.

•

Al Sindlinger, director of advertising and publicity for March of Time, is in the hospital for a checkup.

•

Sophie Tucker will arrive in town tomorrow. She has been booked into Ben Marden's Riviera for four weeks.

•

Jack Glenn, director of the March of Time, has returned from a two-week business trip to Washington.

•

Lester Thompson, director of the Advertising Advisory Council, is to be married late this month.

•

Gilbert Josephson, operator of the World, is recovering from a spinal operation.

•

Dave Bader, London agent, expects to remain in Hollywood another month or so.

•

Mary Pickford plans to leave for the coast at the end of the week.

Showmanship Need Grows Greater, Asserts Zanuck

(*Continued from page* 1)

luncheon at the Victor Hugo Restaurant.

Zanuck said, "In our business, where nothing can be successful without showmanship, it is fitting that we of Hollywood should honor these two theatre managers who have distinguished themselves by their showmanship ability. I think all of us owe a vote of thanks to Martin Quigley for originating this annual honor.

"We all recognize now that a picture is not actually completed until it has played every account throughout the world. Many a picture has been harmed, and many a picture has been aided and helped by the personal touch of a theatre manager."

Both Films Unusual

Zanuck pointed to the significance of the fact that the two pictures with which the winners won the awards were "off the beaten path," and stressed the necessity of the showman exercising as much cleverness, in many cases, as the Hollywood producers themselves.

"Probably less applause falls to the theatre manager than to any other individual in our industry. He should get a lot of applause. All you have to do is to examine the records of various types of houses to find that there is a very great deal to the job of properly putting over a picture in the theatre," Zanuck said.

Kirkmeyer Talks Briefly

Kirkmeyer, in responding, said, "Every exhibitor and manager in the industry owes it to himself and his profession to come to Hollywood and see the wheels go round. It is easy to take too much for granted from a distance. Only through first hand observation of the efforts made by producers and their staffs to weave showmanship into the fabric of their product can the practical showman come to realize fully his responsibility for getting the utmost box-office return from its exhibition."

Paul Muni, star of "Zola," who presented the Bronze Plaque to Seltzer, said, "It seems to me a very healthy thing that an award of this kind is being given. We in Hollywood are accustomed to awards for producers, actors, directors and all sorts of other things, but an award of this kind is as much deserving as any of the others, perhaps more so."

A-Mike Vogel, chairman of the Managers' Round Table of *Motion Picture Herald,* and acting host to the winners, defined the function of the Quigley Awards to rousing applause from the luncheon guests.

Feted at Studio

The party was entertained by executives of 20th Century-Fox at that studio today. They will inspect the Warner plant tomorrow and are to be the guests of M-G-M on Friday. Selznick is preparing a surprise evening entertainment for the weekend and a complete round of the studios with nocturnal sidetrips to Hollywood spots of interest is on the agenda.

The award winners received a congratulatory wire from Cecil B. DeMille, who was unable to be present.

Called upon for bows were Jesse Lasky, Sol Wurtzel, Hal Roach, Ben Kahane, Pete Smith, William Dieterle, William Goetz, Mervyn LeRoy, Milton Bren, J. R. McDonough, William Perlberg, Harold Lloyd, Marjorie Weaver, Milton Berle, Jean Hersholt, Jane Withers, William Pine, William Thomas.

Guest List Impressive

Among those present, in addition to those named, were: Arthur Eddy, Al Vaughn, Frank Seltzer, Walter Seltzer, Walter Greene, Edward T. Lowe, Nate Dyches, Frank Whitbeck, Pat Casey, Al Cohn, Victor Gates, Bob Taplinger, Jock Lawrence, Fred Beetson, J. LeRoy Johnston, Eugene Zukor, Howard Strickling, Gabe Yorke, Joe Reddy, Lew Maren, Don MacElwaine, Gregory Dickson, Perry Lieber, Tom Pettey, Jack Mulcahey, Frank Perrett, Linc Quarberg, Paul Snell, Howard Benedict, Neville Reay, Marc Lachmann, John Joseph, Jaime Salvador, Eddie Le Baron, Walter Compton, J. M. Willen, Norman Rivkin, Sid Fine, Hugh Quigley, Milton Grossman, Boone Mancall, Mildred Early, Gus McCarthy, Vance King.

"Pilot" Four-Week Gross Is $171,0

"Test Pilot" grossed $171,000
ing its four-week run at the Cap
giving the theatre its best busines
about a year and a half. Consecu
weekly grosses were: $63,000, $50,
$35,000, $23,000.

"Joy of Living" grossed $68,00
the Music Hall. Revised figures
"The Count of Monte Cristo" at
Rivoli give the film an antic
10-day take of $14,000.

G. B.'s "To the Victor" is hol
over for a fifth week at the Co
nental.

Depinet Drive End Ne

Tomorrow night will see the c
of the Ned E. Depinet Drive, v
billings and sales about 40 per
higher than for any similar campa
in the history of the company, it
stated yesterday by the home of

For the cumulative period of
weeks, 19 of the 38 exchanges in
United States and Canada have
ceeded their quotas. Vancou
under W. S. Jones, is the leader
is followed by C. Boasberg's Buf
exchange.

Smith in New Studio J

Hollywood, May 11.—Lou Sm
formerly with the Paramount p
licity department in the east,
more recently production assistant
Frank Lloyd at the studio, has b
promoted to the post of associate p
ducer on "If I Were King."

Schwarzwald Finishes

Milton Schwarzwald, producer
Nu-Atlas musicals, has completed
but three of his 13 scheduled o
reelers for the current release p
gram of RKO.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Hitting Radio City Today!

The Adventures of

ROBIN HOOD

In Technicolor

THE ADVENTURES OF
ROBIN HOOD
with
ERROL FLYNN
LIVIA De HAVILLAND • BASIL
RATHBONE • CLAUDE RAINS
PATRIC KNOWLES • EUGENE PALLETTE
ALAN HALE • MELVILLE COOPER
IAN HUNTER • UNA O'CONNOR
irected by MICHAEL CURTIZ & WM. KEIGHLEY
Original Screen Play by Norman Reilly Raine and
Seton I. Miller • Based Upon Ancient Robin Hood
Legends • Music by Erich Wolfgang Korngold
A First National Picture

(As 'Crime School' smacks in full-week gross in 2 terrific days at Strand!..Thank WARNERS!)

ITOA Sounds Call To Fight on Duals

The I.T.O.A. at a meeting yesterday afternoon at the Astor instructed the board of directors to wage a "militant fight" for the elimination of double features, but decided that it is up to the large circuits to make the first move.

This followed a discussion of the effects of the organization's attack on "the waning power of Hollywood stars" published last week.

With Harry Brandt, president, in the chair, discussion brought out the members' view that duals are "at the root of the evil" of asserted industry conditions. It was also said that if exhibitors could get sufficient quality product for single bills, they would put showmanship into their operations and this would result in the elimination of giveaways.

It was reported at the meeting that a committee headed by David Weinstock had negotiated a light and power reduction for exhibitors in Queens.

The regular nominees for officers, headed by Brandt, were elected for the coming year.

More Film Salaries Reported by S. E. C.

WASHINGTON, May 11.—The Securities and Exchange Commission today made public additional salaries for 1937 of officers and directors of several film companies.

W. Ray Johnston, president and director of Monogram Pictures, last year received compensation of $24,153.88, while Tom Keene, actor, received $15,000, and Scott R. Dunlap, vice-president, received $14,666.66, it was disclosed today in the annual report filed by the company with the commission.

Largest holders of Monogram securities were Pathe International Corp., with 18.49 per cent of the common; Johnston with 17.21 per cent of the common and J. A. Sisto & Co. with 17.2 per cent of the common.

The Keith-Albee-Orpheum Corp. statement showed highest salaries paid to Leo Spitz, chairman of the board, $35,000; Nate Blumberg, who is now president of Universal, $35,000, and $25,140 to Malcolm Kingsberg, director and financial consultant.

Principal stock holders were the Chemical Bank and Trust Co., as trustee, with 33.71 per cent of the preferred and 99.85 per cent of the common, and M. J. Meehan & Co., with 45.09 per cent of the preferred.

Many from Here to Attend Allied Meet

The New York and New Jersey units of Allied will be well represented at the national Allied convention in Pittsburgh next Tuesday, Wednesday and Thursday.

One group will leave by train Monday night and another is arranging for a special car, to leave at 12:40 o'clock Tuesday morning.

Others, including Sidney Samuelson, member of the national executive committee, will drive to Pittsburgh, leaving over the weekend. Dave Palfreyman, of the Hays office, plans to attend as an observer.

McCarey Says His Success Comes from Making Shorts

By IRENE KUHN

RKO Director Leo McCarey owes his success to shorts.

He thinks apprentice directors should cut their picture teeth learning to tell camera stories in 18 minutes. He credits his short subjects training for the pace and movement of his own picture story-telling. Timing made "The Awful Truth" one of the season's best pictures and was largely responsible for McCarey's just-blotted signature acceptance of a two-year producing-directing contract with RKO, he says.

Under this contract he will produce four pictures and direct two. He has the final say on writers. He's heartily in favor of the idea because he sees better entertainment value emerging for less cost.

"Sometimes a studio loses a great deal of money by working a long time on a story before it calls in the director. Frequently, when the director comes in, he doesn't like the story setup at all, and it all has to be done over."

A two-man script job, he believes, makes for unity of thought which produces fluidity of story continuity instead of a compromise when mass production of ideas in story conference is stitched into a patchwork of shooting script.

McCarey, 20 years in pictures, is a young-looking 40. Picture-making may have given him headaches, but as yet he has escaped grey hairs. An easy conversationalist, a man who thinks before he utters, he ranged the gamut of topics of current interest to picture men. He trod eggs diplomatically ("I'm a producer now, I have to be careful") in commenting on the recent "box-office poison" blast of the I. T. O. A.

"They're slightly in error," he said of the exhibitors. "Stars often work in bad vehicles and get lost or forgotten through no fault of their own. Marie Dressler didn't work for 10 years and then was rediscovered and secured lasting stardom."

McCarey feels the screen can make pictures of social significance with entertainment value as well. He admitted he tried consciously to give "Make Way for Tomorrow" social significance. He deprecated the danger of blanketing the screen with propaganda by pointing out that, in his opinion, there has always been propaganda on the screen. "The Big Parade," for instance, glorified war. And there's been propaganda for the army and the navy in feature pictures, too.

He'd like to see more originals written directly for the screen and is considering two for his first assignment. He prefers the short story, filled in with natural, inevitable incident to the top-heavy plot novel or play.

Color, as yet, is slightly disillusioning, he thinks, and he believes the public is more interested in good stories, well told by the camera, than in new, technical advances.

He will leave for the coast Wednesday by train so that he may have three days for reading picture material.

Columbia Staff Due Tonight for Meeting

The vanguard of Columbia's eastern sales forces will arrive in New York tonight for the company's regional sales meeting opening at the Warwick tomorrow and continuing through Sunday.

Branch managers and salesmen from the Albany, New Haven, Philadelphia and Washington exchanges will be among those to arrive tonight. Delegations from Boston, Buffalo, Pittsburgh, Cleveland, Cincinnati and Canada exchanges will arrive early tomorrow, completing the representation of about 80 who will attend the meeting from the east and the home office. The session here will be followed by meetings in Chicago, Dallas and San Francisco, at all of which A. Montague, general sales manager, will preside.

20th-Fox to Start British Meet Today

LONDON, May 11.—The British convention of 20th Century-Fox will get under way here tomorrow for three days, coincidentally with the official opening of the company's new six-story building in Soho Square.

Francis L. Harley, British managing director, will preside, and among the speakers will be S. R. Kent, Walter J. Hutchinson and Truman H. Talley. Robert T. Kane, head of the company's production in England, will outline new plans.

RKO Sticks to Dual Ban on "Snow White"

RKO has adhered to its policy of selling "Snow White and the Seven Dwarfs" for single feature programs only, with the result that the picture has not played a double feature engagement anywhere since its release, the company stated yesterday.

Maintenance of the policy has prevented closing deals with several theatre organizations in some instances, it was said, but the company points to the results achieved as one of the outstanding contributions of the season to the single feature policy in theatre program planning.

Ben Turpin on Tour

PORTLAND, May 11.—Ben Turpin will open here as master of ceremonies for a vaudeville bill at the Capitol May 15. He is booked for one week.

The Mack Sennett favorite, now 71 years old, stopped here on his way to Spokane, where he will act as emsee at the Orpheum. The present tour will keep him in the northwest four weeks. After leaving here he will go to Salem, Ore.

Eshbaugh Studios Elect

Ted Eshbaugh Studios, Inc., producers of the "safety first" cartoons for Aetna Life Insurance Co., have elected officers as follows: Ted Eshbaugh, president; Stanton Barbour, vice-president; Malcolm McAlpin, treasurer; Alice Beadleston Lindh, secretary.

No Agreement Mad On Dallas Finding

DALLAS, May 11.—Unable to agr today on the formal findings of fa and conclusions of law required the U. S. Supreme Court for a r view of the Government's anti-tru case decision against Interstate Circ and major distributors, Federal Jud W. H. Atwell continued the hearin scheduled for today until tomorr or Friday, depending on the con of the court docket.

Assistant Attorney General B. Henderson reported that George Wright, attorney for the defendan had objected to the findings and co clusions prepared by Attorney Gener Homer S. Cummings, but had be unable to convince him, Henderso that the findings were in error a that, consequently, he had declin to alter them. The disagreement b tween the attorneys prevented t court from proceeding with the ca today.

Karl Hoblitzelle, president, a R. J. O'Donnell, general manager Interstate, and numerous lawye were spectators in court today.

French M. P. Files Liabilities

French Motion Picture Cor through John S. Tapernoux, preside on Tuesday filed a schedule in its r organization under section 77B of t Bankruptcy Law, listing $20,580 liabilities.

Among the creditors listed a Cinema de Paris, to whom is alleged owed $486; *Film Daily,* $100; Fil Service Laboratories, $65; H. E. Laboratory, $1,292; Otto Loewr $1,354; Pathe Film Corp, $2,96 Producers Laboratories, $159; Sele Pictures Corp., $450; Trans Ocean Pictures Corp., $80. The liabiliti were itemized as $11,657 in accoun payable, $7,922 in loans payable, $8 in salaries and $116 in taxes. Asse were stated to be 36 pictures, val undetermined, accounts receivable $1 and cash on hand $3.

Abeles Denied $7,500 Fees

Federal Judge Vincent Leibell Tuesday denied an application by Juli Abeles, attorney for 20th Century-F Film Corp., for $7,500 in fees f having successfully defended the s of F. Fay Kaplan against 20th Ce tury-Fox in which the plaintiff, acti for the Theatre Magazine Co., claim an infringement of the cover desi of the August, 1929, issue of *Theat Magazine* in "George White's 19 Scandals."

Tax Liens Affect Three

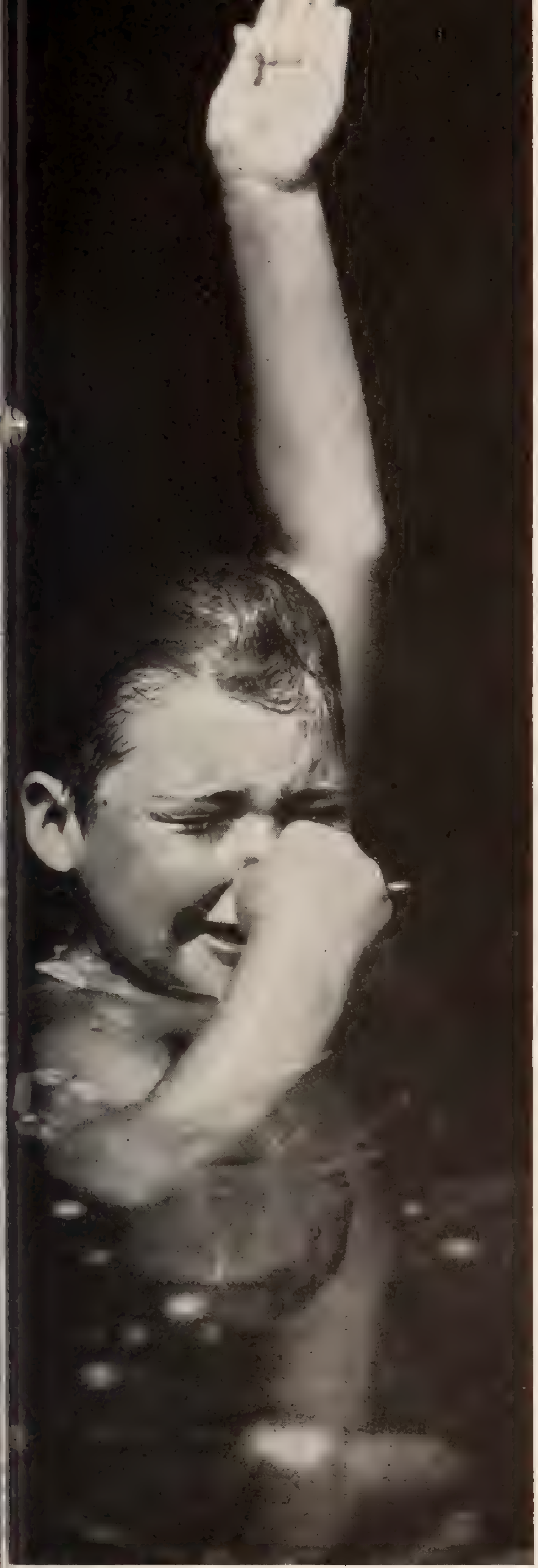
LOS ANGELES, May 11.—B. P. Shu berg, producer; James A. Timone manager for Mae West, and the e tate of the late Ted Healy were o jects of income tax leins filed Federal Court here today.

Revive Bennett-Fidler Suit

LOS ANGELES, May 11.—Constan Bennett, in a new suit against Jimm Fidler, radio commentator, tod asked $350,000 in Superior Court her She charges defamation of charact against both Fidler and his sponsor

Krass Acquires House

DETROIT, May 11.—Jack Kras who operates the Oakman and Col seum, has taken over the Dix, forme ly run by Clair Winnie. The hou will close six weeks for remodelin



SHORT SUBJECT CALLING FOR HELP!

Quick! Get an eyeful of PETE SMITH's Newest Wow! "MODELING FOR MONEY"

Delirious dames, shapely chassis, sparkling Pete Smith dialogue with a fascinating story of how girls get to be models. A bright spot on any program and a natural for easy promotion. Four different tie-ups with B.V.D. Swim Suits and 10 others. SEE M-G-M's "SHORTS STORY MAGAZINE," for further details. April Issue, now in the mails.

ettes,
is
ior!"

"MODELING FOR MONEY" AT THE BOX-OFFICE is a habit with Leo, Jr.

The Kid's short subject record this season continues to be a model for the industry... Besides accounting for extra dollars at the nation's box-offices, this youngster has copped two out of five Academy statuettes (*Torture Money* and *Pete Smith's Penny Wisdom*); also he now takes five out of a possible ten of the Jay Emanuel Annual Shorts Awards (*Our Gang Follies of 1938—A Night At The Movies—New Audioscopiks—Tennis Tactics—Hong Kong*). Leading the industry as usual, just like his Pop!

"Chicago" Is Coast's Only Good Grosser

LOS ANGELES, May 11.—"In Old Chicago," on a dual with "Island in the Sky" at both the Chinese and Loew's State, turned in the only big money of the week. At the Chinese the $12,900 take was $400 to the good, which was nothing to get excited about, but at the latter the $19,900 gross was over par by $5,900, which was outstanding in the face of the general lull.

The only other gross in the profit column was turned in by "Laila" at the Grand. This was $1,500.

Total first run business was $78,281. Average is $90,950.

Estimated takings for the week ending May 11:

"IN OLD CHICAGO" (20th-Fox)
"ISLAND IN THE SKY" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $12,900. (Average, $12,500)

"THE CHARM OF LA BOHEME" (Artcinema)
ESQUIRE—(900), 40c-55c, 7 days, 3rd week. **Gross:** $1,200. (Average, $2,500)

"TO THE VICTOR" (G.B.)
"RETURN OF THE SCARLET PIMPERNEL" (U.A.)
4 STAR—(900), 40c-55c, 7 days. **Gross:** $3,100. (Average, $3,250)

"LAILA" (Nordisk)
GRAND—(750), 35c-40c, 6 days. **Gross:** $1,500. (Average, $1,200)

"SINNERS IN PARADISE" (Univ.)
"WIDE OPEN FACES" (Col.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $5,500. (Average, $6,500)

"IN OLD CHICAGO" (20th-Fox)
"ISLAND IN THE SKY" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $19,900. (Average, $14,000)

"SINNERS IN PARADISE" (Univ.)
"WIDE OPEN FACES" (Col.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $4,900. (Average, $7,000)

"DOCTOR RHYTHM" (Para.)
"THIS MARRIAGE BUSINESS" (RKO)
PARAMOUNT—(3,595), 30c-65c, 7 days, 2nd week. **Gross:** $9,000. (Average, $18,000)

"LOVE, HONOR AND BEHAVE" (W.B.)
"BELOVED BRAT" (F.N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $10,124. (Average, $14,000)

"LOVE, HONOR AND BEHAVE" (W.B.)
"BELOVED BRAT" (F.N.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $10,157. (Average, $12,000)

To Study Midland Plan

KANSAS CITY, May 11.—George Reinhardt, attorney, has been appointed *amicus curiae*, or representative of the court, by U. S. District Judge Albert L. Reeves, to investigate the plan of reorganization proposed for the Midland Investment Co. The latter, which owns the Midland Theatre and office building, is in court for reorganization under 77B.

Brown Joins Council

HOLLYWOOD, May 11.—Bernard B. Brown, new head of Universal's sound department, has replaced Homer Tasker, resigned, on the Research Council of the Academy of Motion Picture Arts and Sciences. Brown has succeeded Tasker at Universal, the latter going to Paramount.

Indianapolis Fund $1,875

INDIANAPOLIS, May 11.—Customers gave $1,875 to the Will Rogers Memorial Fund here at the Circle, Indiana and Loew's. George T. Landis, 20th-Fox manager here, is in charge of the drive in Indiana.

Hollywood Previews

"Cocoanut Grove"

(Paramount)

HOLLYWOOD, May 11.—"Cocoanut Grove" is a first-class package of screen entertainment done up in fancy wrappings which looks like a front-runner in all houses, from de luxe down. It is full of the elements general audiences look for; rife in exploitation ideas that should make the selling job easy. Comedy, peppy music, a romantic story, specialties and light drama are welded into 90 minutes of speedy entertainment.

The film gives Fred MacMurray one of his best opportunities. Harriet Hilliard is featured in the human interest romance and the Yacht Club Boys, Ben Blue, Eve Arden, Rufe Davis, Harry Owens, Dorothy Howe, George Walcott and Red Stanley are given many chances to shine often. Also featured is little Billy Lee as a star snare drummer.

Opening smartly, the story shows MacMurray's band as it loses another job. The will-o-the-wisp possibility of playing at the famous Los Angeles night spot, from which the title is taken, is the pin that holds the troupe together. Their feeble chance is pointed out by Miss Hilliard and is eagerly grasped by MacMurray. The problem of transportation is overcome when Stanley wins a trailer. The journey west is a hilarious picturization of things going wrong and the comedy content is accentuated when Davis is picked up. They arrive on the coast for an audition and the orchestra is chosen, but by mistake one headed by Walcott gets the contract. Davis uncovers a plot. MacMurray goes off seeking Miss Hilliard. He discovers her after making a comic loudspeaker tour of the city. Meanwhile Owens is holding the fort at the Grove with Blue, Miss Arden and the Yacht Club Boys turning in their specialties. Later Miss Hilliard and MacMurray walk into the scene. She sings the theme song and the band is assured of a long engagement when everything is finally straightened out.

Sy Bartlett and Olive Cooper turned out the snappy original screenplay. The music was composed by Ralph Freed, Frederick Hollander, Harry Owens, Frank Loesser and Burton Lane. Al Santell's direction masterfully understands showmanship and exploitation values. George Arthur produced.

Running time, 90 minutes. "G."

"Swiss Miss"

(Roach-M-G-M)

HOLLYWOOD, May 11.—Stan Laurel and Oliver Hardy stage some of their best comedy moments in the course of this Alpine foolishness. In the stretches between these high spots Della Lind and Walter Woolf King go through the motions of a pattern musical comedy without making it seem more than filler. Eric Blore has scant opportunity to display his brand of humor and the other principals walk through. Where the Laurel-Hardy appeal is strong the picture should do quite well, elsewhere less so.

Hal Roach and Associate Producer S. S. Van Keuren gave Director John G. Blystone plenty to work with in the budgetary sense, but the five writers credited with the story and screenplay did not overburden him with plot material. They cast the comedians as mousetrap vendors who go broke in the Alps and work out a dinner check as hotel survitors. They cast the moderately comic Miss Lind and the somewhat more impressive King as prima donna and composer working out a minor temperamental conflict at the same inn. Music by Phil Charig and Arthur Quenzer and dances staged by Val Rasset possess a distinction in themselves without vital relation to the core of the production.

Laurel and an unbilled St. Bernard achieve one of the funniest sequences ever filmed. Laurel and Hardy get peak results with a lofty skit having to do with the conveyance of a piano across a rope bridge spanning a chasm. There are perhaps a half-dozen sequences good for solid outbursts of laughter.

Running time, 72 minutes. "G."

Giveaway Paper Out

SAN FRANCISCO, May 11.—*Fan Fare*, a new weekly giveaway magazine boosting radio and films and containing household features, has made its appearance on the shelves of 700 northern California independent grocers. The sheet is attracting interest, in view of the current policy of daily newspapers of cutting down space allotted to radio and film columns. Richard Guggenheim, freelance radio writer, is owner and editor.

Lazarus Buys in Bryan

NEW ORLEANS, May 11. — Mrs. Henry Lazarus has purchased a half interest in the Bryan Texas Amusement Co. and will operate the three houses of the circuit with her sister, Mrs. Morris Schulman. The purchase price was not divulged.

The Lazarus interests now control six houses, the three in addition to the Bryan Group being the Coliseum, Center and a new house to be erected here. The Bryan company is an affiliate of the Jefferson Amusement Co.

Short Subjects

March of Time, No. 10

(RKO)

This issue of the Time reel co tains three subjects of wide gener interest, which, combined with t quality of execution expected of t release, makes an admirable adjun to any theatre program. Consider are the attempts being made to f the short-change and short-me cheats who annually rob Americ housewives of millions; the catastr phe of heavy taxes which has d scended on the peerage of Englan and the activity through which t American Congressman earns h $10,000 a year.

Methods of deception, methods detection and educational efforts the fight against the short-measu crooks feature the first subject. T second describes the manner in whi the British peerage suffered fro taxation after the war, and how, wi the 1938 armament taxation, st more are losing their ancestral hom and lands, and many of the most i portant names in "Burke's Peerag have gone to work. Good pictori quality adds to this subject. The fi episode should stir considerable i terest with its "candid" camera stu of a Congressman at work. To jud from the portrayal, the Congressm works long and hard, and the study extremely interesting. Represent tive Pettengill of Indiana, who h concerned himself with film legisl tion to a large extent, is t "example," and turns out to be n too camera conscious. Running ti 19 mins. "G."

"Mickey's Trailer"

(Disney-RKO)

Mickey, Donald Duck and Hora Horsecollar embark on a trailer tr and an ingenious imagination suppli the incidentals which give practical every sequence excitement and comed The trailer breaks loose from its to on a mountain road and, following wild ride downhill where everythi disastrous might happen but doesn it finally hooks on again when reaches the bottom. In color. Ru ning time, 8 mins. "G."

Helen Hayes Off Films

PORTLAND, May 11.—Helen Hay will not return to films. She sa she has turned down an $85,000 b for one picture.

"David O. Selznick had anoth offer for me. He wanted to produ 'Victoria Regina' in color, but I r fused. Two weeks ago Merv LeRoy sent me a novel to read wi the hope that I make it into a pictu but I am definitely through wi films," she asserted.

Simplex Wins 1st Gam

The Simplex team of the Intern tional Projector Corp. won its fi M. P. League game last Saturday the George Washington High Scho Stadium by defeating Columbia. T score was 9-5.

Obie Hunt Recovering

KANSAS CITY, May 11.—Obie Hu district manager for Altec, is recove ing from injuries received when h car left the road near Carthage, Mo.

Varners Bar Ad Films in All Theatres

(*Continued from page* 1)

o. their district heads, including Schnitzer, Wolfe Cohen and Bob eltzer. Most of the delegates are pected to depart by tonight.

S. Charles Einfeld and Mort Blunstock are due to leave today for llas to prepare for the southern d western convention to be held xt Monday, Tuesday and Wednes-. Most of the other home office ecutives will leave for Dallas torrow. Delegates are expected to ive on Sunday.

ank Night Verdict Stands in Missouri

EFFERSON CITY, Mo., May 11.—The ssouri Supreme Court has refused upset the lower court verdict inst R. W. McEwan holding him lty of lottery law violation through operation of Bank Night in this te.

The court did, however, modify the ision of the lower court by minating the words "anyone who liberately invents a scheme to evade letter of the law and violate the rit thereof is not entitled to a strict struction of the law in his favor."

Ask Game Ban Relief

HILADELPHIA, May 11.—Indendent exhibitors here, some faced h the possible need of closing for summer, have decided to petin Mayor Wilson to call off the ice until the State Supreme Court es on the chance games ban.

Urge Ban on Games

EW ORLEANS, May 11.—Ordinances hibiting games of chance in film atres will be requested by the uisiana Council for Motion Pices, it has been decided.

Wall Street

Light Gains on Board

	Open	High	Low	Close	Net Change
....	12⅝	12¾	12⅝	12⅝	.....
pfd.....	33¼	33¼	33¼	33¼	— ¼
s.	6¼	6¼	6¼	6¼	+ ¼
K.	153½	155	153½	154	+1
T. E.....	11¾	12¼	11¾	12⅛	+ ⅛
w	42¾	43⅜	42⅜	43⅜	+ ⅞
a.	8¼	8½	8¼	8¼	.....
a. 2.....	9⅜	9½	9¼	9½	.....
he	5⅜	5¾	5⅜	5½	+ ⅛
O	2¾	2⅞	2¾	2¾	.....
Fox ..	22	22⅜	22	22¼	+ ¼
v. pfd.	37	37	37	37	.....
B.	5⅛	5⅜	5⅛	5⅜	+ ¼

Curb Issues Increase

	Open	High	Low	Close	Net Change
N.	½	½	½	½	+1/16
h.	22⅛	23⅞	22⅛	23½	+1½
ns-Lux	2¼	2¼	2¼	2¼	+ ⅛

RKO Bonds Off 4 Pts.

	High	Low	Close	Net Change
w 3½s '46....	99½	99½	99½	.....
a. Pict. '55	90	90	90	+ ¼
a. Pict. '47...	71¼	71¼	71¼	.....
O 6s '41.......	60	60	60	—4
B. 6s '39	75½	75½	75½	— ½

(Quotations at close of May 11)

Atlas to Present Revised Plan on RKO Next Monday

(*Continued from page* 1)

company may be a fact by next winter. The rate of progress will depend to a large extent on whether or not the revised plan is sent back to a special master for hearings, prior to the final hearings in the U. S. District court, and to the amount and character of opposition which the amendments encounter from RKO creditors. The ability of the reorganizers to make progress on the plan during the summer months is expected also to be a factor.

Atlas Corp. will abide by its agreement in the original reorganization plan of November, 1936, to underwrite a sufficient amount of stock at a price to be set by the court to provide $1,600,000 cash. This, however, is designed primarily to meet reorganization expenses. Provisions considered earlier for the flotation of an additional $5,000,000 debenture issue to provide approximately $3,000,000 for the purchase of M. J. Meehan's block of Keith-Albee-Orpheum preferred stock and to provide a cash reserve to meet fixed charges and provide additional working capital for the reorganized company have been abandoned. Whether or not they will be revived as amendments to the plan in the event of a market recovery during next fall is, of course, unpredictable.

Abandon New Issue Idea

To offset in part the failure of the plan to provide new cash, the reorganizers have eliminated, also, earlier provisions in the plan for the issuance of $12,718,500 of new 5½ per cent debentures to the holders of the company's old debentures. This will result in a saving of approximately $700,000 annually in fixed charges of the reorganized company. Instead, holders of the old debentures, if the revisions to the plan are approved, will receive one share of new $100 par 6 per cent cumulative convertible first preferred stock and five shares of new common stock for each $100 of their claims. The five shares of new common are issued in payment of accumulated interest of about $30 on the debentures and as a bonus to the holders for stepping down from a secured to an unsecured creditors' position. In addition, the new first preferred will pay no dividend for the first year after reorganization, thus effecting a one-year saving of more than $760,000 in fixed charges. There will be $12,718,500 of new first preferred outstanding on consummation of the plan, and approximately 2,150,000 shares of new common.

Center to Get 464,000 Shares

General creditors of RKO whose claims are appraised at a total of $8,000,000, exclusive of the $9,150,000 Rockefeller Center claim, will receive 10 shares of new common stock for each $100 of their claims, or a total of 800,000 shares of the new common. They will also have a subscription right to the new common to be underwritten by Atlas Corp. Rockefeller Center, as originally proposed, will receive 464,000 shares of the new common for its claim. Indications are that the claim has a potential market value on this basis of more than $5,000,000.

The common stockholders have had their participation in the plan shaved again. The 1936 plan provided for an exchange of new common for old on the basis of one-half share to one. Intermediate revisions provided for first four shares of old, and then five shares, for one of new. The proposal now is to offer one-sixth of a share of new common for one of old. Common holders would also be given a warrant to subscribe for the new common at $10 per share for a five-year period and at $15 per share thereafter.

Approximately 1,017,500 shares of new common will be reserved for conversion of the new first preferred, it is proposed. The conversion rate is set at eight shares of common for one of preferred.

Retort Commercial

Los Angeles, May 11.—Columbia will unfurl 250 28-sheets throughout Los Angeles and Hollywood and vicinity bearing as the sole copy the challenge: "Is it true what they say about Katharine Hepburn?"

At the psychological moment these will be sniped with "See for Yourself" and an announcement of "Holiday" at the Pantages and Hillstreet.

Eight Laboratories Asked to Conference

With a view to negotiating new agreements, Motion Picture Laboratory Technicians Union, Local 702, has asked eight laboratories to send representatives to a meeting scheduled for Monday afternoon.

Included is De Luxe, with which negotiations were broken off recently when salary demands were rejected. The others are Ace Film Laboratory, Warners' Cellulose Products, Consolidated, Paramount, Paramount News, H.E.R. and Du Art.

Richard Walsh, I.A.T.S.E. vice-president, and Vito Marcantonio, attorney for the union, will attend the meeting with committees representing the employes.

Strike at Wrong Place

Local 306, operators' union, called a strike yesterday, but it was at the wrong company. Someone told the union that non-union operators were being employed by Pathe Film for its new laboratory in the Pathe News Building on West 45th St. Charles Kielhurn, business agent, called three operators out of the newsreel's projection booth. L. E. Thompson of RKO explained matters and the men went back. But they lost an hour's pay.

Drop Ban on Circulars

WILMINGTON, Del., May 11.—The proposed resolution prohibiting the distribution of circulars, handbills and other advertising matter on the streets, which would have affected practically every local theatre, has been withdrawn by directors of the Street and Sewer Department upon the advice of the City Solicitor.

Conciliation Moves Hinge On Neely Bill

(*Continued from page* 1)

ent position as explained by a spokesman. Lack of action on the Neely bill or its defeat may result in the establishment of local conciliation boards within a few weeks, it was said.

Revival of the conciliation idea has been featured in recent weeks by assertions of distribution executives, as well as S. R. Kent, president of 20th-Century-Fox, that they would support such a move. To date William F. Rodgers, general sales manager of M-G-M, has been in the forefront of distribution heads placing themselves on record.

Views Due at Allied Meet

He will have an opportunity to present his views fully when he speaks at the Allied States convention in Pittsburgh next Wednesday. Also scheduled to speak on the subject are William Sussman, 20th Century-Fox eastern division manager, and George W. Weeks, Monogram sales head. It is understood that Allied has invited the distribution heads of all companies to address the convention.

Allied's stand on conciliation is also said to depend on passage of the Neely bill. While the conciliation machinery will be local, and some of the organization's units are said to favor the proposal, there is no doubt that the national policy as formulated at Pittsburgh will influence the local units.

Provided that the destiny of the Neely bill is pretty well known by next week, the Allied convention is expected to take a stand on conciliation. In fact, the policy may be set at the directors' meeting which will be held Monday night, on the eve of the actual start of the three-day convention.

U.A. to Release 2 Monthly—Schaefer

(*Continued from page* 1)

ander Korda, David O. Selznick, Walter Wanger and Edward Small are already committed to contributions to the 1938-'39 schedule, Schaefer said that "it is anticipated that within a short time additional product will seek the United Artists' outlet as a result of the company's new policy of reduced wordwide distribution charges and its profit sharing plan for producers."

Schaefer and Mulvey, who entrained at midnight, said that details of the company's new season schedule and arrangements for the company's "sales meetings" would be completed during the studio conferences, thus indicating that United Artists will have regional sales sessions rather than a national convention.

To Open Atlanta House

ATLANTA, May 11.—Lucas & Jenkins, Inc., will open another neighborhood theatre here about June 1. The new house, to be located in Rhodes Center, will seat 750.

▸ Radio Personals ◂

BETTY GRABLE and Jackie Coogan will be guests on the Eddie Cantor show Monday night . . . Charles Lyons, announcer for "Margot of Castlewood" and "Cabin at the Crossroads," is back on the job after a vacation cruise with Mrs. Lyons to South America . . . Cliff Soubier, after a year in Hollywood, will rejoin the "Barndance" program, May 16 . . . Michael Bartlett will be the guest soloist of "Your Hit Parade," May 21 over CBS . . . Irenee Du Pont, vice-chairman of the Du Pont board, will be heard as the guest speaker on the "Cavalcade of America" show next Wednesday.

+

Lincoln

V. Bud Gray was here for a week arranging the setup for a Major Bowes salute . . . John Conrad Sarben, of St. Louis, has dropped his last name and uses only the first two as a KFOR announcer . . . Bill Dietz has been assigned the Nebraska State Fair ad account for KFAB-KFOR . . . Bill Larimer is working on a 13-week show similar to "Do You Want to Be an Actor," a half-hour, once weekly, winner to get a free jaunt to Hollywood. The "em cee" will be Barney Oldfield, KFOR film commentator and *Journal* amusement editor . . . J. B. Lake, former KFAB chief announcer, visited here last week.

+

New Haven

Dick Walsh starting WBRY weekly golf school of the air, interviewing well-known pros . . . Jimmy Milne, WELI manager, nominated for vice-president of the Ad Club . . . WELI has added to its air time, signing off at 8 P. M., E. S. T.

Bar Foreign Policy Attacks on CBC Net

OTTAWA, May 11.—Attacks on the foreign policy of Great Britain and other friendly nations will not be permitted on the network of the Canadian Broadcasting Corp., it was indicated today by Prime Minister MacKenzie King in the House during discussion of a general overhauling of the Radio Act.

T. L. Church of Toronto protested against a radio attack on British foreign policy by G. V. Ferguson, managing editor of the *Winnipeg Free Press.*

One of the great difficulties in Europe, King said, was the continual broadcasting by one country of its views on another. The British Broadcasting Corp., he said, had quietly taken the view that it was not proper to carry broadcasts reflecting on another country where the criticism was likely to embarrass the Government.

To Speak on Short-Wave

Frank E. Mason, NBC director of short-wave operations and assistant to Lenox Lohr, NBC president, will speak at the Broadcasting Day Luncheon at the Cleveland Chamber of Commerce May 17. He will discuss international short-wave radio, and his address will be carried by the Cleveland stations.

Pearce Is Signed By General Foods

Al Pearce and Gang have been signed by General Foods Corp. for a year's run on NBC to begin late in October. They will replace Burns & Allen for Grape Nuts.

This new pact sets at rest rumors of the past few weeks that the Pearce troupe had been signed by the American Tobacco Co. for Lucky Strike cigarettes.

Pearce had been negotiating for the Lucky Strike show, but he chose the General Foods contract because not only will he earn more money with General Foods, but he will be broadcasting from the west coast, from which section he moved on to radio fame, and where, in all likelihood, he will double in picture work and on the radio.

The Pearce contract with the Ford Motor Co., his present sponsors, holds until the end of the year, but by mutual consent it will be abrogated in July.

Young & Rubicam negotiated the deal for General Foods, while Fanchon & Marco, through Sam Dembow, acted for Pearce.

NBC Plans Test of Television Lessons

The first classroom television lesson to be presented by NBC, with a group of science students around receivers putting questions to an instructor in a different studio, will be conducted by the network in cooperation with New York University May 19 at Radio City. Dr. C. C. Clark of the University faculty will lecture on, and demonstrate the use of, the photo-electric cell.

The demonstration, conceived by Dr. James Rowland Angell, educational counsellor to NBC, is one of a series of NBC experiments in the use of television for educational purposes.

Hampden Renews Show

Hampden Sales Association has renewed its program on the "Polly the Shopper" participation series on WHN. The renewal, for 13 weeks, was placed by the Hudson Advertising Co.

Plan Music Boxes

Cincinnati, May 11. — If scientists want to know how butter and chilled lettuce react to music and news comments, they're going to get a chance to find out. The Crosley Radio Corp. is turning out a new line of refrigerators equipped with radios.

Now housewives can stop wondering whether the light went out when she closed the icebox door and start pondering about jazz with a chill.

Senate and House in Race for FCC Probe

WASHINGTON, May 11.—The Senate and House today appeared to be headed for a race to see which body will investigate the Federal Communications Commission.

Approved yesterday by the committee which has control of the Senate's expenditures, the resolution introduced last year by Senator Wallace H. White, Jr. (Rep.), of Maine, is ready for Senate action at any time. In the House, the rules committee tomorrow will give consideration to a similar resolution introduced by the late Representative William Connery (Dem.) of Massachusetts.

Members of Congress in recent weeks have received a large number of letters urging that some investigation of broadcasting be undertaken, particularly since the controversy within the commission in March over its own study and over a resolution "welcoming" a Congressional probe, which Chairman McNinch succeeded in quashing.

"Valentine" Back on Air

"Alias Jimmy Valentine," which faded from NBC last month after a run under the sponsorship of a smoking tobacco, will return to that same network on the Blue, June 6 from 7 to 7:30 P. M., for 26 weeks. This time it will be sponsored by R. L. Watkins Co. in the interest of Dr. Lyons Toothpowder. Blackett-Sample-Hummert is the agency.

New Shows on the Air

"Selected Shorts"

The short film came in for a bit of less than expert radio treatment over WHN Tuesday evening at 9:30 with the debut of "Selected Shorts," a new half-hour radio series devoted to dramatizations of short product. Metro operates WHN, and the broadcasts will be confined to M-G-M's short output. The first production was "The Man in the Barn," which deals with Lincoln's assassin, John Wilkes Booth.

Sight unseen, there is little doubt that the "Man in the Barn" on the screen was far and away a better job than the radio production, considering the general high quality of the Metro films.

To begin with, the continuity of the radio production was jerky to the point of being confusing. Also, the sound effects left much to be desired. That may appear to be a trivial factor, but in radio, a medium in which the ear supplants the eye, expert sound effects do much to enhance the quality of a dramatic offering. The cast, however, was uniformly good and did much to save the production.

Special speakers on hand to launch the series were Frank Nugent, film critic for the *New York Times*, and Arthur DeBara of the M.P.P.D.A. Both said that short films had a definite niche in the picture business and they urged more attention be paid to shorts by exhibitors and public. They held that shorts may yet be the instrument of solving the double bill problem.

BANNER

Tentative Dates Set During June by FC

WASHINGTON, May 11.—The Fe
eral Communications Commission t
day announced tentative dates f
hearings on broadcasting applicatio
as follows:

June 2, before the commission: A
plications of the Birmingham Ne
Co. for a 590-kilocycle, 1,000-watt s
tion at Birmingham and KTSM
Paso, for change of frequency
1,310 to 1,350 kilocycles, increase
time from sharing with WDAH
unlimited and increase of power fr
100 watts night, 250 watts day,
500 watts night and day.

June 14, before an examiner: A
plications of WCBA, Allentown, P
for increase of power from 500
1,000 watts; WSAN, Allentown, P
for increase of power from 500
1,000 watts; WHP, Harrisburg, f
increase of power from 500 wa
night, 1,000 watts day, to 1,000 wa
night, 5,000 watts day; WAZ
Hazleton, Pa., for increase of ti
from sharing with WILM to unli
ited; KNEL, Brady, Tex., for chan
of frequency from 1,500 to 1,340 ki
cycles, and WRTD, Richmond, f
change of frequency from 1,500 to 5
kilocycles and increase of power fr
100 to 500 watts.

June 15, before an examiner: A
plications of Radio Service Co., In
for a 1,310 kilocycle station at Bru
wick, Ga., with 100 watts night, 2
watts day and WJBW, New Orlea
for increase of day power from 1
to 250 watts.

McGrady to Addres Ad Federation Me

The agenda for the 34th ann
convention of the Advertising F
eration of America, to be held at t
Hotel Statler, Detroit, June 12-16, h
been completed.

The general session will be
Monday, June 13, at which Edwa
F. McGrady, RCA's director of lab
relations, will give his first pub
address since he left the U. S. Depa
ment of Labor.

A departmental session of the Sa
Managers division, National Assoc
tion of Broadcasters, will be held
following day, with Lew H. Ave
commercial manager of the Buff
Broadcasting Corp., WGR a
WKEW, presiding.

General sessions are scheduled J
13 and 15, at luncheon and aftern
meetings. The annual banquet v
be held the evening of June 13, w
several nationally known speake
outside of advertising, scheduled
speak. A full entertainment progr
has been arranged by the Adcr
Club and Women's Advertising C
of Detroit, convention hosts.

Offer Television Sets

Television receivers at $125 re
are to be offered for sale within
month by Communicating Syste
Inc., of New York. The $125 pr
will apply to receivers reproduc
three-inch pictures. Sets capable
receiving larger images will be p
duced at higher prices.

Heads Concert Group

NASHVILLE, May 11.—E. M. Kir
radio sales promotion manager,
been named president of the Na
ville Community Concerts Associati

Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

OL. 43. NO. 111 NEW YORK, FRIDAY, MAY 13, 1938 TEN CENTS

Seasonal Film Buying Dying, Says Montague

'olumbia Will Sell Term Franchises, He Says

A "season" for film buying and lling is becoming a thing of the ast, A. Montague, Columbia general les manager, will tell the company's astern sales force today at the open- g session of a three-day meeting at e Warwick.

In keeping with the changing trend, olumbia will enter into long term anchises with established affiliated nd independent circuits, and already as closed new season product deals ith 300 more accounts than were on e company's books at the opening of s last year's sales convention, which as held six weeks later, Mr. Mon- gue will inform the meeting.

"Changes in selling methods during e past five years have proved that elling seasons,' as heretofore known, re antiquated," Mr. Montague will y. "Exhibitors no longer wait until

(Continued on page 5)

Data Is Submitted At Dallas Hearing

DALLAS, May 12.—Assistant At- rney General B. W. Henderson, for e Government, and George S. Vright for the defendant film com- anies, today submitted memoranda, rguments and suggested formal find- gs and conclusions at law to U. S. istrict Judge W. H. Atwell in the nterstate Circuit case.

Judge Atwell indicated he will take e data under advisement and act pon it soon, probably this week. The . S. Supreme Court had required ormal findings of fact and conclusions law for a review of the Govern- ent's anti-trust suit decision against e circuit and major distributors.

Charges Bribery in RCA Decrees of '32

WASHINGTON, May 12. — Charges at two former Senators, who were ot named, accepted money to inter- re in the activities of the Depart- ent of Justice and bring about the CA consent decrees of 1932 were ade before the House Rules Com- ittee today by Representative Wil- am D. McFarlane of Texas, who

(Continued on page 13)

More Radio—P. 13

Star Salary Blast 16 Years Old—And Time Marches On

There may be something new under the sun, but it isn't complaints about high salaried stars.

Sixteen years ago—Jan. 4, 1922, to be exact—William Brandt, president of the Theatre Owners Chamber of Commerce, and brother of Harry Brandt, now president of the Independent Theatre Owners Association, let loose a blast about the huge sums being paid stars of that day—Mary Miles Minter, Katherine MacDonald, Wallace Reid, Rudolph Valentino and William Farnum.

The Theatre Owners Chamber of Commerce is still in existence, but it is so inactive that no meetings are held. The banner of Metropolitan New York exhibitor leadership is now being carried by brother Harry Brandt at the head of the new organization, but the strategy is strangely reminiscent.

This is from the New York Times of Jan. 5, 1922:

> **The salaries these stars receive are wholly out of proportion to box-office receipts, according to William Brandt, president of the Theatre Owners Chamber of Commerce, who spoke at a meeting of that body in the Hotel Astor yesterday.**
>
> **"Almost everything concerned in the making of motion pictures from the salaries of extras, carpenters and laboratory men to the price of raw film has been reduced except the salaries of stars," said Mr. Brandt. As a member of a committee recently appointed to investigate the reason for the "excessive" cost of productions, he learned, he said, that pictures could be considerably reduced if the stars would accept less money. He believed that if the producers would inform them that theatre receipts were out of proportion to their pay that they would accept less money.**
>
> **Mary Miles Minter receives $60,000 a picture, said Mr. Brandt, and Katherine MacDonald $50,000. She makes about four a year. Wallace Reid gets a salary of $4,500 a week, Rudolph Valentino $3,500 and William Farnum $10,000, he said.**

Back in 1922 exhibitors wanted to get big returns from cheap pictures. They still do. The producers are in the same boat, but they haven't exactly figured out how it can be done.

In 1922 exhibitor leaders told the world about it. In 1938 Harry Brandt impersonates history in its well-known act of repeating itself.

New 3-Color Film Demonstrated Here

Another new three-color process, upon which experiments have been in progress for 10 years, was demonstrated yesterday by Brewster Color Film Corp. of Newark at the Preview Theatre, 1600 Broadway. Its backers claim for it greater definition and depth through use of transparent dyes.

P. D. Brewster, president of the firm, also says that it is possible to use the film at practically the same

(Continued on page 12)

Guild Split Aim of Producers—Capra

WASHINGTON, May 12.—Producers never intended to negotiate with the Screen Directors Guild unless they split the guild in their own way, Frank Capra, chairman of the guild negotiations committee, charged today in a letter to Darryl F. Zanuck, chairman of the producers' committee.

Replying to producer charges of bad faith in reopening negotiations, Mr. Capra said meetings on the bar-

(Continued on page 12)

Industry Able To Solve Own Problem: Kent

20th-Fox Head Hails End Of Grading Fight

By AUBREY FLANAGAN

LONDON, May 12.—"I have still an abiding faith in the good sense of the motion picture business to be able to settle its problems without recourse to the Board of Trade or other outside bodies," Sidney R. Kent, president of 20th Century-Fox, declared here today, commenting on the amicable settlement of the serious grading dispute between the Cinematograph Exhibitors' Association and the Kinematograph Renters' Society.

Mr. Kent spoke at the opening of the company's new offices here in Soho Square, in conjunction with the English sales meeting. In attendance were Francis Harley, in charge of English sales; Walter Hutchinson, foreign sales head, and Ben Miggins, Continental manager.

The 20th Century-Fox president told MOTION PICTURE DAILY it is still possible the company may rejoin the K. R. S., but on conditions. "We pulled out of the K. R. S. because we disagreed with certain policies. When these are amended we should rejoin,"

(Continued on page 12)

Delay Neely Bill Pending Aviation Measure Disposal

WASHINGTON, May 12.—Declaring that he had taken counsel overnight with supporters of the bill, Senator Neely today told the Senate he had reached the conclusion that no good purpose would be served by attempting to push his block booking measure ahead of the aviation legislation on which the Senate is working.

However, he added, he will demand that the motion picture bill be taken up for consideration as soon as the

(Continued on page 12)

Universal Men Start Western Meet Today

SAN FRANCISCO, May 12. — Universal's far western sales representatives arrived here today for the first of four regional sales meetings which William A. Scully, general sales manager, and F. J. A. McCarthy, his assistant, will conduct in as many

(Continued on page 12)

Warner Men Starting for Dallas Today

Warner home office executives will leave today for Dallas to attend the company's southern and western sales convention which will get underway Monday at the Baker Hotel and end Thursday night.

The southern city was selected for the second regional meeting as a tribute to Bob O'Donnell, general manager of the Interstate Theatre Circuit, which has its headquarters there. O'Donnell and other executives of the circuit will participate in the convention, as will a number of other leading exhibitors in the territory.

With individual district meetings winding up the eastern and Canadian convention yesterday, S. Charles Einfeld, advertising and publicity director; Mort Blumenstock, eastern director, and Mitchell Rawson, publicity director in the east, left for Dallas to lay the groundwork.

Sears to Leave Today

The following will leave today: Gradwell L. Sears, general sales manager; Carl Leserman, assistant general sales manager; Ben Kalmenson, southern and western sales manager, who will preside; Roy Haines, eastern and Canadian sales head; Norman H. Moray, Vitaphone sales manager; I. F. Dolid, assistant to Moray; Clayton Bond, theatre department executive; A. W. Schwalberg, supervisor of exchanges; H. M. Doherty, auditor of exchanges; Ralph W. Budd, personnel manager; Stanley W. Hatch, advertising accessories sales manager, and Joe Bloom, vice-president of the Blaine Thompson Advertising Co.

District and branch heads and salesmen who will attend the Dallas convention include:

Western District: Los Angeles—W. E. Callaway, district manager; N. H. Browner, branch manager; J. K. Burden, A. S. Bailey, J. N. Howland; Denver—E. A. Bell, branch manager; W. A. Haefliger, R. P. Jamison; Portland—V. Stewart, branch manager; M. F. Keller, L. C. Baxley; Salt Lake City—William F. Gordon, branch manager; M. H. Gustaveson, K. M. Pack; San Francisco—Charles Muehlman, branch manager; W. C. Wheeler, Al Grubstick, S. E. McDonald; Seattle — Al Oxtoby, branch manager; C. N. Young, Art Gollofon.

Midwest District: Chicago—Rud Lohrenz, acting district manager; T. R. Gilliam, branch manager, W. Brunberg, George Weinberg, William J. Kahl, R. C. Herman, Sid Rose, B. Allen, Sam Clark; Des Moines—A. W. Anderson, branch manager; Harry Herman, J. M. Beatty, L. L. Wells; Indianapolis—Fred Greenberg, branch manager; P. R. De Fazio, R. S. Shrader, F. J. Reimer; Milwaukee—R. T. Smith, branch manager, S. G. Honeck, N. S. Bieringer; Minneapolis—C. K. Olson, branch manager; M. B. Adcock, C. T. Charack, Charles Jackson, E. Hill, W. A. Shartin, William Grant; Omaha—E. D. Perkins, branch manager; F. J. Hannon, Leon Mendelson, Leon Dixon; St. Louis—Hall Walsh, branch manager; James Hill, Lester J. Bona, W. K. Gleason.

Many from the South

Southern District: Dallas—Fred M. Jack, district manager; Doak Roberts, branch manager; P. M. Backus, W. O. Williamson, Sr., Byron Adams, H. D. Parks; Atlanta—J. C. Vergesslich, branch manager; H. R. Kistler, Harold Keeter; Charlotte—R. L. McCoy, branch manager; Dean S. House, H. H. Jordan, B. C. Weil; Kansas City—William Warner, branch manager; R. H. McConnell, W. B. Adams, T. Hammer, Harry Gaffney, S. Bonnig; Memphis—W. O. Williamson, Jr., branch manager; J. A. Carruth, Homer Hisey; New Orleans—L. Conner, branch manager; P. L. Spindler, J. D. Jernigan; Oklahoma City—J. O. Rohde, branch manager; W. O. Blackstone, J. W. Loewe, Walter Dolin.

Press Books Pay

Lewis Alexander McKenzie, Warner branch manager in St. John — he was named Lewis because he was born on the Isle of Lewis in the Hebrides—here for the company's convention, told of a theatre in Nova Scotia which received a feature print with the last reel missing. The fact was not discovered until the show was on and the screen went blank. The house staff had a few bad moments until the manager hit on an idea. He went on the stage and after apologizing to the audience read the synopsis of the missing reel from the press book.

"Hood" a Sensation

"The Adventures of Robin Hood" made box-office history in its opening day at the Music Hall yesterday by beating the record of "Snow White and the Seven Dwarfs." By 4 o'clock the attendance exceeded that for the "Snow White" opening last January, and early in the evening the Music Hall management estimated the expected take as about $14,000 for the day. "Snow White" grossed $12,000 the first day.

Gradwell Sears to Speak

Dallas, May 12.—Gradwell L. Sears will be the first film executive to address the National Federation of Sales Executives, which will hold its annual convention here next week. He will speak on "Changing Buying Habits Through Motion Pictures." On the same program there will be talks by Lenox R. Lohr, president of NBC; Sir Chauncey Asbury Alcott of London and R. D. Keim, vice-president of E. R. Squibb & Sons.

Yates Is Due Monday

H. J. Yates is scheduled to arrive Monday from the coast, where he attended the Republic convention. Grover Schaefer, controller, returned yesterday, and some of the other executives deferred their return until today, among them Morris Goodman, Al Adams and Sam Hacker.

◂ Purely Personal ▸

W. Ray Johnston, Edward Golden, George Weeks and Lou Lifton returned yesterday to the Monogram home office. Johnston has been away for more than a month, having preceded his attendance at the company's sales convention with an extended visit at the studio.

•

Charles R. Glett, vice-president in charge of operations for Eastern Service Studios, will leave for the coast tonight to work out final arrangements for the Technicolor camera and crew to be brought east shortly.

•

Jules Levy and Walter Branson returned to the RKO home office yesterday following visits to exchanges in the south and southwest in connection with the Ned E. Depinet sales drive, which ends tomorrow.

•

Leo J. McCarthy, independent producer, returned yesterday from Kansas City and received word that his brother, B. J. McCarthy, RKO branch manager in St. Louis, became a father on Wednesday.

•

Y. Frank Freeman, Paramount theatre head, is en route to New Orleans to spend several days with E. V. Richards. Freeman is expected back early next week.

•

Paul Lukas and Charles Vernon France, the latter a British character actor en route to Hollywood for a part in "If I Were King," will arrive today on the *Manhattan*.

•

Franchot Tone, who was one of the founding members of The Group Theatre of New York, will return to fill acting roles with the organization the beginning of next season.

•

Michael Raymond, author of a number of original film stories, has become engaged to Theresa Weingarten, daughter of Joseph and Mrs. Weingarten.

•

Ansel Knowles of Alexander Film Co. will attend the Allied convention in Pittsburgh next week. So will Red Strong of Erpi.

•

Ethel Merman returned to the studios yesterday to start work on "Straight, Place and Show."

•

Billy Halop, one of the "Dead End" and "Crime School" boys, will leave today for the coast.

•

Sam L. Sosna, Manhattan, Kan., exhibitor, is here on new season product deals.

Balaban, Griffis Coming

Hollywood, May 12. — Barney Balaban, president of Paramount, and Stanton Griffis, chairman of the executive committee, left here tonight for New York.

Mankiewicz Re-Signed

Hollywood, May 12.—M-G-M has signed Joseph Mankiewicz to a new long term contract.

Expect Ruling Soon On "Children" Film

Albany, May 12.—Decision of the Court of Appeals on "Tomorrow's Children," sex sterilization picture, is expected to come down May 17. The picture was rejected by Director Irwin Esmond and Dr. Frank P. Graves, Commissioner of Education.

Members of the Court of Appeals are understood to have privately screened the picture. In the Appellate Division, Esmond and Graves w[illegible] upheld by a 3-2 vote. Foy Productions and Principal Film Exchange seek an order directing Esmond to issue a license for the picture.

Rogers East Sunday

Hollywood, May 12.—Charles R. Rogers, Universal vice-president in charge of production, will leave here Sunday for the meeting of the New York company's directorate next Thursday. He will be accompanied by Mrs. Rogers and will see three Broadway plays while in the east. Val Paul will take charge of the studio here during his absence.

Set "Popeye" U. S. Tour

Hollywood, May 12.—Paramount is planning to tour "Popeye the Sailor," life-size dummy of the cartoon character, now in Europe, throughout the United States, following completion of "Paramount on Parade Around the World" May 29.

Schencks Due Today

Nicholas M. Schenck, president of M-G-M, and Joseph M. Schenck, 20th Century-Fox chairman of the board, are due here this afternoon from the south. The latter will sail for Europe shortly.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; J. M. JERAULD, Managing Editor: JAMES A. CRON, Advertising Manager. EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone, Thomas Fitzsimmons, Sherwin A. Kane, Irene Kuhn, Joseph Priore.

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ROM GREAT STORIES COME THE GREATEST PICTURES!

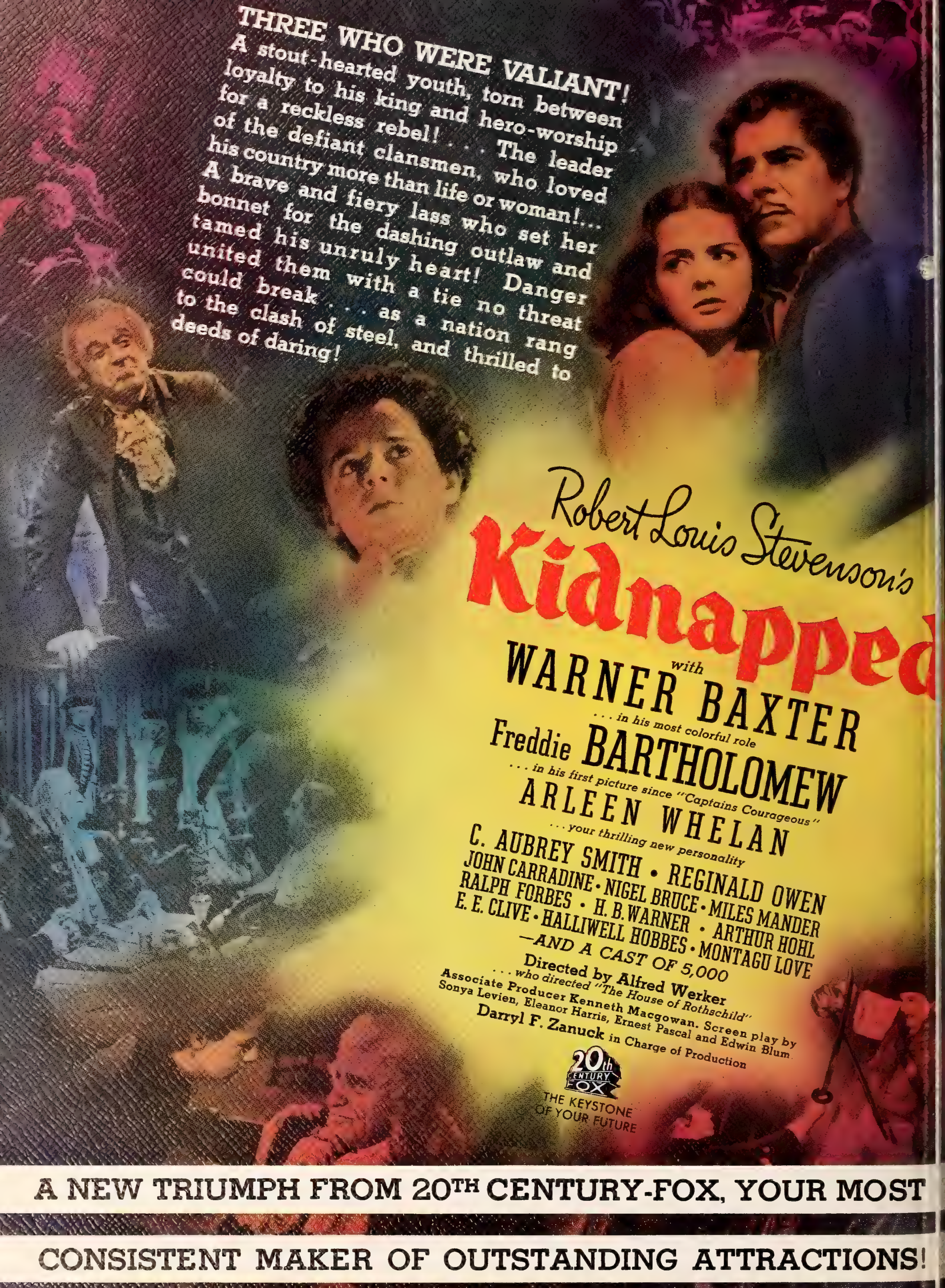
SAUL TEPPER

And here is the story that the author of "Treasure Island" always considered his *best*...

Robert Louis Stevenson's

Kidnapped

... immortal tale of love and adventure on sea and land ... with a top-name boxoffice cast!



THREE WHO WERE VALIANT! A stout-hearted youth, torn between loyalty to his king and hero-worship for a reckless rebel! . . . The leader of the defiant clansmen, who loved his country more than life or woman!... A brave and fiery lass who set her bonnet for the dashing outlaw and tamed his unruly heart! Danger could break . . . as a nation rang to the clash of steel, and thrilled to deeds of daring!

Robert Louis Stevenson's

Kidnapped

with

WARNER BAXTER

. . . in his most colorful role

Freddie **BARTHOLOMEW**

. . . in his first picture since "Captains Courageous"

ARLEEN WHELAN

. . . your thrilling new personality

C. AUBREY SMITH • REGINALD OWEN
JOHN CARRADINE • NIGEL BRUCE • MILES MANDER
RALPH FORBES • H. B. WARNER • ARTHUR HOHL
E. E. CLIVE • HALLIWELL HOBBES • MONTAGU LOVE

—AND A CAST OF 5,000

Directed by **Alfred Werker**
. . . who directed "The House of Rothschild"
Associate Producer Kenneth Macgowan. Screen play by
Sonya Levien, Eleanor Harris, Ernest Pascal and Edwin Blum
Darryl F. Zanuck in Charge of Production

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

A NEW TRIUMPH FROM 20TH CENTURY-FOX, YOUR MOST CONSISTENT MAKER OF OUTSTANDING ATTRACTIONS!

Seasonal Film Buying Dying, Says Montague

(*Continued from page* 1)

after a national sales convention to do their buying for the ensuing season. They now buy product for a year or more at advantageous periods to guarantee themselves a continuous supply of films. Consequently, a great deal of selling continues throughout the entire year. Leading exhibitors buy on the basis of a company's ability to produce, rather than on seasonal announcements."

Mr. Montague will also advise the sales force that the company's decentralized sales control plan, established five years ago, will be broadened now to give increased sales authority and responsibility to the men in the field—district and branch managers and salesmen. Exhibitors have been found to favor this policy, and it has increased the flexibility of the distributor's operations, the company said.

Cohn Will Open Meet

The session here will be opened by Jack Cohn, vice-president. Mr. Montague's address will follow and will include, in addition to his discussion of sales policy, conferences on current product. The 1938-'39 production program will be presented to the meeting tomorrow.

Other speakers today will include Rube Jackter, assistant sales manager; Maurice Bergman, advertising and publicity director; Joseph McConville, foreign sales manager; Lou Rosenfeld, Canadian sales manager; Lou Weinberg and Louis Astor, circuit sales supervisors; Max Weisfeldt, short subjects sales manager; Al Seligman, accessories; Sam Liggett, non-theatrical activities, and Maurice Grad, sales promotion.

Delegate List Lengthy

Attending the sessions here, in addition to the speakers named, are:

Home Office—A. Schneider, N. B. Spingold, L. J. Barbano, C. Schwartz, I. Moross, L. Picker, H. C. Kaufman, G. Joseph, F. McGrann, Al Sherman, B. E. Zeeman, V. Borrelli, W. Brennan, M. Hannock, L. Jaffe, M. Wormser and C. W. Sharpe.

New York Exchange—New York Division Manager N. Cohn; salesmen, S. Traumer, I. Wormser, J. Sokoloff, S. Schussel, S. Feinbloom, M. Fraum, E. Helouis, J. Wenisch.

Albany—Branch Manager P. Fox; salesmen, E. Hochstein, J. Armm, M. Cohn.

Buffalo—Branch Manager J. Miller; salesmen, G. H. Ferguson, J. Bullwinkel, M. Briskin.

New Haven—Branch Manager T. F. O'Toole; salesmen, B. J. Lourie.

Boston—Branch Manager I. H. Rogovin; salesmen, E. Cohen, S. Simons, T. A. Donahue, H. Olshan, J. Wolf, A. Barry.

Philadelphia—Branch Manager H. E. Weiner; salesmen, J. Schaeffer, D. Korson, W. Bethell, J. Rieff, L. H. Wurtele.

Washington — Mid-East Division Manager S. Galanty; salesmen, O. D. Weems, J. B. Walsh, C. A. Wingfield, B. Caplon.

Pittsburgh—Branch Manager A. H. Levy; salesmen, S. Sugarman, J. Gins, C. B. Kosco, G. Tice.

Cleveland—Branch Manager L. Zucker; salesmen, M. Glick, G. J. Becker, S. Gerson.

Cincinnati—Branch Manager A. S. Moritz; salesmen, C. R. Palmer, H. W. Rullman, L. E. Davis, P. Niland.

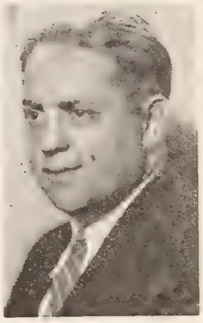
Canada—General Manager Louis Rosenfeld, General Sales Manager Dave Coplan.

Columbia Executives at Meeting Here

JACK COHN
Vice-President of Columbia

A. MONTAGUE
General Sales Manager

LOUIS ASTOR
Circuit Sales Supervisor



L. WEINBERG
Circuit Sales Supervisor

RUBE JACKTER
Assistant Sales Manager

M. WEISFELDT
Short Subject Sales Head

ABE SCHNEIDER
Treasurer of Columbia

M. A. BERGMAN
Advertising and Publicity Head

"Four Men" Gets $43,000

"Four Men and a Prayer" grossed $43,000 at the Roxy and is being held a second week. "Kentucky Moonshine" will follow on May 20.

Wall Street

Kodak Best Board Gain

	Open	High	Low	Close	Net Change
Col.	12½	12½	12	12	— ⅝
E. K.	155¼	158½	155	158½	+4½
G. T. E...	12¼	12¼	12¼	12¼	+ ⅛
Loew	43¼	43¼	42⅝	42¾	— ⅝
Para.	8¼	8⅜	8	8	— ¼
Para. 1	77½	77½	77	77	.....
Para. 2 ...	9½	9½	9¼	9¼	— ¼
Pathe	5½	5½	5½	5½	.....
RKO	2¾	2¾	2⅛	2⅛	— ⅝
20th Fox ..	22⅛	22⅛	22	22¼	.....
W. B.	5¼	5¼	5¼	5¼	— ⅛

Curb Up Fractionally

	Open	High	Low	Close	Net Change
Monogram	1¾	1¾	1¾	1¾	+ ⅛
Sonotone ..	1⅝	1⅝	1⅝	1⅝	.....
Tech.	23½	23¾	23¼	23¾	+ ⅜

RKO Bonds Rise 8 Points

	High	Low	Close	Net Change
Loew 3½s '46....	100	100	100	.....
Para. Pict. '47....	71¾	71½	71¾	+ ½
RKO 6s '41........	68	64	68	+8

(Quotations at close of May 12)

Madison Square Sues Universal Over Film

Madison Square Garden, Inc., filed suit yesterday in N. Y. Supreme Court against Universal for a permanent injunction, damages and accounting of profits of the picture "Idol of the Crowds," released here in December, 1937.

Madison Square Garden claims that Universal sent circulars to various exhibitors suggesting that they exploit the picture as being and containing authorized scenes of professional hockey games taken in Madison Square Garden. Universal, the plaintiff charges, further attempted to rent lobby space in the Garden in December, 1937, when the picture opened at the Central Theatre, in order that they might further deceive the public into believing that there was a definite tieup. The plaintiff contends that the pictures shown are unauthorized newsreel shots taken in the Detroit Arena, showing the Red Wings in action.

Hear Warner Plea Today

Supreme Court Justice Salvatore A. Cotillo will hear an application today of Warners to take written interrogatories in Los Angeles of F. Hugh Herbert, Erwin Gelsey, Jerome Kern, Oscar Hammerstein, II., Hal Wallis and Mervyn LeRoy in the $250,000 damage suit brought by Harry Armstrong and Richard H. Gerard, alleged composers of "Sweet Adeline," against Warners and M. Witmark & Sons, Inc., music publishers.

Lesser Signs Evelyn Daw

HOLLYWOOD, May 12.—Sol Lesser has signed Evelyn Daw to play the lead in the next Smith Bellew film.

Bank Night Cause of Arrest in Wisconsin

FORT ATKINSON, Wis., May 12.—Walter Baier, operator of the Fort Theatre here, has been arrested on charges of conducting Bank Night. Warrants were issued by District Attorney H. M. Dakin, Watertown, and trial is scheduled for October.

Issuance of the warrants is the first indication that district attorneys intend starting prosecutions against exhibitors since an opinion by Attorney General O. S. Loomis a month ago in which he held Bank Night to be a violation of the state lottery laws.

Egypt, China Lead Drive

Egypt and China are leading the RKO foreign exchanges in the Ned E. Depinet Drive. G. E. Gregory manages the former and Leon Britton the latter. The two have piled up a lead of more than 40 per cent over quota, with one week to go. The Dutch East Indies office, headed by Louis Lioni, is third and Holland, managed by Max Westabbe is fourth, followed by Panama. Brazil and the Straits Settlements have billings of over 90 per cent.

Margaret Smith Dies

Private funeral services will be held today for Margaret Smith, stage veteran and recently an organizer and member of the headquarters' staff of Actors Equity Ass'n, who died suddenly on Wednesday at her Manhattan residence, 2020 Broadway. Miss Smith was prominent in wartime stage activities and was associated with the late Charles Frohman for many seasons.

Newsreel Parade

Movietone News
Vol. 20, No. 70
(20th Century-Fox)

A good variety of subjects, sprightly narration and discriminating editing make good entertainment of this release. In the lead position is the parade of New York's Chinese in celebration of their countrymen's war victories. Following in order in the "world events" section are pictures of California rice growers sowing their fields by airplane; Italian youth brigades in trial guard service, and Maine log drivers in action.

Ice skating on a Broadway night club stage gets a play in this release. Preliminaries of the Army air force eastern defense maneuvers are included, and the sports section delivers some shots of Max Schmeling and Joe Louis, of a new British speedboat and of the opening of the Pacific northwest yachting season. The latest in women's fashions is described by Vyvyan Donner and Helen Claire, and Lew Lehr finds whimsical inspiration in a bathing beauty sequence. Running time, 10½ minutes. F.

News of the Day
Vol. 9, No. 268
(M-G-M)

Interest and entertainment are represented in this release. The Army air force maneuvers over New York City in advance of war games at Mitchell Field holds first position. There are shots of the Chicago baby whose affliction may cost its life or its sight; of New York's Chinese in a war "victory" celebration and collection drive; of Long Beach, Cal., bathing beauties in their own and grandma's beach styles; loggers in spring action on the Maine rivers; the proof that Walter Winchell was wrong when he said there were not pretty girls working for Uncle Sam in Washington; Joe Louis and Max Schmeling paving the way for their heavyweight title bout; society girls as jockeys at the Pimlico track, and Irene Dare, the youngest figure skater, in an exhibition of her skill.

Well photographed, narrated and edited, the reel is of average release merit. Running time, 8½ minutes. K.

Paramount News
Issue No. 81
(Paramount)

The Colan baby's operation in Chicago is built up as an interesting feature in this release, which handles a variety of subjects well. The Colan incident is made controversial, with views presented on similar occurrences in which two mothers decided against operations for their children. Shots of the baby itself must have been taken under difficult circumstances.

This issue has an "exclusive" on the training of a submarine crew which is swell. Other interesting clips are the Chinese anti-aggression parade in New York, young Italian cadets on sentry duty, Lindbergh's new home on the French coast and Joe Louis and Max Schmeling signing for their big fight. The only sports clip is one of the society girls racing at Pimlico. Running time, 9 mins. F.

RKO Pathe News
Vol. 9, No. 85
(RKO)

This issue is an agreeable assemblage of news events which have a particular interest for audiences in this country. A few of the items are unimportant but nevertheless diverting. Walter Winchell gets a bouquet of scallions from a dozen Washington girls who give him repudiating proof of his statement that there are no beautiful girls in the Government service. It is a good laugh.

The other material ranges from a freight train wreck on the Rock Island system to scenes of an ice-ballet at a night club on Broadway. In between there is a parade by residents of New York's Chinatown to raise funds for the conflict in the Orient; a marble-shooting tourney at a Tennessee school where the professor takes over the school champ; digging of the San Jacinto Tunnel in California; the food crisis in Cleveland with the needy waiting on lines for emergency food supplies; the Army Air Corps maneuvering above New York City and girl jockeys pounding the bangtails home at Pimlico. Running time, 8 mins. P.

Universal Newsreel
Vol. 10, No. 666
(Universal)

Three spectacular subjects make this issue unusually interesting. One of these is a parade of Chinese residents of New York downtown, with girls carrying a tremendous flag and with varied Oriental floats for decorative effect. Another is a flight of Army planes over New York photographed from the air, and the third is a night fireworks display as a preview of the World's Fair.

There is plenty of variety in the remaining nine clips of the issue. Navy, Army and Interior Department officials are shown leaving the White House after the helium conference, the start of a slum clearance project at Youngstown is presented, the oldest and newest electric locomotives on the New Haven Railroad move on adjoining tracks, Government girl office workers prove to Walter Winchell they are good looking, a streamlined auto turns from an open car into a closed model while running along a mountain road, a five-year-old girl does some fancy skating, Max Schmeling and Joe Louis sign for their next fight, and women jockeys race at Pimlico.

The closing number is extremely funny. It's a wrestling match between two tremendously fat men. Running time, 9½ minutes. J.

Hollywood Preview

"Blind Alibi"
(RKO)

Hollywood, May 12.—Soundly blending theatrical elements which make for interesting entertainment, possessed of an emotional quality which plays upon the more sentimental sensibilities and introducing a novel idea, "Blind Alibi" looks like a picture that should attract considerable attention. Not a big picture, but one that treats a subject that has rarely been touched, the story is well written, competently acted and intelligently directed.

Learning that his sister, Frances Mercer, is being blackmailed because of indiscreet letters which she has written, Richard Dix determines to save her honor even if its costs his own reputation and freedom. An attempted burglary, a murder and the plottings of two rival gangs animate the early action, which occurs in Paris. Dix learns that the letters have been secreted in a consignment of art objects destined for a Los Angeles museum. Following and being followed, he decides the only way he can get them is by a ruse. He poses as a blind sculptor who can work only through the sense of feeling and is guided by a seeing-eye dog, Ace, a remarkably trained animal whose talent is displayed in sequences illustrating how such dogs are trained and function. The dog is almost as important as Dix and the other human principals in working out the melodramatic and suspenseful details of the plot, which, of course, has a romantic contrast involving Dix and Whitney Bourne, a museum employe.

Dix gives one of his better performances and the dog is a continual source of interest. The other principals, Miss Bourne, Miss Mercer, Eduardo Ciannelli, Paul Guilfoyle, Richard Lane, Frank M. Thomas, Walter Miller, Tommy Bupp, Solly Ward and George Irving, contribute convincing performances. Based on a story by William Dowan, Scenarists Lionel Houser, Harry Segall and Ron Ferguson, and Director Lew Landers, addressed their efforts not only toward turning out a film that would be uniquely entertaining, but one which includes unusual exploitation possibilities.

Running time, 65 minutes. "G."

Plan 20th-Fox Exchange

Chicago, May 12.—Final arrangements for the erection of a new exchange building for 20th Century-Fox will be signed within a few days.

The plans for the new building, which will be located on the northwest corner of 13th St. and South Wabash Avenue, call for a two-story structure of modern design and with spacious, air-conditioned offices. A large screening room, extra large film vaults and many other features will make it the largest exchange building on Chicago's film row.

Variety Club

Milwaukee

Milwaukkee, May 12.—Milwaukee Variety Tent is planning a "Razzle Dazzle" carnival for June 4 to be held in the main ballroom of the Schroeder hotel. Proceeds from the affair will go for the purchase of glasses for indigent children.

Washington

Washington, May 12. — Vari[illegible] Club will hold its annual golf tourn[illegible]ment at the Congressional Country Club, May 20, with qualifying rounds in the morning and regular tournament handicap play starting at 1 P. M. A dinner and dance will be held at 7 o'clock.

Sam Wheeler of 20th Century-Fox is in charge of the tickets.

Hoover Book to Para.

Hollywood, May 12. — Paramount has purchased the film rights to "Persons in Hiding," book by J. Edgar Hoover, and will produce three features from the material. Lloyd Nolan will be starred in the first feature, which will carry the same title as the book.

It is understood here that a number of studios were dickering for the Hoover book.

Detroit Duals Spread

Detroit, May 12.—Following the showing of "Adventures of Tom Sawyer" today, the United Artists, United Detroit Theatres ace first run house, will go to double bills for the first time in its history. The opening bill will include "Jungle Love" and "Stolen Heaven."

Definite announcement as to whether stage shows would be dropped at the Michigan has not yet been made.

Griffith Takes Three

Oklahoma City, May 12.—Consolidated Theatres, Inc., has purchased the equipment and leaseholds of the Fred B. Pickrel theatre interests in Ponca City, Okla., according to C. O. Fulgham, western division manager for the Griffith Amusement Co., the parent company. The deal includes three theatres.

Actors Ticket Elected

Ralph Whitehead, Charles S. Mosconi, Josh Tiebor, Jessie Noble, Peter J. Byrne, Joseph J. Brady, William Donohue and Con Colleano were elected by the American Federation of Actors at the meeting held in the College Room of the Hotel Edison.

Will Move Exchange

Des Moines, May 12.—The Monogram office here will be moved to larger quarters on June 1. The new offices are being remodeled. F. E. Judd is manager and co-franchise holder for Monogram in Iowa and Nebraska.

Do Historical Subject

Atlanta, May 12.—A one-reel subject, titled "The Life of Henry Grady," has been produced here by Ted Toddy for the Henry Grady Motion Picture Committee. Henry Grady was known in the south for his efforts during the reconstruction period following the Civil War.

PROOF

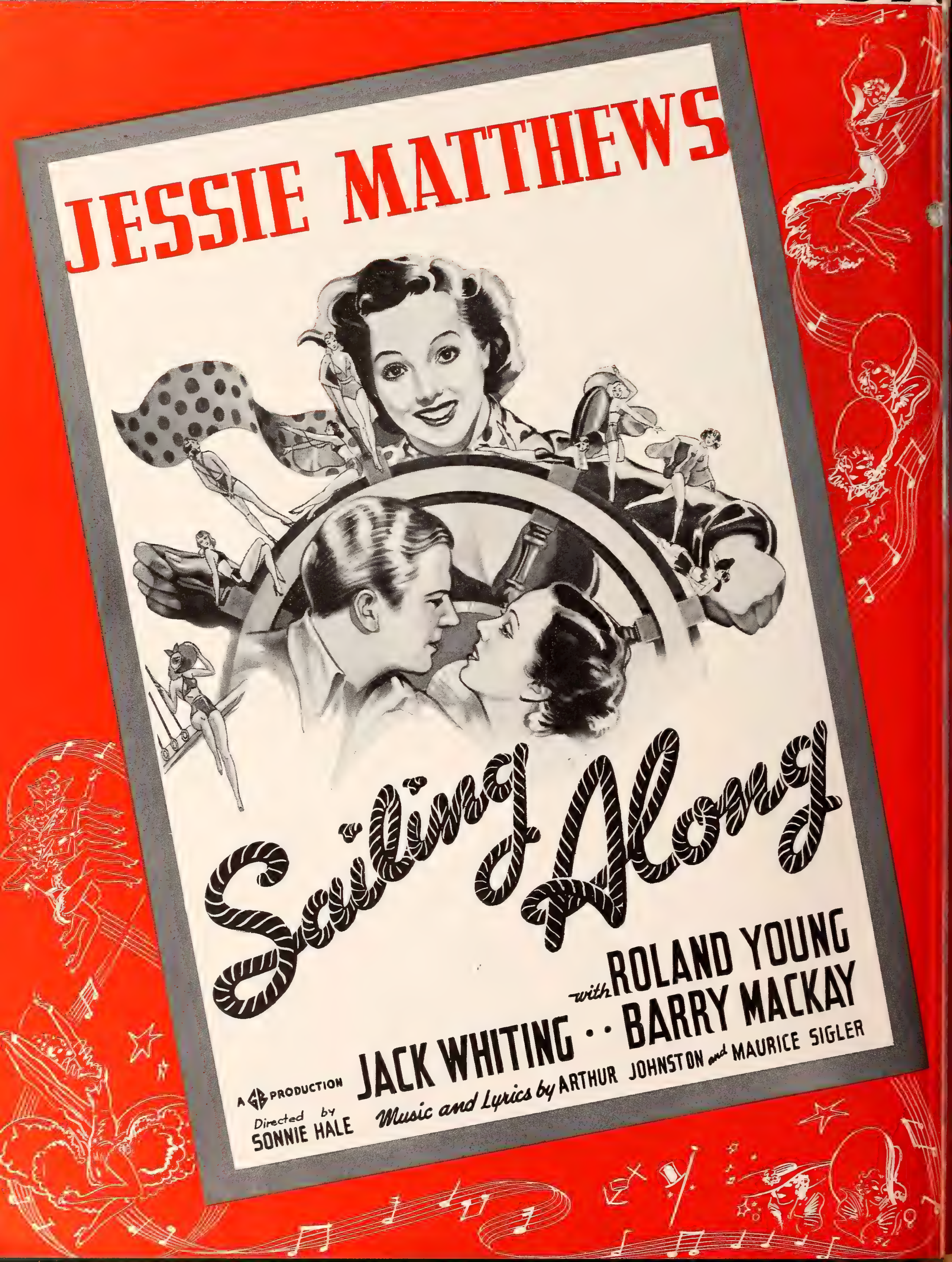
WILL HAVE THE BIGGEST YEAR IN ITS HISTORY

1938-39

For 1938-39 GB announces 24 productions—the most ambitious program in the history of the company.

With product like "Sailing Along," "To the Victor," "Blue Lagoon" and "Rob Roy"—with stars like Jessie Matthews, Anna Neagle, Will Fyffe, Nova Pilbeam, Margaret Lockwood, Jack Whiting, Margot Grahame, Kent Taylor, Paul Lukas, Roland Young, Edgar Kennedy—with directors like Alfred Hitchcock, Robert Stevenson, Herbert Wilcox—with authors like Edgar Wallace, Sir Walter Scott, E. Phillips Oppenheim, Henry de Vere Stacpoole, Alfred Ollivant, Roy Vickers—and with the unlimited production facilities possessed by GB, this program of 24 pictures will make screen history.

GB'S OPENER FOR 1938-39!



JESSIE MATTHEWS

Sailing Along

with ROLAND YOUNG

JACK WHITING · · BARRY MACKAY

A GB PRODUCTION

Directed by
SONNIE HALE

Music and Lyrics by ARTHUR JOHNSTON and MAURICE SIGLER

LREADY THE NEW SEASON'S TOP PICTURE!

TO THE VICTOR

"★ ★ ★ Unlimited, universal appeal."
—N. Y. DAILY NEWS

"Really remarkable and well worth seeing."
—LOS ANGELES HERALD

"A film work of rare distinction."
—MOTION PICTURE DAILY

"Beautiful and absorbing . . . with remarkable characterization."
—DETROIT FREE PRESS

"An early nomination for the 1938 Academy awards."
—BOX OFFICE

TO THE VICTOR

From the famous Alfred Ollivant story

BOB, SON OF BATTLE

Starring

WILL FYFFE

Margaret Lockwood
John Loder

Directed by
ROBERT STEVENSON

"Brims with the essence of life . . . We hope all will see it."
—WASHINGTON HERALD

"Admirable film. Mr. Fyffe's McAdam fits under the heading 'great performances'."
—NEW YORK TIMES

"Gaumont has a picture of which they may be proud. . . . Especially noteworthy."
—LOS ANGELES EXAMINER

"Will stir you as profoundly as anything you have ever seen."
—FILM DAILY

"A honey. . . . You'll adore 'To the Victor'."
—WASHINGTON DAILY NEWS

24 PRODUCTION

1938-39!

Jessie MATTHEWS *in* SAILING ALONG

with Roland Young—Jack Whiting—Barry Mackay—Noel Madison
Alistair Sim—Music & Lyrics by Arthur Johnston & Maurice Sigler

•

ROB ROY

From the world-famous romance by SIR WALTER SCOTT
Starring WILL FYFFE—Margaret Lockwood—Michael Redgrave

•

THE BLUE LAGOON

H. de Vere Stacpoole's classic of tropical love and adventure
Featuring the new romantic team
MARGARET LOCKWOOD—MICHAEL REDGRAVE

•

THE SHOW GOES ON

Starring ANNA NEAGLE—Tullio Carminati—Leslie Banks
Produced and Directed by HERBERT WILCOX

•

3 ON A WEEK END

Margaret Lockwood—John Lodge—Hugh Williams—Rene Ray
Directed by Carol Reed

•

MAN WITH 100 FACES

with Lilli Palmer—Tom Walls—Noel Madison—Directed by
Albert de Courville

•

PERJURY

Directed by ALFRED HITCHCOCK—Starring NOVA PILBEAM

•

A GIRL MUST LIVE

Margaret Lockwood—Lilli Palmer—Renee Houston—From the
sensational novel by Emerys Bonnett

•

CHICAGO BEN

with EDGAR KENNEDY—"Slow Burn" Kennedy's
First Gaumont Picture

•

DEATH OF A GHOST

The international best-seller by James R. Macaulay

•

CRIME OVER LONDON

Margot Grahame—Paul Cavanagh—Joseph Cawthorn—Rene Ray
Basil Sydney—Directed by Alfred Zeisler

•

Jessie MATTHEWS *in* EVERGREEN

Directed by Victor Saville—Story by Benn W. Levy
(A request re-issue)

• • •

TO THE VICTOR

Starring WILL FYFFE—Margaret Lockwood—John Loder
From the famous Alfred Ollivant story BOB, SON OF BATTLE
Directed by Robert Stevenson

•

Alfred Hitchcock's THE WHEEL SPINS

with Margaret Lockwood—Michael Redgrave—Paul Lukas—
Dame May Whitty

•

Jessie MATTHEWS *in* ASKING FOR TROUB

Kent Taylor—Noel Madison—Alistair Sim
Music by Arthur Johnston

•

STRANGE BOARDERS

From the best-selling novel by E. Phillips Oppenheim
with Tom Walls—Renee Saint-Cyr—George Curzon—
Directed by George Mason

•

HER PRIVATE DOCTOR

Adapted by Roger Burford from Roland Pertwee's great novel

•

THEY CAME BY NIGHT

Starring WILL FYFFE—From the famous stage play by
Barre Lyndon, author of "The Amazing Dr. Clitterhouse"

•

Jessie MATTHEWS *in* SPARKLE

with JACK WHITING

•

THE FROG

with Noah Beery—Gordon Harker—Based on the Edgar Wallac
novel "The Fellowship of the Frogs"—
Directed by Jack Raymond

•

EMPTY WORLD

From the sensational stage play by Rufus Stilwell

•

THE GIRL IN THE NEWS

with Margaret Lockwood—Michael Redgrave—From the
novel by Roy Vickers

•

CONVICT 99

with Graham Moffat—Roy Emerton—Moore Marriott
Directed by Marcel Varnel

•

THE 39 STEPS

Starring MADELEINE CARROLL and ROBERT DONAT
Directed by ALFRED HITCHCOCK (A request re-issue)

• • •

Pilot" Huge Draw in Two Boston Spots

Boston, May 12.—"Test Pilot" on ingle bill at both Loew's Orpheum d Loew's State logged $19,500 at Orpheum, where average is $12,- and $16,500 at the State, $5,500 par in an otherwise dull week.

Battle of Broadway," with Jackie oper, Bert Wheeler and Dixie nbar before the footlights, garnered ,000 at the RKO Memorial, $1,000 the clear.

Total first run business was $95,000. erage is $92,500.

Estimated takings for the week end- April 30:

"JEZEBEL" (W.B.)
LOVE ON A BUDGET" (20th-Fox)
(2nd run)
ENWAY — (1,382), 30c-50c, 7 days. ss: $3,500. (Average, $4,500)

"TEST PILOT" (M-G-M)
OEW'S ORPHEUM—(2,970), 25c-35c-55c, 7 days. **Gross:** $19,500. (Average, 00)

"TEST PILOT" (M-G-M)
OEW'S STATE—(3,537), 25c-30c-40c-55c, ys. **Gross:** $16,500. (Average, $11,000)

"IN OLD CHICAGO" (20th-Fox)
"TIP-OFF GIRLS" (Para.)
ETROPOLITAN—(4,332), 25c-35c-55c, 5 s, 2nd week. **Gross:** $9,500. (Average, 00)

"JEZEBEL" (W.B.)
LOVE ON A BUDGET" (20th-Fox)
(2nd run)
ARAMOUNT — (1,793), 30c-40c-55c, 7 s. **Gross:** $7,000. (Average, $8,000)

AW OF THE UNDERWORLD" (RKO)
KO BOSTON—(3,246), 35c-40c-55c, 7 s. Stage: "Waikiki Nights." **Gross:** 00 (Average, $20,000)

ATTLE OF BROADWAY" (20th-Fox)
KO MEMORIAL—(2,907), 35c-50c-65c, 7 s. **Gross:** $23,000. Stage: Jackie Cooper, t Wheeler and Dixie Dunbar. **Gross:** 00. (Average, $22,000)

Pilot," 2nd Week, Indianapolis High

NDIANAPOLIS, May 12. — Maytime situde enveloped the first run box- ces and the total business coasted wn to a new low. The only pic- e riding on the par line was "Test ot," in its second and final week at w's, where the take was $7,000.

After showing "College Swing" and w of the Underworld," the Indiana sed its gates until Labor Day. Man- r Ken Collins will devote the sum- to the Apollo.

Total first run business was $21,- Average is $28,500.

Estimated takings for the week end- May 6:

BECCA OF SUNNYBROOK FARM" (20th-Fox)
POLLO—(1,100), 25c-40c, 7 days. Re- showing. **Gross:** $1,200. (Average, 0)

"GO CHASE YOURSELF" (RKO)
"CONDEMNED WOMEN" (RKO)
RCLE—(2,800), 25c-40c, 7 days. **Gross:** 0. (Average, $4,000)

"COLLEGE SWING" (Para.)
LAW OF THE UNDERWORLD" (RKO)
DIANA—(3,200), 25c-40c, 7 days. **Gross:** 0. (Average, $6,000)

"TEST PILOT" (M-G-M)
EW'S—(2,800), 25c-40c, 7 days, 2nd . **Gross:** $7,000. (Average, $7,000)

FOUR MEN AND A PRAYER" (20th-Fox)
RIC—(2,000), 25c-40c, 7 days. Stage: ny Burke; Gine, Duffine & Lewis; 12 amlined Debutantes; Schichtl's "Royal derettes"; Grant Gardner & Daughter; roe Brothers. **Gross:** $6,500. (Average, 0)

Svenska Mileage

When Sam Cohen of United Artists warms up his air cooled typewriter equipped with an asbestos ribbon the resultant verbiage is terrific. Here it is.

There is no stopping that raging "Hurricane"! The havoc the picture creates on the screen pales into insignificance alongside the wreckage of broken records the Goldwynner is piling up in the theatre around the world.

In the town of Ostersund where "The Hurricane" was being shown with conspicuous success, a villager who had heard and read about the film was fired with such enthusiasm that, in order to see it, he walked 24 Swedish miles—the equivalent of 150 English miles. Shades of the ancient Marathon runners!

"Test Pilot" Washington's $22,000 Lead

Washington, May 12. — "Test Pilot" soared to $22,000 at Loew's Palace to take top honors with $6,100 over average.

"Mad About Music" sang a tune of $14,000 at the RKO Keith's, $3,400 over the usual take.

Total first run business was $77,100. Average, $73,700.

Estimated takings, exclusive of tax:

Week Ending May 5:

"TEST PILOT" (M-G-M)
LOEW'S PALACE—(2,370), 25c-55c, 7 days. **Gross:** $22,000. (Average, $15,900)

"MAD ABOUT MUSIC" (Univ.)
R.K.O. KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $14,000. (Average, $10,600)

"HER JUNGLE LOVE" (Para.)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: George Jessel, Norma Talmadge, Tommy Tucker. **Gross:** $17,000. (Average, $20,900)

"COLLEGE SWING" (Para.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Al Pearce and His Gang. **Gross:** $17,000. (Average, $18,400)

"THE ADVENTURES OF TOM SAWYER" (U. A.)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days. **Gross:** $4,100. (Average, $3,600)

"TRAIL OF THE LONESOME PINE" (Para.) (3 days)
THERE'S ALWAYS A WOMAN" (Col.) (Return engagement, 4 days)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,300)

Manager Seeks Office

Portland, Ore., May 12.—Robert S. Farrell, Jr., manager of the New Rivoli here, is seeking the Republican nomination for state representative from Multnomah County. He served in the 1935 special session as chairman of the committee on repeal of laws. Besides being a theatre manager he is a practicing attorney.

Kill Montreal Tax

Montreal, May 12.—The move on the part of Montreal to impose a tax of 25 cents per square foot on theatre billboards throughout the city has been halted by the Quebec Provincial Government which withheld official approval of the plan.

"Test Pilot" Twin Cities' Best Grosser

Minneapolis, May 12.—"Test Pilot" was the only picture in either town to make any inroads on the general slump which has overtaken the Twin towns. It drew $11,500 in Minneapolis at the State, where $4,400 is normal, and $6,500 at the St. Paul Paramount, where $4,400 is normal.

Total first run business in Minneapolis was $28,100. Average is $22,800. Total first run business in St. Paul was $11,000. Average is $13,260.

Estimated takings:

Minneapolis
Week Ending May 5:

"IN OLD CHICAGO" (20th-Fox)
MINNESOTA—(4,000), 25c-55c, 7 days, 2nd week. **Gross:** $5,700. (Average, $8,000)

"ADVENTURES OF TOM SAWYER" (Para.)
ORPHEUM—(2,900), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,800)

"TEST PILOT" (M-G-M)
STATE—(2,400), 25c-55c, 7 days. **Gross:** $11,500. (Average, $4,400)

"JUDGE HARDY'S CHILDREN" (M-G-M)
CENTURY—(1,600), 25c-40c, 7 days. **Gross:** $4,100. (Average, $4,000)

"MAYERLING" (Pax)
WORLD—(400), 25c-75c, 7 days, 2nd week. **Gross:** $1,800. (Average, $1,600)

St. Paul
Week Ending May 5:

"TEST PILOT" (M-G-M)
PARAMOUNT—(2,500), 25c-40c, 6 days. **Gross:** $6,500. (Average, $4,400)

"SALLY, IRENE AND MARY" (20th-Fox)
ORPHEUM—(2,000), 25c-40c, 6 days. **Gross:** $2,100. (Average, $3,200)

"LOVE, HONOR AND BEHAVE" (W-B)
"WOMEN ARE LIKE THAT" (F. N.)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $1,200. (Average, $2,400)

"FORBIDDEN VALLEY" (Univ.)
"ISLAND IN THE SKY" (20th-Fox)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,100. (Average, $1,600)

"NON-STOP NEW YORK" (G. B.)
WORLD—(400), 25c-35c, 7 days. **Gross:** $1,000. (Average, $1,600)

"Scandal," Dorsey $18,600, Buffalo

Buffalo, May 12.—Tommy Dorsey and his boys boosted "Fools for Scandal" into the upper brackets at the Buffalo. The gross was $18,600, $6,600 above normal at new summer rates.

"Test Pilot" churned up plenty of enthusiasm in its second week. It took $8,900 for the Great Lakes, which put it over par by $1,600.

Total first run business was $42,800. Average is $38,400.

Estimated takings for the week ending May 7:

"FOOLS FOR SCANDAL" (W.B.)
BUFFALO—(3,000), 30c-55c, 7 days. Stage: Tommy Dorsey's Orchestra. **Gross:** $18,600. (Average, $12,000)

"TEST PILOT" (M-G-M)
GREAT LAKES—(3,000), 30c-50c, 7 days, 2nd week. **Gross:** $8,900. (Average, $7,300)

"DIVORCE OF LADY X" (U.A.)
"TORCHY BLANE IN PANAMA" (W.B.)
HIPPODROME—(2,500), 25c-40c, 7 days. **Gross:** $4,700. (Average, $6,800)

"TIP-OFF GIRLS" (Para.)
"THIS MARRIAGE BUSINESS" (RKO)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,500. (Average, $6,000)

"LITTLE MISS ROUGHNECK" (Col.)
"THE LONE WOLF IN PARIS" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $5,100. (Average, $6,300)

"Swing" Gets Denver Peak Take, $8,000

Denver, May 12.—"College Swing" turned out to be a big money-maker at the Denham. It rolled up $8,000, up by $2,500. It was held.

"Joy of Living" and "Law of the Underworld" were a strong combination at the Orpheum, going to $9,000, up by $1,500. Both films were moved to the Paramount. "In Old Chicago" held up to $5,500, over par by $2,000, at the Aladdin, following a week at the Denver, and it was moved back downtown to the Paramount.

Total first run business was $37,750. Average is $32,750.

Estimated takings for the week ending May 5:

"IN OLD CHICAGO" (20th-Fox)
ALADDIN—(1,400), 25c-40c, 7 days, following a week at the Denver. **Gross:** $5,500. (Average, $3,500)

"GIRL OF THE GOLDEN WEST" (M-G-M)
BROADWAY—(1,100), 25c-40c, 7 days, following two weeks at the Orpheum. **Gross:** $2,500. (Average, $2,500)

"COLLEGE SWING" (Para.)
DENHAM—(1,750), 25c-35c-40c, 7 days. **Gross:** $8,000. (Average, $5,500)

"JEZEBEL" (W. B.)
DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $7,500. (Average, $8,500)

"JOY OF LIVING" (RKO)
"LAW OF THE UNDERWORLD" (RKO)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $9,000. (Average, $7,500)

"WOMEN ARE LIKE THAT" (F. N.)
"MAKING THE HEADLINES" (Col.)
PARAMOUNT—(2,200), 25c-40c, 7 days. **Gross:** $3,750. (Average, $3,500)

"ZAMBOANGA" (G. N.)
"STATE POLICE" (Univ.)
RIALTO—(878), 25c-40c, 7 days. **Gross:** $1,500. (Average, $1,750)

"Jezebel" on Dual $8,900 Omaha Top

Omaha, May 12.—"Jezebel" and "Romance in the Dark" took $8,900 in seven days at the Orpheum. This was $1,700 over weekly average.

"Test Pilot," in the second week at the Omaha, dropped to $5,600 for the second seven days after a smash first week of $13,200. Weekly average is $5,500.

"Fools for Scandal" and "Beloved Brat" pulled $3,900 in seven days at the Brandeis, barely seven-day average.

Total first run business was $18,400. Average is $16,700.

Estimated takings:

Week Ending May 3:

"FOOLS FOR SCANDAL" (W. B.)
"BELOVED BRAT" (W. B.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $3,900. (Average, $4,000)

Week Ending May 4:

"TEST PILOT" (M-G-M)
OMAHA—(2,200), 25c-40c, 7 days, 2nd week. **Gross:** $5,600. (Average, $5,500)

Week Ending May 5:

"JEZEBEL" (W. B.)
"ROMANCE IN THE DARK" (Para.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,900. (Average, $7,200)

Retitle Warner Film

Hollywood, May 12.—"Because of a Man," Warner film featuring Jeffrey Lynn and the Lane Sisters, has been retitled as "Sister Act," the same title as the Fannie Hurst novel from which it was taken.

Industry Able To Solve Own Problem: Kent

(*Continued from page* 1)

he declared. He also said 20th Century-Fox has no intention of opening its own theatre here, commenting that the British trade already has more than enough theatres.

A general feeling of intense relief pervaded the industry today as a result of the armistice in the grading fight. A more stable and lasting peace between exhibitor and distributor is confidently anticipated as a result of the joint conferences which will be carried forward. The role played by Mr. Kent in holding aloof from the grading squabble and in talking plainly to both exhibitors and distributors is credited in many quarters with having exerted a strong influence in bringing about the settlement.

Griffiths Asks Joint Drive

D. E. Griffiths, president of the K. R. S., today expressed the desire for a joint trade campaign designed to attract a larger percentage of the public to the theatre. He declared his belief that the common good of both branches can be assisted by collaborative action.

No date has been set as yet for joint conferences. Following Mr. Kent's lead, the exhibitors will seek a lasting settlement. It is felt that the conciliatory move of the distributors in part at least was impelled by a desire to avoid the publicity attendant upon the arbitration of the problem before the Films Council.

Ken Nyman, president of the C. E. A., declared, "I am happy at the results, not so much because of the suspension of grading as because the trade has found a way to settle its differences in negotiation and discussion. I join with Sidney Kent in hoping that the peace will not be a Versailles Treaty but a permanent settlement."

Charter Three Companies

Albany, May 12.—Incorporations issued to picture concerns this week include:

Susan Theatres, Inc., $1,000 capital stock, by Freda Jarrett, Norma Paget and Lillian Gershen.

Locust Valley Associates, Inc., $20,000 capital stock, by Ruth Bedford, Montgomery Ford and Charles Ballon.

Proven Pictures, Inc. (Brooklyn), 100 shares, no par value, by Anna Weissman, Philip D. Greenspan and Mildred Trachtenberg.

Plan Campaign Picture

Hollywood, May 12.—The fall political campaigns have given Warners an idea for a film to be titled "The People's Choice," for October release. Lee Katz is working on the script. Casting will start in June.

"Pearls" in Sixth Week

"Pearls of the Crown," distributed by Lenauer International Films, is currently in its sixth week at the Filmarte.

Plaque for Johnston

W. Ray Johnston, president of Monogram Pictures, received the first memento of his 25th anniversary in the industry, which he will celebrate next December, on the conclusion of the company's recent national sales convention in Cincinnati.

Mr. Johnston was presented an engraved plaque bearing the signatures in metal of every home office, studio and sales official of the company, including the sales representatives of every Monogram branch.

New 3-Color Film Demonstrated Here

(*Continued from page* 1)

speed as black and white negative and with no requirements for special lighting.

Several of the scenes presented yesterday were outdoor shots made under varying light conditions. Others were indoor camera tests, some with strong colors and others with tints. The effects were pleasing, but some of the backgrounds seemed to be slightly fuzzy at times.

Mr. Brewster and Judge John Evans, his counsel, intend to leave for the coast today to show the films to producers and negotiate for construction of a laboratory on the coast.

Revolving mirrors, instead of prisms, are used in the cameras. The pictures on the positive film are printed photographically and then developed to form silver images, which are converted, chemically, into transparent mordant images. These are then treated with basic dyes. At present all the processing has to be done at Newark.

Ad Films Expected In Australia Soon

American advertising films will be shown in Australia in the near future, it was said yesterday by Clyde Wilson Reid. Mr. Reid recently was appointed Melboure representative of Alexander Film Co. At present screen advertising in Australia is largely limited to slides, he said. He is here also to study distribution methods.

Following a three-month visit here Mr. Reid will return to Australia and handle the introduction of commercial screen advertising. It was also learned yesterday that the method of handling screen advertising matter abroad is to have a representative contact theatres and obtain bookings. Mr. Reid shortly will leave for Hollywood and will embark for home from there.

Columbus House to Close

Columbus, May 12. — The RKO Majestic will be closed May 20 by C. Harry Schreiber, city manager. RKO operates two other downtown houses, the Grand and Palace.

RKO has operated the theatre since 1929, and in 1936 signed a 20-year lease on the property. No announcement was made as to what post W. Clifford Bozman, manager, will assume after the theatre closes its doors.

Delay Neely Bill Pending Aviation Measure Disposal

(*Continued from page* 1)

aviation measure is disposed of, which may be tomorrow.

Gabriel L. Hess, general attorney of the M.P.P.D.A., pointed out in a statement issued yesterday that inaccuracies, omissions and unsound elements which entered into the drafting of the Neely bill four years ago never have been corrected and remain in the body of the measure.

Referring to the voided order of the Federal Trade Commission of 1927, which was incorporated almost verbatim in the Neely bill, Mr. Hess declares that "is a clear reason for refusing to enact their proposal into a criminal statute."

He cites, as well, the admissions of those who drafted the measure that they had no experience with the industry, consulted no one connected with it and had no advice on the practices of the industry, and points out that errors in the language of the bill which were identified two years ago have not been corrected yet.

In view of this, Mr. Hess contends, copies of the testimony at the subcommittee hearings on the bill two years ago are useless to present members of the Senate, many of whom were new to that body this year. New hearings on the Senate bill, he states, are required now.

Guild Split Aim of Producers—Capra

(*Continued from page* 1)

gaining pact were started anew by the producers themselves. Outlining various meetings of producer-director committees, Mr. Capra said: "We had no intimation you desired to commence negotiations only upon the condition that assistants withdraw from the guild, or desired to utilize the discussion merely for the purpose of forwarding to us a carbon copy of an ultimatum rejected by us some eight or nine months before."

Mr. Capra referred to last year's talks of guild groups with producers in which studio heads expressed willingness to negotiate a pact only on condition that directors divorce themselves from assistant directors and unit managers and each classification bargain separately. Mr. Capra's letter climaxed several days of statement issuing. The next move is due at a meeting of junior guild members with the outgoing senior board, at which time junior members who include assistant directors and unit managers are expected to reaffirm their stand for complete unity. New officers are to be chosen Sunday night by the senior guild.

O'Brien Joins Fulton

Esmond P. O'Brien, formerly vice-president of Buchanen & Co., has joined Fulton, de Garmo & Ellis, and has been elected a vice-president.

Kodak Declares Dividend

Eastman Kodak Co. has declared a quarterly dividend of $1.50 on the common stock.

Texas Rangers' Latest Recruit

Edward A. Golden, intrepid ride of the plains and also vice-presi dent of Monogram Pictures Corp photographed immediately afte having been commissioned a Texa Ranger and prepared to assume hi new duties.

Universal Men Start Western Meet Toda

(*Continued from page* 1)

cities across the country before th end of the month.

Mr. Scully will open the three-da meeting here at the St. Francis to morrow morning. The company's ne season schedule of 40 features, 1 westerns, four serials and 81 sho subjects, which were announce earlier, will be discussed in detail an new sales policies will be made know

Preliminary work on "The Road t Reno," the first of Universal's ne season pictures to go before th camera, will be started with the ar rival in Hollywood next week of Hop Hampton, who will be starred in th picture. Miss Hampton will leav New York for the coast by train o Sunday. Jules Brulatour, her hus band, will accompany her.

Margon in New "U" Post

C. C. Margon, former South an Latin American sales representativ for Paramount and Columbia, was ap pointed Latin American supervisor fo Universal yesterday by Joseph Seidel man, foreign manager. Mr. Margo will make his headquarters at the Uni versal home office but will spend con siderable time contacting Universa branches in Central and Sout America.

Radio 'ersonals ◀

ARE LORENTZ, producer of the documentary films, "The River" "The Plough That Broke the ins," will write and produce an intrial symphony titled "Behold the n" for the "Columbia Workshoe" on May 21 . . . Al Jolson arrived w York yesterday from Hollyd. Mr. Jolson, incidentally, will brate his birthday May 26 . . . n Royal, NBC vice-president, will rn today on the *Rex* following a in Jerusalem . . . A score of radio s, including Ben Bernie, Benny dman and David Ross, will be ng the sponsors of a cocktail party e held May 20 by the newly-formed lio Committee of the Friends of the aham Lincoln Brigade.

✚

he Revelers Quartet today will e a transcription for Firestone at rld Broadcasting. . . . Gordon Gif- has been booked for a series of weekly shows over WTIC in tford. . . . B. J. Hauser, promo- counsel for NBC's managed and rated stations, returned yesterday n a three-week trip that took him he coast.

O'Keefe Sues Agency

Valter O'Keefe filed suit in the Y. Supreme Court yesterday inst Young & Rubicam, Inc., and Packard Motor Car Co., Inc., for 750, claiming breach of contract. Keefe claims that in November, 7, he contracted through Young & icam for 22 weekly broadcasts ting Jan. 4 and ending May 31, 8, at $4,000 until March 1, and 50 for the remaining period. He her asserted that he had been disrged on March 1 without any valid on.

Add McClatchy Group

ummer Products will add the Mcchy stations, KFBK, KWG, J and KERN, to its Red network ting May 23 on the "Vox Pop" v for Molle. The additions will g the total network for Molle to stations. Stack-Goble of Chicago ne agency.

rown Revue" Renewed

he "Royal Crown Revue," which ures Tim and Irene and George en's orchestra, has been renewed the summer by its sponsors, i, Inc., to continue over the NBC-. The renewal will take effect 10.

He's a Bit Rosy

San Francisco, May 12.—he local radio scribe who wrote his column well in dvance, before the opening f the CBS studios in Hollywood, is still wearing a red ace. He had himself attendng the Hollywood Bowl conert by Otto Klemperer and massed choir of 20,000 chilren.

P. S.—The concert never ccurred, due to rain.

Issue CBS Rates

The new CBS rate card, out yesterday, announces 14 new stations and 94 major station improvements since August, 1937. It also records a major improvement in Canadian coverage with the tieup between CBS and the 31 stations of the Canadian Broadcasting Corp.

MacFadden Publicity Tells of Show's Ban

Bernarr MacFadden in today's newspapers will insert paid advertising "regretfully" announcing that the broadcast originally scheduled for tonight's *True Story Magazine* program on NBC will not be presented because of the network's ruling which "prohibits controversial subjects on commercial programs." The program was to have been based on a story in the magazine entitled "Our Money-Mad Doctors." A substitute program will be heard tonight.

At NBC it was said that the network had known that the advertisement would be inserted in the papers, having been told by Mr. MacFadden himself. The network said that it would have been impossible to present "Money-Mad Doctors" on the air because of its subject matter.

Coll, McCoy Open Office

Fred Coll and G. Braidwood McCoy have left Publicity Associates and have opened their own publicity office here. They retain production and publicity on the Energine "Radio Newsreel" and Parks Johnson and Charlie Butterworth of the Molle "Vox Pop" show.

Lambert to Add Stations

The Lambert Co., sponsors of "True Detective Mysteries" on Mutual, will add WFIL, Philadelphia, and KSTP, St. Paul, beginning with next week's broadcast. Ironized Yeast Co., sponsors of the "Good Will Hour" over Mutual, will add WTHT, Hartford, as of next Sunday.

Plan New Summer Show

A new summer variety show without orchestra will replace Leo Reisman on the Schaefer Beer program after the broadcast of June 2. Those chosen for the new program are the "Jesters," Al and Lee Reiser, Felix Knight and an accordionist, Charles Magante. The sponsor is still looking for a female vocalist.

Mutual to Take Show

Beginning May 21, Mutual will take a sustaining show from WTHT, Hartford, titled "The Day You Were Born," which the network hopes to be able to sell to a sponsor. The show is an audience participation one, in which Fred Foster, general manager of WTHT, will serve as narrator.

Bailey Heading KBIX

Muskogee, Okla., May 12.—W. K. Bailey, formerly manager of WAAW, Omaha, has been appointed manager of KBIX, here.

Congress Considers Propaganda Station

Washington, May 12.—Senate and House committees today turned their attention to the establishment of Government radio stations to broadcast propaganda to South America, with a hearing on the Chavez-McAdoo bill for construction of a $3,000,000 Government station near San Diego before a Senate Interstate Commerce subcommittee, while the House Naval Affairs Committee announced it would hold a hearing next Monday on the Senate bill for a Government station in Washington.

A struggle to propagandize Latin America is being waged by European nations, it was declared by Albert K. Dawson, cruise lecturer, who related his observations of radio activities both in Europe and the Far East. The United States, he said, "is missing a very good bet if we do not get in with a Government station and start pounding away."

Ninety per cent of motion pictures shown in Latin America are the product of this country, which has given us an enormous advantage and prestige, of which Europe is highly envious, he pointed out, providing a basis for propaganda broadcasts. In the East, Italy has supplied free receivers in Syria and Palestine which are "fixed" so that only the programs of Italian propaganda can be received, he told the committee.

Others who appeared at the hearing were Lieutenant Commander Jennings Bryan Dow; Dr. J. H. Dellinger, chief of the radio section of the National Bureau of Standards, and Lieut. E. K. Jett of the F.C.C..

Charges Bribery in RCA Degrees of '32

(Continued from page 1)

urged committee approval of his resolution calling for a House investigation of the broadcasting industry.

Mr. McFarlane will resume his testimony some time next week, when Representatives Lawrence Connery of Massachusetts and Robert L. Bacon of New York, who have submitted similar measures, also will appear.

Mr. McFarlane claimed to have information proving the existence of criminal conspiracy as charged by him at today's hearing. He drew from Chairman O'Connor of New York an admission that a radio monoply exists, and he also asserted all 40 of the cleared channels and almost all the regional high power stations "are owned, controlled or operated in the interests of the radio monopoly."

Tinney Series Ready

Cal Tinney, columnist and humorist, will begin a new series of novelty programs, "My Secret Ambition," 8 to 8:30 P. M., on the NBC-Blue, starting May 16. The current series is the result of a tryout show last week which worked out successfully. The first program will include talks between Mr. Tinney and James J. Braddock, Helena Hubinstein, Charles Driscoll, the columnist who succeed the late O. O. McIntyre; Wilfred Funk, the publisher, and several others.

Announcer Is Candidate

Sioux City, Ia., May 12.—Ray Murphy, KSCJ announcer, has announced himself as a Democratic candidate for Congress in the ninth Iowa district.

Banner LINES

A TRAVELER returned from the hike to Hollywood to cover the opening of the KNX studios tells how Jo Ranson, radio editor of the *Brooklyn Eagle,* became the fashion plate of Hollywood by virtue of M-G-M's wardrobe department. Jo took along little else but a toothbrush, intending to stock up upon his arrival. But Perry Charles of M-G-M, a pal of the New York scribes from the days when he was publicity director of WHN, refused to allow Jo to spend a dime on clothes purchases. He turned him over to M-G-M's wardrobe department, where Jo was outfitted with a couple of dozen sport, dress and business suits, and all the necessary additional accoutrements, including shoes, hats, socks, golf clubs and tennis racquets, etc.

▼

The same source is authority for another anecdote of the trip, this one concerning Nick Kenny, radio editor of the New York Mirror, and poet and songwriter to boot.

Mr. Kenny, while journeying westward, learned that the party of service was to stop in Chicago to attend a party arranged by WBBM, at which Edgar Guest was to be the "em cee." Thereupon Mr. Kenny was up half of the night on the ride to Chicago, writing poems by the dozen, which he subsequently read to Guest.

"It was a great moment," relates our tale-bearer, "when the Bard of Broadway met up with the Bard of the Home."

▼

"Information, Please," is to be a new presentation on NBC. The program will be a quiz series, but it will differ from others in that a jury of noted figures will be asked to supply the answers to questions, not the audience. The foreman of this noted jury will be Franklyn P. Adams of newspaper column fame.

At the audition, one of the NBC program heads, testing the reputed all-comprehensive knowledge of the jury, addressed several lines of a poem to "F.P.A.," and asked him to name the author of the verse. Adams finally admitted he was stumped.

The author of the poem, in case you haven't guessed it yet, was "F.P.A."

▼

Aaron Steiner of Leading Attractions, Inc., has just acquired the radio rights to "The Spider" and "Wild Bill Hickok" from Nate Spingold of Columbia Pictures. Columbia will release these thrillers as screen serials.

—Jack Banner

New Spot Idea

Kansas City, May 12.—Every time Feld Chevrolet Motor sells a car, KSKN will interrupt any program in progress to broadcast the information in a unique variation of the spot announcement idea. "Your neighbor has bought a Chevrolet."

"I CANNOT TELL A LIE...

HOLIDAY*

WILL BRING BIG BUSINESS IN JUNE!"

*THE PICTURE THAT HAS EVERYTHING!

A COLUMBIA PICTURE

DO NOT REMOV

Alert.
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Picture
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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 43. NO. 112 NEW YORK, SATURDAY, MAY 14, 1938 TEN CENTS

Columbia Sets Record Budget On New Films

Cash Reserve High, Cohn Tells Sales Meeting

Columbia's production budget for the 1938-'39 season will exceed by at least $2,500,000 the company's highest previous expenditure for product, Jack Cohn, vice-president, told the company's eastern regional sales conference which opened at the Warwick yesterday.

No rigid budget limitation will be set, the meeting was told, but the company's cash reserve for production purposes will be ample to provide sufficient financing at all times for any picture which merits a supplementary outlay in excess of its original estimated cost.

"Because many an excellent story idea has been ruined in an attempt to conform to a definite budget measurement," Mr. Cohn said, "the company's policy will be based on the merit of individual films. Their box-office worth will be the guide for the studio

(*Continued on page 3*)

F. P. Canadian Pays $350,000 in Bonds

TORONTO, May 13.—The financial position of Famous Players Canadian Corp. is such that $350,000 in serial bonds maturing June 1 will be paid off in cash.

The retirement of these bonds will leave the funded debt at $1,400,000. Outstanding serial bonds one year ago totaled $2,100,000, but a $350,000 block was retired last summer. Operations of the company for the current cal-

(*Continued on page 4*)

May Air Sessions of Constitutional Meet

ALBANY, May 13.—Edward F. Corsi, generally considered Mayor LaGuardia's spokesman in the Constitutional Convention, is the sponsor of a resolution authorizing Convention President Frederick E. Crane to appoint a committee to make arrangements to broadcast certain sessions on a non-commercial basis.

The resolution by Corsi was the first inkling many delegates had that specific authorization would be neces-

(*Continued on page 4*)

More Radio—P. 4

'Ridiculous,' Says Schenck, Of ITOA's Attack on Stars

Joseph M. Schenck, chairman of the board of 20th Century-Fox, struck back at the I.T.O.A. attack on Hollywood stars "who are poison at the box-office," on his arrival from Florida last night with Nicholas M. Schenck, president of M-G-M.

"The exhibitors' statement was ridiculous," he said. "How can any exhibitor, on the basis of what a picture does at his theatre, know how it does generally? He has to have more information than his own box-office receipts to gauge the drawing power of stars.

"Why, the very stars that they attacked have made money for them, and the pictures, too. 'Stage Door,' for example. Try to take those pictures away from them and see how loudly they will squawk.

"Statements of that kind don't do the business any good and they harm those who make them. They boomerang."

Mr. Schenck said that his company's business is improving and that "the second quarter is better than the first." He said he plans to sail June 1 with Darryl F. Zanuck, head of 20th Century-Fox production, and that they will visit London, Paris and Budapest. Mr. Zanuck is due to play some polo matches in England. Mr. Schenck said they will be abroad two months, but he was not certain whether he would return with Mr. Zanuck.

Nicholas M. Schenck returned with Mrs. Schenck after closing their Miami home for the summer. He said he was "feeling fine." The party was met upon its arrival at the Pennsylvania Station by C. C. Moskowitz of Loew's and Joe Moskowitz of 20th Century-Fox.

Warner Dallas Meet Gets Going Monday

DALLAS, May 13.—Details of the new season's program will be given to southern and western sales staffs at the second of Warners' regional conventions at the Baker Hotel here, starting Monday for three days.

The shorts schedule will be disclosed by Norman H. Moray, head of Vitaphone sales, who kept the news secret until the local session. Ben Kalmenson, western and southern sales manager, will preside during the three days.

Among the first day's speakers will be Gradwell L. Sears, S. Charles Einfeld and Carl Leserman.

Tuesday morning will be devoted to the shorts program and Mr. Einfeld will outline the features in the afternoon. In the evening the 150

(*Continued on page 3*)

Allied to Send 50 To Pittsburgh Meet

The New York and New Jersey units of Allied will be represented by about 50 members and their wives at the national Allied convention in Pittsburgh next Tuesday, Wednesday and Thursday.

Delegations from New Jersey and the New York metropolitan area will leave in a private car from the Pennsylvania Station at midnight Monday. An upstate delegation is also scheduled to leave Monday.

Among those in the local group will be Abe Levy, Max Cohen and Frank Schwartz of Brooklyn; Samuel

(*Continued on page 4*)

RKO May Not Hold Sales Meet—Levy

RKO may hold no new season sales meeting this year because of the continuing contact between home office sales officials and the men in the field during the past several months in which the Ned E. Depinet sales drive has been in progress, Jules Levy, sales manager, said yesterday.

Mr. Levy returned this week from eight weeks of visits to branches in all parts of the country. The drive closed yesterday. Walter Branson, drive manager, and Cresson E. Smith, district manager, returned with him. Mr. Levy said that while he did not see the necessity for an annual sales meeting at this time conferences might be held late in June if the situation was changed by then. He pointed out that RKO still has 14 pictures to deliver on current season's contracts before work begins on the 48 planned for 1938-'39.

Mr. Levy estimated the total domestic gross of "Snow White and the Seven Dwarfs" will be approximately

(*Continued on page 3*)

RKO Plan Revisions To Court on Monday

Amendments to the RKO plan of reorganization sponsored by Atlas Corp. will definitely be submitted to the Federal Court on Monday, Floyd B. Odlum, president of Atlas Corp., said last night.

The most important amendment to the plan is that by which secured creditors will accept preferred stock

(*Continued on page 3*)

Roach Signs UA Contract For 8 Years

Has Two Still to Make On M-G-M Pact

HOLLYWOOD, May 13.—Hal Roach today terminated his releasing agreement with M-G-M and signed with United Artists a contract providing for the release of his product for the next eight years. His releasing arrangement with M-G-M will be formally ended with the completion of two more features starring Laurel and Hardy.

During the first year of his pact with United Artists Mr. Roach will produce six features, the first of which will be "There Goes My Heart," which will have as its leading players Fredric March and possibly Irene Dunne. The second will be "Topper Takes a Trip." Four Laurel and Hardy films will be produced each year under the terms of the new contract.

Mr. Roach had been releasing through M-G-M for 13 years.

Whitney-Ginsberg to Confer Here Monday

John Hay Whitney, chairman of the board of Selznick International, will receive a report on the new United Artists profit-participation plan for affiliated producers from Henry Ginsberg, general manager of the company, when he arrives Monday on the *Normandie*. Mr. Ginsberg is due Monday from the coast.

U. A.'s recently adopted setup giving producers a share of the company's profits will, it is believed, be a factor in the decision of Selznick International on its future affiliation with the distributing company. Mr. Selznick has two to deliver on its present commitment, but this number may be increased to six, it is said.

Herbel Is Honored At Chicago Dinner

CHICAGO, May 13.—Two hundred Chicago film men attended the Henry Herbel testimonial dinner at the Congress Hotel tonight.

Mr. Herbel is leaving Chicago for a new job with Warners after 17 years in distribution here. During this time he has been president of the Film Board of Trade. Exchange executives and exhibitor leaders spoke tonight with Jack Osserman presiding.

Clyde Eckhardt and Aaron Saperstein were in charge. Mr. Herbel was presented a ring.

Bank Night to Seek Stay on Mailing Ban

The appeal procedure by Affiliated Enterprises, copyright owner of Bank Night, in the case in which the Post-office Department barred the company from the use of the mails, is being worked out with the department in Washington, and the papers are now expected to be filed by the middle of next week.

John M. Keating, attorney for Bank Night, had planned to ask for a rehearing, but under the procedure being formulated an application for an injunction may be filed instead. Whatever method is decided upon, it will be by mutual agreement between Affiliated and the department.

Goldstein to Sue 20

Edward Goldstein, local Bank Night ditsributor, said yesterday that he has instructed counsel to proceed with suits against 20 exhibitors in New Jersey to collect royalties due. The first action, expected to be brought early next week, will be against a Newark exhibitor. Subsequent actions, he said, will be for copyright infringement.

Mr. Goldstein said that when an attempt was made to file such suits against New Jersey exhibitors in the New York courts, they were rejected on the ground of lack of jurisdiction. The contemplated actions follow a decision of a New Jersey court holding Bank Night not a lottery.

Ask Full Court to Hear Case

Kansas City, May 13.—Charles M. Miller and Fred Bellemere, attorneys for R. W. McEwan, Bank Night distributor, have filed a motion in the Supreme Court of Missouri asking the court en banc to hear the McEwan Bank Night case. Earlier this week the court's second division turned down a motion for rehearing. That divison previously had delivered an opinion in which Bank Night was asserted to involve the element of consideration and therefore to be in violation of the lottery statute of the state. In delivering the opinion, the division reversed the decision of Judge Marion D. Waltner's Circuit Court here.

Only one theater in the Kansas City area is using the promotion.

"Music" Mexican Hit

Mexico City, May 13.—"Mad About Music," Universal film, established a new gross record for an opener, $3,500, at the select Cine Teatro Alameda. The film is now in its second week and may go into a third at the same stand.

Muehlman Resigns

San Francisco, May 13.—Charles Muehlman, for 20 years local manager for Warners, has resigned, effective immediately. Muehlman's future plans will be announced later.

Mexico Taxes Passes

Mexico City, May 13.—The latest local amusement industry tax is an impost on all theatre passes, with the result that fewer are being issued.

Constellation

San Francisco, May 13.—The greatest gathering of film stars ever to attend a local celebration—14 in all—are here for tomorrow's program at the Union Label Exhibition. The list includes Joan Crawford, Franchot Tone, Robert Montgomery, Alice Faye, Tony Martin, Warren William, Eleanore Whitney, Wallace Beery, Leo Carrillo, Edmund Lowe, Betty Grable, Jackie Coogan, Pat O'Brien and June Lang.

Warners Intervene In Labor Board Case

Los Angeles, May 13.—Further complicating the case and delaying the long awaited National Labor Relations Board decision on the petition of the Screen Writers Guild for an election to determine film writers' bargaining agency. Warners have received permission to file written briefs supporting the company's contention that the NLRB has no jurisdiction in film matters.

Nathan Witt, executive secretary of the national board, has given the company's attorneys until May 19 to file the briefs.

The case was reopened last week in Los Angeles to permit the guild to enter additional information concerning its recent incorporation as a California organization and on its new by-laws under which it has been granted complete autonomy from the Authors League of America.

Seek London Strike End

London, May 13.—New moves have been started aiming at an end to the projectionists' strike. The Electrical Trades Union wants the men returned to work, and has offered to meet the C. E. A. on condition the union be recognized and the 48-hour week be discussed. The exhibitors insist that the strike be called off and the men returned to work prior to arbitration of the dispute. No theatres were closed during the strike.

Cuban Producer Here To Secure Equipment

Dr. Oscar Zayas, editor and publisher of *Avance,* Cuban newspaper, and produce of "Sucedió en Habana," all-Cuban production, is at present in New York.

Dr. Zayas' trip is for the purpose of purchasing studio equipment for the plant he is erecting in the outskirts of Havana.

"The future of the Latin-American motion picture," states Dr. Zayas, "is the typical Cuban, Argentine or Mexican product. We should never attempt to compete with Hollywood in producing international subjects, but, instead, if the three leading Latin producers concentrate on vernacular stories, there is no doubt that the interchange will reach considerable proportions in the near future."

"Sucedió en la Habana," a musical featuring an all-Cuban cast, headed by Rita Montaner, Cuba's outstanding singing star, has been produced at a cost in the neighborhood of $80,000, and will be ready for release next month.

Peskay Visits Branches

Hollywood, May 13.—Edward J. Peskay, Grand National sales manager, has left town for a six-week tour of exchanges, and will appoint seven additional new district managers to the already enlarged sales staff.

James Winn, Chicago branch manager for the company, has been appointed western district manager, covering Los Angeles, San Francisco, Denver, Salt Lake City, Seattle and Portland. He will make his headquarters in San Francisco.

W. Benny Benjamin will succeed Winn in Chicago.

Drake Reported Gaining

Whitford Drake, Erpi president, is resting comfortably in London, recovered somewhat from his recent serious illness there, New York friends were advised yesterday. Mrs. Drake joined her husband recently in London. Neither has made any definite plans yet for sailing for home.

New York Reviewers Unite In Praising "Robin Hood"

New York's critics were unanimous in their acclaim of "The Adventures of Robin Hood," as the following excerpts from their reviews indicate.

Daily Mirror—"The Adventures of Robin Hood" is a gorgeous and thrilling screen spectacle . . . one of the most beautiful adventures ever filmed. . . . The picture abounds in lusty action.

Daily News— . . . With Errol Flynn at the head of a great cast, it is a handsome, rousing and exhilarating picture. The color . . . adds to its distinction. The whole family will relish (the film).

Herald-Tribune— . . . A rich and colorful screen tapestry . . . a brilliant and compelling adventure romance . . . constantly founded on action. . . . In short, (it) is a major event of the current screen season.

Journal-American — (The film) is hugely entertaining . . . gorgeous pageantry and impressive spectacle . . . (there) is unfolded what's primarily a lusty action film.

Post—It can be summed up as magnificent entertainment. The large case carries no useless freight.

Sun—. . . a grand picture, a picture worth getting excited about. It is a rollicking adventure tale. A fine cast brings the old legend to life. . . . Merry adventure at its film best.

Times—A richly produced, bravely bedecked romantic and colorful show, it leaps boldly to the forefront of this year's best. . . . Few story books have been more brilliantly brought to life.

World-Telegram — Here, without doubt, is the gayest, most entertaining film that has come along in weeks. Done magnificently . . . the picture is a merry romp. . . . Superbly directed and cast.

Purely Personal

Daniel Frohman will deliver a talk on "The History of the Theatre in New York" at the Museum of the City of New York next Thursday afternoon.

•

Gustave Schwab, foreign f[illegible] distributor, has acquired America[illegible]hts to "L'Or Dans La Rue," ("Gold in the Streets"), which features Danielle Darrieux.

•

F. R. Kossmann has returned from a trip to Europe where he inspected film laboratory equipment and surveyed the market for his principals, Wiederhold & Hubbard.

•

Ed Dawson, formerly with Packard Electric Shaver, is now assistant advertising manager of the Zephyr Shaver Corp. of Syracuse with offices here.

•

Lily Pons, Olivia de Havilland, Claudette Colbert and her husband, Dr. Joel Pressman, are due to arrive on the *Normandie,* which will dock Monday.

•

Moe Leftoff and Joe Heppner of Metropolitan Photo Service are covering the Columbia convention at the Warwick Hotel.

•

Harry Royster of the Paramount theatre department has returned from a swing through the midwest.

•

Frank Fay has arrived in town from the coast. He is at the Waldorf-Astoria.

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DAILY
(Registered U. S. Patent Office)

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Columbia Sets Record Budget On New Films

(*Continued from page 1*)

expenditure. This elastic budget will permit Columbia to spend sums in excess of its highest expenditures of the past, knowing that a good picture has never yet found its top at the box-office."

Mr. Cohn urged the necessity for production of pictures which "entertain," declaring that "preachment" and "propaganda" should be shunned by the producer.

"The American film industry is fortunate," he said, "in that it has no other obligation than to produce pictures for entertainment. They need fear no edict from officialdom that Government propaganda must take precedence over entertainment. There is no 'must' from on high, except the industry's self-imposed obligation to produce the best in entertainment, in good taste, for every member of the family. In it, there is no hint of despotism or fear."

Montague in the Chair

A. Montague, Columbia general sales manager, presided at the meeting which is attended by about 80 sales representatives from the home office, eastern branches and Canada. Current releases and exchange operations were discussed during the day and the entire delegation attended last night's performance of "Golden Boy," which will be made into a picture for new season release by Columbia.

Mr. Montague will announce the company's 1938-'39 production schedule at today's meeting. The sessions will close tomorrow with district managers' conferences.

Brown Hurt; Shooting Halted

HOLLYWOOD, May 13.—Tackled by football players of U. C. L. A. while filming a sequence of "The Gladiator," Joe E. Brown today received injuries which caused suspension of shooting on the David Loew production for two weeks, during which time Brown has been ordered to remain off his feet.

The film is scheduled for Columbia release.

Kreisler Takes New Post

B. Bernard Kreisler, formerly with the Los Angeles M. P. Code Board and a special Paramount representative in Washington, has resigned to take up a post with the Honduras Sanib Corp. He will sail today with the president of the company, Robert M. Davidson, on a special research trip during which he will gather material to bring his report on "Motion Pictures in Latin America" up to date.

Yiddish Film to Start

Edgar G. Ulmer, who directed "Green Fields," for Collective Film Producers, Inc., will start production about June 1 on another All-Yiddish feature, "Jacob the Blacksmith." The picture, based on a story by David Pinski and starring Moishe Oysher, will be filmed in upper New York State and will be distributed by Collective.

Comment at Columbia

JACK COHN is beginning to feel like an absentee landlord, he's been away from his Katonah farm so long. And it'll be another two weeks or so before he gets back to the cows and the chickens upstate.

+

ABE MONTAGUE was wishing he'd brought his Leica along to take some candid shots of the boys. Incidentally, Columbia's general sales manager is getting professional values into his pictures, judging by some he showed around.

+

RUBE JACKTER was over early to greet the arrivals from out-of-town and to put across a couple of personal pep talks to get the boys in trim for the goings-on during the sales sessions.

+

Not because he likes golf less, but because he likes a Columbia convention more, LOUIS ASTOR gave up his weekend on the course without a grumble.

+

MAURICE BERGMAN, the ad specialist, made many new friends and met a lot of old ones at the meeting.

+

ART LEVY, the Pittsburgh branch manager, took a good look at the sun—after weeks of Pittsburgh fog—and said: "So that's what it looks like!"

+

LOU ROSENFELD and DAVE COPLAN, coming in from Canada, had a couple of Canuck stories that hit the spot with most of the boys.

+

The busiest man at the Hotel Warwick was HANK KAUFMAN, who again handled the arrangements for the various sales meetings. Hank's diplomatic assignment of rooms to the visiting sales staffs had the boys cheering his thoughtfulness.

+

AL SELIGMAN, the philatelist, offered to exchange stamps with any other stamp collector in the crowd, if any.

+

AL SHERMAN and BILL BRENNAN went into a huddle to determine the relative merits of a bacardi and a martini. Both lost.

+

MILT HANNOCK was a figure of sartorial elegance, featuring a tie that looked like an exploitation tieup with Ireland.

+

MORT WORMSER and W. C. SHARPE, comptroller and assistant comptroller, came over from the home office to renew friendships.

+

JOE MILLER, unlike his famous namesake, didn't spring an old joke all the way down from Buffalo to Manhattan. Instead, Joe had a couple of new gags that should be around Broadway in no time.

+

NAT COHN, heading the New York division, hobnobbed with everyone.

Warner Dallas Meet Gets Going Monday

(*Continued from page 1*)

delegates from 21 cities will be guests of Bob O'Donnell and Karl Hoblitzelle of the Interstate circuit at a barbecue at Brook Hollow Country Club.

Wednesday's program calls for individual meetings between district managers and exchange personnel.

Delegates will arrive on Sunday and will spend the day at a skeet shoot at the Dallas Skeet and Gun Club, following a beefsteak dinner.

Wall Street

Board Generally Declines

	Open	High	Low	Close	Net Change
Col.	12⅛	12⅛	12	12	.....
Cons.	1¼	1¼	1¼	1¼	— ⅛
E. K.	157¾	157⅞	156	156	—2½
G. T. E.	12¼	12¼	12¼	12¼	.....
Loew	42¾	42¾	41¼	41⅞	— ⅞
Loew pfd.	106	106	106	106	+ ⅛
Para.	8	8	8	8	.....
Para. 2	9¼	9¼	9¼	9¼	.....
RKO	2⅛	2¼	2	2	— ⅛
20th Fox	22⅛	22⅜	21⅛	22⅜	+ ⅛
Univ. pfd.	37	37	37	37	.....
W. B.	5⅛	5⅛	5	5⅛	— ⅛

Curb Decreases in Fractions

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	—1/16
Monogram	1¾	1¾	1⅝	1⅝	— ⅛
Tech.	23½	23½	22⅜	22½	— ⅜
Trans-Lux	2¼	2⅜	2⅜	2⅜	+ ⅛

RKO Bonds Continue Gain

	High	Low	Close	Net Change
Loew 3½s '46	100	100	100	.....
RKO 6s '41	68½	68	68	+1
W. B. 6s '39	75½	75½	75½	.....

(Quotations at close of May 13)

RKO May Not Hold Sales Meet—Levy

(*Continued from page 1*)

$3,000,000, which would make it the best in the company's history. He said that the only major circuit with which RKO had been unable to close a deal for the picture was the Saenger Circuit and asserted that it was not being double featured anywhere. As soon as he learned that several houses of the Sparks Circuit, Florida, were double featuring "Snow White," he protested and the practice was stopped at once, he said.

RKO will reissue "King Kong" and "Little Women" during the next few months, the RKO sales manager stated.

RKO Plan Revisions To Count on Monday

(*Continued from page 1*)

instead of new debentures for their claims, as reported in MOTION PICTURE DAILY on Thursday. This proposal, if approved by the court, will mean a substantial saving in fixed charges to the reorganized RKO, particularly during the first year of the reorganization when no dividend will be paid on the new preferred stock.

Mr. Odlum stated: "The types of securities provided in this amended plan and the distribution thereof have been already approved by the holders of a large percentage of both classes of creditors affected by the plan, as well as stockholders, and, consequently, a fairly prompt reorganization is anticipated."

Lina, Garrison Film Suits Consolidated

A decision consolidating the $350,000 damage suit of Lina Pictures Corp. against H. E. R. Laboratories, Inc., Garrison Film Distributors, Inc., and Alladin Pictures Corp. with a $5,000 damage suit of Gustave Schwab against the same defendants and ordering a join trial for both actions was upheld by the Appellate Division of the N. Y. Supreme Court yesterday. At the same time a decision denying the dismissal of the Schwab action was also upheld.

Lina Pictures is suing as successor to Talking Picture Epics, Inc., for the value of 52 negatives allegedly held by the defendants, while Schwab's suit is for the value of a negative of "The Girl from the Reeperbahn," also allegedly held by the defendants.

Cullman to Pay State Tax

Federal Judge Caffey yesterday authorized Howard S. Cullman, trustee of the Roxy Theatre, to pay $9,951 as a priority claim to the State of New York for taxes for the period of Nov. 1, 1930 through Nov. 1, 1936. The claim was compromised from the figure $12,326 which the interest totaled over $16,000. Cullman's petition stated that he has on hand $15,343 to meet this payment.

File Delf Suit Answers

Metro-Goldwyn-Mayer Corp., General Foods Corp., Maxwell House Corp., Benton & Bowles, NBC, Marcus Loew Booking Agency, Loew's, Inc., Frank Dolan, Robert Taylor and June Clayworth yesterday filed answers in the Federal Court to the suit of Harry Delf. The defendants claimed that the plaintiff's play, "The Joker," is in the public domain and that no suit can be based on it.

Delf had asked for an accounting of the profits of the "Good News of 1938" broadcast over WEAF on Jan. 27, claiming that the sketch in which Taylor and Miss Clayworth had appeared, and which was allegedly written by Dolan, was plagiarized from his play, "The Joker."

Sues Loews for Stair Fall

WILMINGTON, May 13.—Claiming that she was "bruised, cut, mangled and injured" when she slipped on a piece of candy and fell down a flight of stairs in Loew's Midland, Kansas City, Mrs. Minerva Lessey and her husband, Samuel Lessey, today filed suit in Superior Court here against Loew's Theatre and Realty Corp. Each of the plaintiffs asks $5,000 damages.

Seek Data in Trust Suit

TAMPA, May 13.—The Rivoli has taken one phase of its $262,000 antitrust suit into the Circuit Court here, filing a petition asking the court to require production of certain information by three of the defendants, Casino Enterprises, Inc., Consolidated Theatres, Inc., and Frank Rogers.

Refuse Paramount Motion

CHICAGO, May 13.—The U. S. District Court here has refused Paramount's motion for an injunction against Exclusive Movie Studios, Inc., in a suit involving cancellation of contract.

▸ Radio Personals ◂

MORTON DREW, member of the WHN singing trio, will be married July 3 to Iris Levine . . . Phil Brito, baritone, has been signed by NBC for a series of sustaining programs . . . Thayer Roff has replaced Jimmy Winchester as racing commentator on WHN . . . Gilbert Mack has been added to the cast of the "Broadway Melody Hour."

✚

Hollywood

Claude Sweeten, musical director of KEHE, is now musical director for KFI-KECA, NBC outlets here, owned by Earle C. Anthony, Inc. . . . Lud Gluskin, CBS coast musical director, has inaugurated a series of "Tea Dance" programs on KNX and the CBS coast network Wednesdays, and "The World Dances," Sundays, in which Mary Lou, Chiquito, Clark Ross and the Westerners' quartet furnish vocal numbers . . . KMTR has launched a new program, "Man Bites Dog," with Burt Sims reading news items containing laughs and pathos . . . KMPC has made arrangements with Western Union for play by play descriptions of major league baseball games which will be recreated by Hal Berber daily except Saturday and Sunday at 1:30 P. M. . . . Lanny Ross has arrived to discuss film plans with Harry Cohn of Columbia Pictures. W. Arthur Rush of Columbia Management is handling the deal . . . Jean Leonard, piano teacher, has signed a contract with KECA to present a two-piano team program, half-hour a week for a year.

Censoring of Canada Broadcast Is Denied

HALIFAX, May 13.—Charges issued in a House of Commons debate recently to the effect that Dr. H. I. Stewart, CBC commentator, had been subject to censorship were denied here today by J. W. Godfrey, a corporation governor.

Dr. Stewart's programs had not been intefered with, he claims. Some years ago he was cut off the air, but it was due to wire trouble west of Montreal eastern stations. The charges arose in the Commons during a discussion over programs relating to foreign affairs.

Lohr Talks Planned

Lenox R. Lohr, president of NBC, will make a short trip into the southwest next week to deliver talks before the National Federation of Sales Executives in convention at Dallas, May 19; and the St. Louis Chamber of Commerce and Advertising Club, May 17. He will also speak at the dedication of KGKO, recently added NBC affiliate at Fort Worth, on May 18.

"Pick and Pat" Renewed

"Pick and Pat," blackface comedians who have been broadcasting over CBS for the past four years for one sponsor, have been renewed again for 52 weeks by the U. S. Tobacco Co. Their series is broadcast Mondays from 8:30 to 9 P. M. Arthur Kudner, Inc., is the agency.

Says President Roosevelt Favors Short Wave Station

WASHINGTON, May 13.—President Roosevelt is behind plans for the construction of a Government broadcasting station to counteract European radio propaganda in Latin America, it was said today by Representative Carl Vinson (Dem.) of Georgia, chairman of the House Committee on Naval Affairs, which on Monday will begin hearings on the Celler bill authorizing construction of such a station by the Navy Department at a cost of $700,000.

The President on Tuesday discussed the South American radio situation with Chairman Frank R. McNinch of the Federal Communications Commission, which is preparing a report for submission to the White House in which it is said the need for American propaganda broadcasts will be strongly stressed.

The President is understood to have been told by McNinch that the report will make no recommendations as to whether the Government or private interests should operate the proposed propaganda stations. However, committee members said, he may indicate his approval of plans for a Government owned station operated under Federal supervision.

Construction of a Government station is also proposed in bills pending in the Senate, on which an interstate commerce sub-committee held a hearing yesterday and will receive further testimony next week.

Tobacco Firm Plans Test Series on CBS

The American Tobacco Co., for Cremo Cigars, will inaugurate a test series over three CBS owned and operated stations, starting May 17.

The series will feature Arthur Godfrey, of Washington. The program will originate there and will be piped to New York for broadcast over WABC, Tuesdays and Thursdays from 6:15 to 6:30 P. M. Transcribed versions of the program will be offered over the remaining two stations, WEEI, Boston, and WBBM, Chicago. The former will air the show Tuesdays and Thursdays from 6:45 to 7 P. M., and on the latter, Tuesdays and Fridays from 9:45 to 10 P. M.

The Lawrence Gumbinner agency handled the deal. In all likelihood this program will be heard over the CBS network in the fall.

May Air Sessions of Constitutional Meet

(Continued from page 1)

sary. Whether CBS, which has an Albany outlet in WOKO; NBC-Red, which has WGY, or NBC-Blue, through WABY, will pipe debates of necessarily controversial topics is in doubt. The Corsi resolution was sent to the Rules Committee, with action scheduled in the near future.

Set Show on NBC Blue

Dr. William L. Stidger's program, "Getting the Most Out of Life," a New England radio feature, will be broadcast over the NBC-Blue in New York, New England and Pennsylvania beginning May 30. It will be heard five times a week, Monday through Friday, from 11:45 A.M. to 12 noon, under the sponsorship of Fleischmann's Yeast. The program's main feature is Dr. Stidger's inspirational talks.

Joins KYA Sales Staff

SAN FRANCISCO, May 13.—Gerald J. Norton, former account executive of Allied Advertising Agencies here, has replaced Daniel Weldon on the KYA sales staff. Other personnel changes are Cleone Smith, formerly of KOIL, Omaha, program department, and Helen Ness, as daytime hostess.

Allied to Send 50 To Pittsburgh Meet

(Continued from page 1)

Wormser, Joseph Rosenzweig and Irving Gerber of New York; Thomas Di Lorenzo, New Paltz; Irving Sherman, Pearl River, and Philip Lewis, Spring Valley.

A partial list of the Jerseyites going by train includes Morris Marks, Dunellen; Harry Kridel and Harry Loewenstein, Newark; Jack Unger, Hillside; Dave Snaper, New Brunswick, and Ralph Wilkins, Pitman.

In addition, there will be a number from New Jersey driving to Pittsburgh or leaving by earlier trains, among them Sidney Samuelson, Newton; Irving Dollinger, Linden; Harry Hecht, Passaic; Lee Newbury, Belmar; Simon Myers, Moorestown; Max Snider, Freehold; Mrs. Helen Hildinger and Frank Henry, Trenton, and E. T. Kelly and Sally Fisher of the local Allied of New Jersey office.

Alexander Deal Set

COLORADO SPRINGS, May 13.—Alexander Film Co. has signed a 15-year contract to furnish commercial films to a Johannesburg, South Africa, theatre. Under the agreement, the distributor is to pay $500 a month for the full life of the contract, thus making a total of $90,000 involved in the deal, it is said.

Cincinnati Bars "Birth"

CINCINNATI, May 13.—"The Birth of a Baby" was barred here today when police stopped a showing at Keith's Theatre. The police chief and other officers had viewed the film previously. The picture has been approved by the Ohio Board of Censors.

Wants City to Buy Film

PORTLAND, May 13.—Mayor Joseph K. Carson, Jr., has referred to the City Council the suggestion of the Portland Realty Board that the city acquire and use six reels of colored film of Oregon scenery made by Kathryn L. Gunnell of Salem. The board also suggested that the film be used for advertising purposes.

"High Seas" Is Retitled

HOLLYWOOD, May 13.—The release title for Paramount's "High Seas" has been set as "King of Alcatraz."

F. P. Canadian Pays $350,000 in Bonds

(Continued from page 1)

endar year have shown an improvement over the comparable months of 1937.

Allen's Theatres Net Up

TORONTO, May 13. — Increasing business is reflected in the annual statement of Allen's Toronto Theatres, Ltd., operating four houses. The rep[illegible] for 1937 just released shows net [illegible]me of $18,201 as compared with $10,309 in 1936. Divisions of $4 per share were paid in each of the two years. The company is carrying a deficit of $331,837 which was created in the lean years of the depression, but this is gradually being reduced.

United to Build with Cash

TORONTO, May 13.—Coincident with the declaration of a 30-cent dividend for the six months ending April 30, United Amusement Corp., operating 26 theatres in Eastern Canada, has announced that, for the third time in succession, an additional theatre is being erected for the circuit without calling a mortgage bond issue.

The latest project is the York, costing $260,000, which is located at St. Catherine and Mackay Sts., in the heart of Montreal. The expenditure is being financed out of the company's resources. United is a subsidiary of Famous Players Canadian Corp. and, late in 1937, acquired a substantial interest in Confederation Amusements, Ltd.

"U" to Do Air Story

HOLLYWOOD, May 13.—Universal is joining the current aviation cycle started by M-G-M's "Test Pilot" and Paramount's "Men with Wings." The studio has purchased "Flying Cadets," story by Julien Blaustein, story editor, who at one time was a flying officer at Randolph Field, Tex. The background of the story is the activities of the young officers at the Texas field.

Louis Cummings Resigns

SEATTLE, May 13.—Louis Cummings, a member of John Danz's Sterling Chain Theatres staff, has resigned. He will be succeeded by Gilbert Baker. Another change in the Sterling office staff is the appointment of Roy Rubens to succeed Art Zabel in the booking department. Mr. Zabel will move to Olympia to assist his father in a theatre owned by that family.

Plans Montreal Theatre

TORONTO, May 13.—United Amusement Corp. plans a theatre and office building in the heart of Montreal, according to George N. Ganetakos, managing director, and D. Allen Murray, vice-president, on their return from Florida. Famous Players Canadian holds an interest in the United circuit, which operates 25 houses.

Loew's Close One

Loew's Cameo, New Rochelle, will close tomorrow night for the summer. This is a second run house, taken over by Loew's a year ago. The circuit has a larger theatre in the town. No additional closings are planned, according to C. C. Moskowitz, circuit executive.

FILE COPY

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 43. NO. 113 NEW YORK, MONDAY, MAY 16, 1938 TEN CENTS

Grumbling in IATSE Ranks Reported Here

Some Say It Will Reach Convention Floor

A rank and file attack on the executive administration and policies of the I.A.T.S.E. is reported to be gaining momentum and, according to reports circulating in New York union circles, is scheduled to flare at the organization's biennial convention to be held in Cleveland during the week of June 6.

It is probable, however, that the incipient "rebellion" will be squelched prior to the convening of the 1,000 delegates from more than 700 locals in the United States and Canada. In fact, those who are talking about a "revolt" are saying that they do not expect it to have much chance of getting anywhere at the forthcoming conclave, but they feel that it will "start

(*Continued on page 6*)

Loew-Poli Managers To Honor Rosenthal

BRIDGEPORT, May 15. — Managers of Loew-Poli theatres in Connecticut and Massachusetts, as well as of other circuits, and film men from New Haven will turn out in force for the testimonial dinner to Morris Rosenthal at the Stratfield Hotel here Saturday night.

The occasion will celebrate Mr. Rosenthal's 15th year as manager of the Majestic here. Mrs. S. Z. Poli

(*Continued on page 3*)

Col. Lists 13 Titles in New Season Output

Total of 40 Scheduled; 126 Shorts Included

Columbia will produce 40 features, 16 westerns, four serials and 126 short subjects for the 1938-'39 season, A. Montague, general sales manager, informed the company's eastern and Canadian sales forces at the first of four regional meetings which closed yesterday at the Warwick. The company will have eight additional westerns which will be released during the season.

The sales representatives were given the titles of 13 of the planned features and two of three "series" pictures which are included in the lineup of 40. The schedule includes the following:

"You Can't Take It With You," the Frank Capra production, adapted by Robert Riskin, with Jean Arthur, James Stewart, Lionel Barrymore,

(*Continued on page 3*)

"Hood" Tops "Snow" In First Two Days

Ths Music Hall management anticipates a gross of $100,000 or better on the first week of "The Adventures of Robin Hood." The first two days' take was $26,500, exceeding the gross for the comparable period by "Snow White and the Seven Dwarfs" last January. As early as 11 o'clock on

(*Continued on page 6*)

Revision of Plan for RKO Will Require New Hearings

The amended plan of reorganization for RKO, which will be presented to Federal Judge William Bondy today, is expected to be referred back to a special master to be designated by the court for new hearings, it was stated by principals in the reorganization on Saturday.

The extent of the amendments brings into being what is virtually a new plan, thus nullifying to a major extent the hearings and their results which were held on the original plan of November, 1936, before Special Master George Alger last year, it was pointed out. If the reorganizers succeed in obtaining sessions throughout the summer before a special master, the reorganization should be well advanced by next fall, it was said.

With the elimination by the plan of any secured indebtedness in the form of new RKO debentures, and the suspension for one year after the company's reorganization of dividends on the new six per cent preferred stock, a saving of approximately $2,150,000 in fixed charges against the new company is effected during the first year, and of approximately $990,000 annually thereafter. Dividends on the outstanding preferred stock after the first year will amount to approximately $1,112,000. This, however, will be progressively decreased in accordance

(*Continued on page 2*)

Brandt Shifts Fire From Stars to Duals

Chas. Rogers Seeks Full Studio Control

Hollywood, May 15.—It is understood here that Charles R. Rogers, vice-president of Universal in charge of production, will ask for full control of the Universal studios at the meeting of the company's board of directors in New York on Thursday. Mr. Rogers is now en route to New York.

Universal officials in New York on Saturday stated that the board meeting next Thursday had been called at the request of Charles R. Rogers but that Mr. Rogers had not mentioned the specific matters to be taken up.

Paramount to Name 16 Men To New Board

Paramount stockholders are scheduled to elect 16 directors to the company's board at the annual meeting June 21, notices of the annual meeting mailed to stockholders yesterday disclose.

At present there are 14 members of the board, all of whose terms expire with the annual meeting. It is believed that all or most of the present directors will be reelected. They are:

(*Continued on page 3*)

Allied Delegates Will Arrive Today

PITTSBURGH, May 15.—Delegations will start arriving here tomorrow for Allied's three-day national convention, which will get under way at the William Penn Hotel Tuesday morning.

The first business on the agenda is a dinner and meeting of the national board of directors, scheduled for 6:30

(*Continued on page 3*)

Radio News—P. 7

Industry Linen Hanging Out, But It's Better That Way, He Says

By IRENE KUHN

Monday, being the proverbial washday, another mess of motion picture socks and cuffs was hung out on the line today by Harry Brandt, president of the ITOA.

Last week it was the stars; this week it's double features. Next week, "What Everybody Knows."

Mr. Brandt explains the reasons for his crusade.

"The 240 and more theatres in the I.T.O.A. are doing the worst business since they've been in business; worse even than 1933 when everyone was feeling the bumps.

"We're not obstructionists nor Bolsheviks, but business men who are trying to maintain business at a proper level. Anything that hurts the business hurts us. So we decided on this course."

Queried on whether he didn't consider it poor psychology to invite an already sales-resistant picture going public into a family fight, Mr. Brandt declared that he neither expected nor intended that the row should spread out into the newspapers, but that so

(*Continued on page 6*)

Herbel Gets Warner San Francisco Post

The appointment of Henry Herbel as manager of Warners' San Francisco exchange will be made by Carl Leserman, assistant sales manager, today. Herbel recently resigned from Universal for whom he was branch manager for 11 years in Chicago, where he was also head of the Film Board of Trade for many years. His new appointment is effective immediately.

If It's Spanish

In Rockefeller Center if it's in Spanish, it's meant for *Teatro al Día.*

In fact, whenever any correspondence reaches the Information Bureau of the Center, addressed to "Catalogue Department"—and it's a daily occurrence—it's immediately forwarded to the Spanish-language Quigley magazine.

◂ *Purely Personal* ▸

JOHN HAY WHITNEY will arrive on the *Normandie* today from a European vacation and will confer here with **Henry Ginsberg**, Selznick-International general manager, who will arrived from the coast by train today. Other passengers on the incoming French liner include **Claudette Colbert**, **Olivia de Havilland** and **Lily Pons**.

●

Harry J. Spiess, secretary-treasurer of Castle Films, and **Mrs. Spiess** will return tomorrow from a European tour on the *Nieuw Amsterdam*, which is making its maiden voyage.

●

Sam Sosna, Manhattan, Kan., exhibitor, has returned west following conferences here with **Carl Leserman** at Warners and **Walter Branson** at RKO.

●

Arthur Loew, vice-president of Loew's, is due to arrive Wednesday from the coast. He returned recently from a world tour.

●

Bill Saal of Republic has deferred his return from the west. He will accompany **Roy Rogers** on personal appearance tours.

●

Alan F. Cummings, manager of M-G-M exchange operations, is due today from a swing around the country.

●

Charlie Pettijohn had his money on **Myron Selznick**'s Can't Wait in the Preakness on Saturday.

●

Bernard Prager, vice-president of Leo Feist, Inc., will arrive on the coast today via TWA.

●

Morris Goodman, Republic foreign manager, plans a trip to Europe late in June.

●

Waddill Catchings, a member of the Warner board, is in White Sulphur Springs.

●

H. J. Yates, head of Consolidated, will arrive today from the coast.

●

Ken Clark of the Hays office spent the weekend in Baltimore.

●

E. B. Derr, producer, left on the TWA Skychief Saturday for Kansas City. Leaving on the Skychief for the coast were **Luise Rainer** and **Mrs. M. Bogart**, mother of **Humphrey Bogart**.

●

Barney Balaban, Paramount president, and **Stanton Griffis**, chairman of the executive committee, will be in their offices today after a three-week studio visit.

●

I. A. R. Wylie, novelist recently signed by **Samuel Goldwyn** to do the screenplay for "The Exiles," left for the coast Saturday via American Airlines.

●

John D. Clark, 20th Century-Fox sales head, is reported improving "nicely" at Mountainside Hospital, Montclair.

FOREIGN MANAGER
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Would like to open and/or operate Export Department for Producer-Distributor delivering 40 or more medium/high grade features annually. Drawing account desirable but management and performance shall determine compensation.

Box 805,
MOTION PICTURE DAILY

Revision of Plan for RKO Will Require New Hearings

(*Continued from page 1*)

with the conversion of the preferred into common stock, at the rate of one for eight, during the eight-year period proposed in the plan.

The consent of the secured creditors, that is, the holders of RKO's present debentures, to stepping down from a secured to an unsecured creditor's position, makes the plan possible. If these creditors had insisted upon receiving new debentures for their present holdings there is little likelihood that a plan could have been completed at this time. For relinquishing their secured position they will receive a bonus of approximately two shares of new common, with an indicated market value of $8 to $12 per share for each $100 of their claims. They will also receive an additional three shares of new common in payment of back interest of about $30 on their old debentures.

Their acceptance of an unsecured creditor's position in the reorganization also averts what might have been a prolonged legal contest over the present debentures' claim to a secured position. The RKO debentures have a second lien only on assets pledged to secure the company's outstanding gold notes. The legal question was raised some time ago as to whether the debentures would continue to enjoy a secured position after the gold notes have been finally retired next Sept. 1. Insistence of the debenture holders on a secured position probably would have provoked a court contest over the question which would have indefinitely delayed reorganization.

Technicolor to Move

Technicolor shortly will open offices, with a projection room attached, at 30 Rockefeller Plaza, moving its headquarters from temporary offices at 15 Broad St.

The annual meeting of stockholders will be held this afternoon. No changes in the board of directors are anticipated. The directors will meet on Wednesday to reelected present officers, headed by Dr. Herbert T. Kalmus, president. Dr. Kalmus expects to sail on May 25 for a two-month survey in Europe.

Sue Over "Baby" Title

The American Committee on Maternal Welfare, Inc., has started court actions to protect the title of "The Birth of a Baby." Injunctions have been obtained in New Jersey and in California "The Birth of a Child" was withdrawn.

The New Jersey stay is against Samuel Cummins, Burr Lewis, Jewel Productions, Inc., Raymond Payton. Julius J. Levinthal and the Lashthall Amusement Co.

Mary Pickford Leaves

Mary Pickford, who was here several weeks, left on Saturday night by train for Chicago and was scheduled to board a coast-bound TWA plane there yesterday with Buddy Rogers. She said she would return here in about two months.

Warner-Muzak Deal Closed, SEC Told

WASHINGTON, May 15.—The stock transfer by which Warners gained control of Muzak Corp. has been consummated under terms of the deal negotiated late last year, it is disclosed in a report to the S.E.C.

Warners purchased the 10,000 outstanding common shares of Associated Music Publishers, Inc., which owns Muzak and Breitkopf Publications. The purchase was made from the North American Co. The transfer was made on April 1, the report disclosed, and it is provided that if the stock is held until April 1, 1940, it might be returned to North American on payment of losses in excess of the purchase price.

Included in the transaction is Wired Radio, formerly a subsidiary of Muzak, and Amp Recording Studios, organized on April 5. After completing the deal, Warners turned over 49.99 per cent of the stock to the wife of a director of Associated Music Publishers and to two British companies.

Warners also reported that in April it canceled its agreement of Dec. 6, last year, to acquire a 50 per cent interest in Mercantile and Theatre Properties, Inc.

Warner Forces Set For Dallas Session

DALLAS, May 15.—Warner delegations from the western, midwest and southern districts arrived here today for the second regional convention which starts tomorrow at the Baker Hotel for three days. Home office executives headed by Gradwell L. Sears, general sales manager, also arrived today.

Representatives are here from Los Angeles, Denver, Portland, Salt Lake City, San Francisco, Seattle, Chicago, Des Moines, Indianapolis, Milwaukee, Minneapolis, Omaha, Kansas City, St. Louis, Dallas, Atlanta, Charlotte, Memphis, New Orleans, Oklahoma City.

Details of the Vitaphone shorts program will be disclosed on Tuesday by Norman H. Moray.

Kent Arriving From Abroad Next Monday

S. R. Kent, president of 20th Century-Fox, who went abroad to attend the company's London and Paris conventions, is due to arrive here next Monday. Walter J. Hutchinson, foreign manager, who accompanied Mr. Kent to Europe, will return a week later.

Darryl F. Zanuck will arrive here on May 28 or 29 from the coast, accompanied by Mrs. Zanuck, and will sail on June 1 with Joseph M. Schenck. Mr. Zanuck will receive the French Legion of Honor medal in Paris and will be guest of honor at exhibitors' banquets there and in London. He will also participate in international polo matches in England and on the Continent.

Harry Brand, studio publicity director, is due here today aboard the *Empress of Britain* from the coast and is scheduled to leave tomorrow on the same ship for Europe to prepare for the arrival of Mr. Zanuck and Mr. Schenck.

Eleven New Pictures Win Legion Approval

The Legion of Decency has approved all of the 11 new pictures reviewed for the current week, eight for general patronage and three for adults. The new pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage: "Alma Jarocha" (Spanish), "Blind Alibi," "Call of the Rockies," "Crime School," "Gunsmoke Trail," "Hold That Kiss," "Overland Express," "Romance on the Run." Class A-2, Unobjectionable for Adults: "Mutterliebe" (German), "Unsterbliche Melodien" (German), "Vivacious Lady."

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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Col. Lists 13 Titles in New Season Output

(*Continued from page 1*)

Edward Arnold, Mischa Auer and Spring Byington in the cast.

"Golden Boy," the Clifford Odets st[illegible] play. Cast and director not de[illegible]ated yet.

"Billion Dollar Racket" (tentative), starring Edward G. Robinson.

"Is This the Law," a Rouben Mamoulian production of the *Harper's Magazine* story, adapted by Anthony Veiller.

"The Stars Shine Twice," by Clare Boothe. Cast and director to be designated.

"The Second Mrs. Draper," from the novel and magazine serial by Noel Pierce. Cast and director to be designated.

Miss Dunne Scheduled

Irene Dunne in one production.

Jean Arthur and Cary Grant teamed in one production.

One Robert Riskin production with an all-star cast.

Cary Grant and Marlene Dietrich teamed in one production.

Jean Arthur and Melvyn Douglas in one production.

"Super-Dreadnought," a Navy adventure story.

"Professional Lady," from the A. J. Cronin *Cosmopolitan Magazine* story.

"Our Wife," cast and director to be designated.

"Flying Fortress," cast and director to be designated.

"This Thing Called Love," adapted from the stage by Herman Mankiewicz.

"Of Lena Geyer," cast and director to be announced.

"The Squealer," cast and director to be announced.

"Blondie," a series of three pictures based on Chic Young's cartoon strip.

"Mr. and Mrs. Detective" (tentative), a series of three pictures.

An untitled third series.

Jack Holt in four productions.

List Westerns

On the company's schedule of westerns are 10 with Charles Starrett, six based on frontier history, and eight reissues.

Columbia's four serials will be "The Spider," "Mandrake the Magician," "The Great Adventures of Kit Carson" and "Flying G-Men."

On the short subject list are eight "Three Stooges" comedies of two reels each, and 18 "All Star Comedies," also of two reels. One-reel shorts will include the "Screen Snapshots" series, "Color Rhapsodies," in Technicolor, "News World of Sports" series, "Community Sing" series, "Scrappy" cartoons, "Krazy Kat" cartoons, "Great Moments of History" series, "Columbia Tours" series, "The Washington Whirl" series, "Columbia Picturegraphs" series and "Music Hall Vanities" series. In addition, the company will continue release of the "Happy Hour Entertainments" series for juvenile programs and will add at least 16 new units for the pictures next season.

Stars and players on the company's 1938-'39 list include: Irene Dunne, Jean Arthur, Marlene Dietrich, Cary Grant, Melvyn Douglas, Edward G. Robinson, Walter Connolly, Ralph Bellamy, Edith Fellows, James Stewart (courtesy M-G-M), Lionel Barrymore (courtesy M-G-M), Edward Arnold (courtesy B. P. Schulberg Productions), Ann Miller, Mischa Auer, Spring Byington, Donald Meek, Lanny Ross, Samuel Hinds, Joan Perry, Jack Holt, Rita Hayworth, Jacqueline Wells, Charles Starrett, George McKay, Marc Lawrence, Arthur Loft, Iris Meredith, Gene Morgan, Robert Paige, Charles Quigley, Gloria Blondell, Alexander D'Arcy, Halliwell Hobbs, Dick Curtis, Dub Taylor, Mary Forbes, Ann Doran, Eddie Laughton, Eddie Anderson, Beatrict Blinn, John Tyrrell, Lillian Yarbo, Bess Flowers, Beatrice Curtis, Eddie Fetherston, Three Stooges, Andy Clyde, Charles Chase.

Directors and associate producers include: Frank Capra, Rouben Mamoulian, Alexander Hall, Robert Riskin, William Perlberg, Lloyd Sheldon, Everett Riskin, Albert Rogell, Irving Briskin, John Brahm, Ralph Cohn, Harry L. Decker, Jack Fier, Wallace MacDonald, C. C. Coleman, Jr., Folmer Blangsted, Sam Nelson, Jules White and Del Lord.

Writers are: Robert Riskin, Sidney Buchman, Jo Swerling, Anthony Veiller, Gladys Lehman, Valerie Savage, Aurania Rouverol, Paul Jarrico, Fred Niblo, Jr., Michael Simmons, Ed Earl Repp, Robert E. Kent, Larry Bachman, Bennett Cohen, Charles Kenyon, Mary McCarthy, Charles Francis Royal, Ewing Scott, Tess Slesinger, Earl Snell and Henry Taylor.

An Informal Moment

The camera man caught three top Columbia executives in a relaxation session during the sales meeting at the Warwick. From the usual left: Rube Jackter, assistant sales manager; Jack Cohn, vice-president, and A. Montague, general sales manager.

"U" Men Heading for Regional at Chicago

SAN FRANCISCO, May 15.—William A. Scully, Universal general sales manager, and F. J. A. McCarthy, assistant sales manager, concluded the company's first regional sales meeting here today and will depart on Monday for Chicago where the second three-day meeting will be opened on Thursday.

Branch managers of Universal's Pacific Coast and far western exchanges were given details of the company's new season production schedule, announced earlier, and were advised of sales policies for the coming year.

Title, Release Changed

HOLLYWOOD, May 15.—The title of the Universal film known as "Suspicion" has been changed to "Wives Under Suspicion." It will be released on June 17 instead of June 24.

Paramount to Name 16 Men To New Board

(*Continued from page 1*)

Barney Balaban, Neil F. Agnew, Stephen Callaghan, Y. Frank Freeman, Harvey D. Gibson, A. Conger Goodyear, Stanton Griffis, Duncan G. Harris, John D. Hertz, Austin C. Keough, Earl I. McClintock, Maurice Newton, E. V. Richards and Adolph Zukor.

The stockholders also will be asked to approve the elimination from the authorized and issued shares of first and second preferred stock of the company all such shares surrendered for conversion during the past year, and to reduce the capital stock of the company in the same amount.

Capital Reduction Asked

Stockholders, likewise, will be asked to approve the reduction of the capital of the company to an amount equal to the aggregate par value of the issued stock remaining after the above reductions and to direct the transfer to surplus of the amount of such reduced capital.

A proxy committee for the company has been formed consisting of Mr. Balaban, Mr. Callaghan, Mr. Gibson, Mr. Griffis and Mr. Zukor.

Allied Delegates Will Arrive Today

(*Continued from page 1*)

Monday evening. At this session, which will be held behind closed doors, the national policy and convention procedure will be discussed.

Exhibitor problems under discussion will be highlighted by talks on conciliation by Allied officials as well as William F. Rodgers, general sales manager of M-G-M, who is scheduled to speak on Wednesday. George W. Weeks, Monogram sales head, is also down for an address. It is not certain whether William Sussman, eastern district manager of 20th Century-Fox, will speak, but he will be present at the meeting.

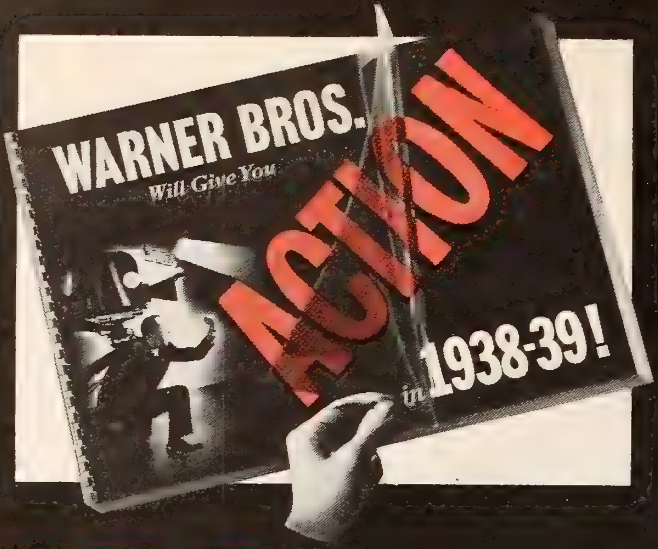
A number of displays by equipment companies have been arranged.

Loew Poli Managers To Honor Rosenthal

(*Continued from page 1*)

of New Haven, widow of the founder of the Poli circuit, which operated the theatre before it was sold to Loew's, is expected to attend. Expected guests also include Mayor Jasper McLevy, Governor Cross, Judge Samuel Melitz, Rabbi Albert Martin, Rev. John J. McQueeney, Bert McKenzie of the M-G-M office in Boston and Postmaster Pat Goode.

A committee of 50 is in charge of arrangements, with Edward T. Buckingham, former mayor, as general chairman. New Haven exchanges are represented on the committee by Harry Aaronshon and Jack Schwartz. Harry F. Shaw, Loew-Poli division manager, will be toastmaster.


WARNER BROS.
Will Give You
ACTION
in 1938-39!

We mean THIS kind of ACTION!

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sam

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Sensation of sensations! Daily sellouts insure positive holdovers at Radio City and every situation to date!

THE ADVENTURES OF
ROBIN HOOD
IN TECHNICOLOR with
ERROL FLYNN • OLIVIA De HAVILLAND
BASIL RATHBONE • CLAUDE RAINS
PATRIC KNOWLES • EUGENE PALLETTE • ALAN HALE
MELVILLE COOPER • IAN HUNTER • UNA O'CONNOR
Directed by MICHAEL CURTIZ & WM. KEIGHLEY
Original Screen Play by Norman Reilly Raine and Seton I. Miller
Based Upon Ancient Robin Hood Legends • Music by Erich
Wolfgang Korngold • A First National Picture

oin Hood

Terrific pre-release test at Strand, N.Y. gets normal 2-week 'take' in 5 days (*without Sunday!*)! Held over!

CRIME SCHOOL
with
THE "DEAD END" KIDS
Billy Halop • Bobby Jordan • Leo Gorcey
Gabriel Dell • Huntz Hall • Bernard Punsley
HUMPHREY BOGART
GALE PAGE • Directed by Lewis Seiler
Screen Play by Crane Wilbur and Vincent
Sherman • From a Story by Crane Wilbur
Music by Max Steiner • A First Nat'l Picture

me School

ous S.R.O. smashes – this year's sensational new
of the product coming next year from

RNER BROS.

Grumbling in IATSE Ranks Reported Here

(Continued from page 1)

the ball rolling" for the eventual establishment of reforms.

Union men are aroused over what they call lack of "democracy" in the administration of the union, which has a total membership of some 50,000. They want the I.A.T.S.E. "streamlined" and young blood infused into key positions. They also want a greater voice for the locals in the conduct of the International.

Talk to that effect is being heard among members in New York and Hollywood. There is something of a controversy between those who would retain the status quo and those who would change it. The matter, too, seems to be involved in intra-union politics.

George E. Browne, international president, is said to be fully aware of the situation. The criticism is being leveled chiefly at him and his policies.

Call I. A. Undemocratic

Mr. Browne's critics charge there is no democracy in the I.A.T.S.E. because elections of officers are held only once every four years, with the rank and file given a voice only through their elected delegates at conventions, which are held every two years. In between time the president and the executive board run the organization.

In New York, members of Operators' Local 306 and Motion Picture Laboratory Technicians' Union, Local 702, predict a demand for more democratic procedure will be made on the convention floor. Some of the men would like to revamp the executive board setup and the method of elections.

Autonomy is another issue that is expected to come up at the Cleveland convention, on behalf of four locals on the west coast which were taken over by the I.A.T.S.E. following last year's studio strike. These are the Studio Mechanics, Local 37; Cameramen, Local 659; Laboratory Technicians, Local 683, and Sound Technicians, Local 659.

Seek 16mm. Unionization

Local 306 delegates are expected to insist that the International back up its efforts to unionize 16mm projectionists here and elsewhere as a means of relieving the unemployment problem among members. The I.A.T.S.E. executive board started a move in this direction last winter, but it has been ineffectual, it is claimed. Local 306 has long demanded control of non-theatrical projection, including schools, exhibitions, the showing of industrial and commercial films, and the like.

The New York local also wants jurisdiction over projectionists employed in film laboratories, a dispute having arisen with the Laboratory Technicians' Union here. The latter concedes jurisdiction to the operators' group over projectionists employed where audiences are present, but reserves for itself control over men who are members of laboratory staffs, despite the operators' claim to every worker who mans a projector.

Brandt Shifts His Attack From Stars to Dual Bills

(Continued from page 1)

long as it was out he wasn't going to retreat. He gave the impression that he was glad to have the fight kicking around in public view, for he spoke enthusiastically of the thousands of letters he has received commending the I.T.O.A. stand as 90 per cent right and gratuitously adding a public grievance against double features.

In an attempt to find out who killed Single Feature Cock Robin, Mr. Brandt was asked who started the double feature.

"Loew's circuit started it," he said. "They'll say that they did so only after a few independent theatres had begun it in 1925."

At this point we'll jump across from Mr. Brandt's large picture-hung office in the Globe Theatre Building on Broadway to C. C. Moskowitz's office in Loew's.

"The Loew circuit, as a circuit, was the last to go to double features," said Mr. Moskowitz. The date was September, 1935. I wish everyone in New York had single features for the reason that shows would be infinitely better. I have advocated, and this company has advocated, single features in this territory for years. But so long as everyone else plays double features we will, too.

Loew's Would Kill Duals

"We'd like to do away with them. How? There's only one way to accomplish it—a united front, but I don't know how to get a united front."

It is a well known fact that repeated efforts to eliminate dual bills in this territory have been made by circuits and have been blocked by the independents. The circuits have always said they were willing to join any agreement. On one occasion, the I. T. O. A. and some of the smaller circuits refused to go along unless Loew's and RKO reduced admissions on the ground that the smaller theatres couldn't compete with the prior runs of the circuits. Some time back Loew's made an effort to make the "giveaways" useless to the independents by running drawings with high-stake prizes for groups of their theatres. The police stepped in.

Returning to the energetic and articulate Mr. Brandt:

"Double features have forced a competitive situation which has brought the New York City admission price down to the lowest anywhere in the United States—17¾ cents average. Until a short time ago it was as low as 17¼ cents."

In the Audubon, which Mr. Brandt operates, the 20-cent admission price at night (a dime during the day) goes to 15 cents, beginning today.

Where do we go from here, Mr. Brandt?

Brandt Asks Cooperation

"Our group has decided that we'll diligently and aggressively go after the elimination of the double feature. The I. T. O. A. members can't do it unless the others join in. If we can get Loew's and RKO to start it, we can get every other circuit in New York to go along."

And about the future?

"I'm going to do something a good deal more drastic than the Neely-Pettengill bill, if something doesn't come out of conciliation. I intend to go a good deal further. Our action will have protective ability so that the exhibitor will know he is going to be able to live.

"We'll continue this advertising and we'll try to keep up serious discussions with producers, distributors and allied exhibitors. These conferences should eventually provoke some plan to eliminate the double feature. Throw it out and you'll throw out 75 per cent of the box-office woes. The other 25 per cent can be shown by showmanship. No independent exhibitor is afraid of showmanship. I say if an exhibitor can stay in business under present conditions, he's one hell of a good showman. Excuse it, please."

Muto Skeptical of Rift in the Ranks

WASHINGTON, May 15.—"They have all the democracy any labor union ever had or ever will have," was the comment of Tony Muto, publicity aide to George E. Browne, president of the I.A.T.S.E., on reports that a move to democratize the Alliance is brewing.

While admitting that he "knew nothing of intra-union politics," he scouted reports of a rift between the executive officers and the rank and file.

Regarding the defeat of James Brennan for reelection as president of Theatrical Protective Union No. 1 in New York, Mr. Muto said that local disputes entered into the election and that the result could not be taken as indicative of the members' feelings toward International officers or policies.

Mr. Muto said that the Hollywood locals operated by the Alliance "had a chance to get autonomy" but turned it down by a referendum in which 13,000 ballots were cast, only 82 affirmative.

"Hood" Tops "Snow" In First Two Days

(Continued from page 1)

Saturday, standing room only was available.

Warners have another winner in "Crime School," which will be held over for a second week beginning Tuesday. This is the theatre's best grosser in weeks.

"Dr. Rhythm" will open at the Paramount on Wednesday with Hal Kemp and his band heading the stage bill, which will include Borrah Minevitch and his "Harmonica Rascals" and others. "Hunted Men" will start at the Criterion on Friday, following the current run of the film, "The Fight for Peace."

The Criterion did $9,000 with "The Call of the Yukon" for the week ending Thursday night.

Retitle "Scandal House"

HOLLYWOOD, May 15.—Release title of "Scandal House," Progressive, has been changed to "Slander House."

Paramount Sues for Income Tax Excess

Paramount filed suit on Saturday in U. S. District Court for the return of $134,137 income tax overpayment included by error in its 1931 return. John S. Shea as administrator of the estate of Charles W. Anderson, former Collector of Internal Revenue for the third New York district, has been named defendant.

In its consolidated report for 1931 Paramount included a $1,335,452 profit which represented distribution [illegible] the parent company by the Canadian Paramount Corp., Ltd., of the stock of Famous Players Canadian Corp. It is claimed that the Canadian subsidiary included the profit in its return and that duplicating taxes were paid.

The 1931 consolidated report of Paramount showed a gross income of $125,393,526, with $15,639,934 net. A tax of $1,741,045 was paid. The suit seeks the return of the overpayment with interest from December, 1931.

Name Leo Feist Manager

Bernard Prager has been named vice-president and general manager of Leo Feist, Inc., M-G-M music subsidiary, succeeding Jack Bregman, who recently resigned. Len Mooney has been placed in charge of the professional department, filling the post vacated by Chester Cohn. It is understood that Mr. Bregman and Mr. Cohn are forming a music company of their own.

Cut Detroit Prices

DETROIT, May 15.—United Detroit Theatres has reduced week-day prices at the Madison and United Artists to the following scale: Afternoons until 6:30 P. M., 35 cents; 6:30 P. M. to closing 55 cents. The former scale of 40 cents in the afternoon will remain in effect until 1 P. M. on Saturdays and Sundays, when the former evening price of 65 cents will become effective.

Bilson's Series Titled

HOLLYWOOD, May 15.—Titles for Universal's series of College life pictures, to be produced by George Bilson, have been set as "Freshman Year," "Sophomore Year," "Junior Year" and "Senior Year."

It has been definitely decided that the same cast will be used throughout the series, but no selections have been made yet.

Wall Street

Kodak, Warners Drop on Board

	Open	High	Low	Close	Net Change
Col.	12	12	12	12	.....
E. K.	156½	156½	156½	156½	+ ½
E. K., pfd.	169	169	169	169	—1
Loew	42	42	42	42	+ ⅛
Para.	8⅛	8⅛	8	8	.....
Para. 2	9¼	9¼	9¼	9¼	.....
Pathe	2	2⅛	2	2	.....
20th Fox	22¼	22¼	21¾	22¼	— ⅛
W. B.	5⅛	5⅛	5	5⅛	.....
W. B., pfd.	30	30	30	30	—2

Curb Generally Inactive

	Open	High	Low	Close	Net Change
Technicolor	22⅜	22⅞	22	22⅞	.....

RKO Bonds Continue Rise

	High	Low	Close	Net Change
R. K. O. 6s '41	74	69½	72⅜	+4⅜

(Quotations at close of May 14.)

FCC Hearings Set For Current Week

WASHINGTON, May 15.—The Federal Communications Commission has made public its schedule of broadcasting hearings for the current week, as follows:

May 17, before an examiner: Application of Eastern Carolina Broadcasting Co. for a 1,370-kilocycle, 100-watt station at Goldsboro, N. C.

May 19, before the commission: Applications of WORL, Boston, for increase of time from day to unlimited and increase of power from 500 to 1,000 watts; KSTP, St. Paul, for increase of power from 10,000 watts night, 25,000 watts day, to 50,000 watts; WJSV, Washington, for increase of power from 10,000 to 50,000 watts; C. Bruce McConnel for a 1,500-kilocycle station at Indianapolis, with 100 watts night, 250 watts day; N. G. Egeland for a 1,500-kilocycle, 100-watt daytime station at Fort Dodge, Ia.; WLBL, Stevens Point, Wis., for increase of time from day to specified hours with 1,000 watts night, 5,000 watts day; Madison Broadcasting Co. for a 1,450-kilocycle, 250-watts station at Madison.

Examiners' hearings will be held June 24 on the application of WBLK, Clarkburg, W. Va., for increase of day power from 100 to 250 watts; June 27 on application of KTOK, Oklahoma City, for increase of day power from 100 to 250 watts; June 28 on application of WEDC, Chicago, for increase of day power from 100 to 250 watts, and June 30 on application of KMED, Medford, Ore., for increase of power from 250 to 1,000 watts.

Set WDND Argument

WASHINGTON, May 15.—The Federal Communications Commission will hear oral argument, before the full commission, July 7 on the application of WDND, Durham, N. C., for change of frequency from 1,500 to 600 kilocycles and increase of power from 100 to 1,000 watts.

A hearing will be held June 29 on the application of WMFD, Wilmington, N. C., for increase of time from day only with 100 watts to unlimited with 100 watts night, 250 watts day.

An application of KGIR, Butte, Mont., for increase of day power from 2,500 to 5,000 watts, has been resubmitted.

Concentration Camp Is Program Subject

"Life in a Concentration Camp," as it might happen here, will be dramatized over WQXR from 8 to 8:30 P.M. tomorrow in the third of a series of "American Dinner Hours" sponsored by the American Union for Democracy.

Taking part in the program will be William C. Handy, composer of "St. Louis Blues"; Charles Driscoll, newspaper columnist; Theresa Phillips, novelist; Dr. Robert W. Searle, secretary of the New York Federation of Churches, and Ray Perkins. Charles Stewart will be commentator. William H. and Mrs. Osborne will be hosts.

Clark Leaves WFIL

PHILADELPHIA, May 15.—John C. Clark, program director of WFIL, has resigned, effective next month.

BBC to Let Theatres Hear Command Show

LONDON, May 15.—The British Broadcasting Co. has agreed to permit command performances on the radio to be heard in film houses. The radio company also has agreed to the replacement of the customary evening command radio show with Saturday matinees, but royal assent will be necessary before that becomes a fact.

Exhibitors throughout England have been objecting vigorously for a long time to the command radio performance, generally held in the evening. It invariably occurred that, on the evening of the broadcast, the great majority of the public remained at home beside the radio, instead of taking its entertainment via the theatre's box-office.

Lord Obtains Rights To Lloyd Material

Phil Lord, who recently returned from London, has made known the nature of the business that took him to England. He has signed a contract with Lloyds of London giving him radio rights for all material and the name of Lloyds for a radio program.

Mr. Lord, on Saturday, said he has sold the program based on the history of the insurance institution to a sponsor, but would not reveal the firm's identity. The contract is for 39 weeks, and the show will be produced in the fall.

CBS to Air Concerts

The Stadium Concerts, the first of which will be heard June 26, again will be broadcast exclusively over CBS, Sundays from 8:30 to 10 P.M. The concerts are to run for eight weeks. They will be played by the New York Philharmonic under the auspices of Stadium Concerts, Inc. Two new conductors will be presented this season, Massimo Freccia and Macklin Marrow, while Willem Van Hoogstraten, Jose Iturbi and Alexander Smallens will return.

Ware WKRC Announcer

CINCINNATI, May 15.—W. E. Ware, who has been news and sports commentator on WCAU, Philadelphia, since September, 1937, has joined WKRC, CBS affiliate, as sports announcer. He succeeds Walter Van Winkle, who is leaving the station because of pressure of his duties as basketball and baseball coach of University of Cincinnati. Van Winkle, however, will be available for spot work at WKRC.

Institute Program Set

Refrigeration and Air Conditioning Institute, through James R. Lunke Associates, will start a new series of transcribed programs over WOR, beginning Saturday, from 6:45 to 7 P. M. The program is titled "The Camera Speaks."

Extend RCA Contract

RCA Manufacturing Co., sponsoring dance music locally over WJZ from 8:15 to 8:45 P. M. Saturdays, has extended the contract for the program for another three weeks.

Bronco Melody

Hollywood, May 15.—The Three Ranch Boys, featured on the Alka-Seltzer "Barn Dance," have started a cross-country horseback trip to Chicago. They will be piped in on the program from the various towns in which they stop. Accompanying them as far as San Francisco was Paul Price of the Tom Fizdale publicity office, but he used an automobile.

New NBC Series to Air Pulitzer Plays

"Pulitzer Prize Plays," a series comprising plays which have won that award, will be offered by NBC on a summer schedule of approximately three months, starting May 26.

The series, arranged by Louis H. Titteron, head of the NBC script division, will be heard Thursdays from 10 to 11 P. M. over the Blue. William S. Rainey will be in charge of production and adaptations. The first play to be presented will be "Craig's Wife," by George Kelly. Others to be included are Eugene O'Neill's three prize plays, "Beyond the Horizon," "Anna Christie" and "Strange Interlude." Still others are Maxwell Anderson's "Both Your Houses," Sidney Kingsley's "Men in White," Sidney Howard's "They Knew What They Wanted," Owen Davis' "Icebound" and Paul Green's "In Abraham's Bosom."

One Paper Backs Radio

OAKLAND, May 6.—Standing against the tide in newspaper-radio strained relations here is the *Post-Enquirer*, Hearst afternoon daily. It is running a page-length double-column promotion box, plugging the excellence of its radio column and features, handled by Don Logan under the byline "The Broadcaster."

Renew Pillsbury Series

The Pillsbury Flour Co.'s dramatic series, "Women in White," heard on NBC Mondays through Fridays from 10:45 to 11 A. M. over 36 stations of the Red network, has been renewed for another year, effective May 30. The Hutchinson Advertising Co. is the agency.

Koerper KMBC V.-P.

KANSAS CITY, May 15.—Karl R. Koerper, advertising man and former president of the Kansas City Advertising Club, has been made vice-president of KMBC, effective June 1. J. Leslie Fox recently resigned to go to the coast.

To Air KYW Opening

Ceremonies attending the dedication of the new $600,000 studios of the Westinghouse station, KYW, Philadelphia, will be heard over the NBC-Red network May 21 from 10:30 to 11:15 P. M.

Chalmer Show Continues

Allis-Chalmer Co., sponsors of "Family Party" over a split NBC-Blue network, have extended the contract for the show for another month, taking it to July 2.

Chorus Election Set Pending Merger Talk

Despite plans now in work for the amalgamation of Chorus Equity Ass'n. with Actors Equity, which is expected to be completed within the next few months, the chorus organization has scheduled its customary annual election of officers June 3 at the Center Hotel.

The ticket prepared by the nominating committee consists of Paul Dullzell, for chairman of the executive committee, and Gerald Moore, for recording secretary. Nominees for three-year terms as councillors are Jack Barnes, Mary Brent, Margaret Henzel, Lili Mann, Helen Sanford, Norman Van Emburgh and Jean Woods. Nominees for council replacements for one year are Thomas Scott and Phil Shaw.

A basis for the amalgamation of the chorus organization will be discussed by its members at the meeting. Indications are that it will become a chorus division of Actors Equity rather than being completely absorbed. Dorothy Christianson, executive secretary of the chorus unit, plans to resign when the amalgamation has been completed. The chorus group's loss of jurisdiction of night club and presentation house performers to the American Federation of Actors this spring impelled the merger.

Seek to Modernize Milwaukee's Zoning

MILWAUKEE, May 15.—Gathering momentum is a movement here to modernize the present zoning and clearance schedule to make it more equitable for outlying theatres.

Under the present setup, it is stated, subsequent downtown houses are playing films at 15-cent admissions before they are being shown at neighborhood houses for 25 cents. A committee is expected to be named shortly to draft a plan agreeable to all, to be ratified at a meeting attended by representatives of all houses in the county.

Modify Ban on "Birth"

CINCINNATI, May 15.—Following another preview of "The Birth of a Baby" here Saturday by city officials, the film was permitted to be exhibited with certain sequences deleted and with the understanding that attendance would be limited to patrons over 18. William Skirball, president of Select Pictures Corp., distributor, stated that he will not permit a single deletion. The film has been booked for next week in Akron and Cleveland.

Dicker for Reel House

Trans-Lux and Newsreel Theatres, Inc., which operates the Embassy on Broadway, are negotiating for the lease of a newsreel house which will be located on the street level of a 22-story office building under construction by Bethlehem Engineering Corp. at 42d St. and Pershing Square. The theatre will seat 600. The building will be opened early next year.

Kibbee in Portland

PORTLAND, May 15.—Guy Kibbee will be guest of honor of Portland's Rose Festival Floral parade during Rose Festival week. He will also lead the annual fun parade.

'FRISCO SCORED

(ORPHEUM THEATRE)

A BULL'S-EYE WITH THIS MARQUEE SOCK!

A Re-issue of a Memorable Picture

SPENCER TRACY ★ LORETTA YOUNG

MAN'S CASTLE

Already booked here: Palace, Milwaukee, Wis.; Liberty, Seattle, Wash.; Roxy, Oakland, Cal.; Sierra, Sacramento, Cal.; Sierra, Stockton, Cal.; Lafayette, Buffalo, N. Y.; Berkeley, Berkeley, Cal.; Vitaphone, Wenatchee, Wash.; Varsity-Kiva, Lincoln, Neb., and Broadway, Council Bluffs, Iowa.

A COLUMBIA PICTURE

FILE COPY

Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 43. NO. 114 NEW YORK, TUESDAY, MAY 17, 1938 TEN CENTS

Rogers Seeks Showdown on Status at "U"

Friction Is Reported on Policy at Studio

HOLLYWOOD, May 16.—Clarification or definition of his production authority will be asked by Charles R. Rogers at the special meeting of the company's board of directors in New York on Thursday, it was learned here today on good authority. The meeting was called at Mr. Rogers' request.

Although informed sources are reluctant to discuss the circumstances motivating Mr. Rogers' move, it was intimated that the studio head has not seen eye to eye with the new management on the company's new season production plans which were worked out here and in New York. The result has been that, up to this

(Continued on page 10)

Short Wave Station Hits Congress Snag

WASHINGTON, May 16.—Proposals for establishment of a Federal broadcasting station to send propaganda programs to Latin America were stymied today when members of the House Naval Affairs Committee indicated their belief that the plan would

(Continued on page 11)

Additional developments in radio yesterday on page 11.

It May Be Today

Washington, May 16.—Block booking legislation may come up in the Senate tomorrow under a "gentlemen's agreement" understood to have been reached by Senator Matthew M. Neely of West Virginia, author of the measure, and Majority Floor Leader Alben W. Barkley of Kentucky.

With the disposition of legislation now before the Senate for consideration, there may be a lull which will give Neely an opportunity to move for debate on his bill, which he has said he would call up at the first opportunity.

Warner Dallas Meet Started By Kalmenson

Vitaphone Product List Detail out Tomorrow

DALLAS, May 16.—Ben Kalmenson presided today at the opening session of the Warner regional sales meeting at the Baker Hotel. Among the speakers were: Roy Haines, S. Charles Einfeld, Fred Jack, W. E. Callaway and Rud Lohrenz.

A snake dance ovation lasting 10 minutes was given Mr. Sears when he was introduced.

Gov. James V. Allred wired greetings and Mayor George Sprague declared it "Warners' Day " in Dallas. Fred Jack had been made a colonel in Tennessee, it was stated during the morning.

Discussions of Vitaphone product and an announcement of the season's lineup, which was not disclosed at

(Continued on page 10)

U. S. Judge Bondy Orders Hearings On New RKO Plan

RKO's amended plan of reorganization was referred back to Special Master George W. Alger for new hearings on its fairness and feasability after being presented to Federal Judge William Bondy in U. S. District Court here yesterday. The first creditors' hearing on the new plan was tentatively scheduled by Mr. Alger for May 24, pending the approval of the court.

Repeated references to a "speedy" and an "early" completion of the reorganization which were made by H.

(Continued on page 10)

Court Grants Review In William Fox Case

WASHINGTON, May 16.—The U. S. Supreme Court today granted a petition of Hiram Steelman, trustee in bankruptcy for William Fox, for a review of a decision of the Third Circuit Court of Appeals reversing a decree of the N. Y. District Court ordering All-Continent Corp. to open its books for examination and audit.

Mr. Steelman contended that the All-Continent Corp. was created by Mr. Fox in 1930 and that he had transferred to it practically all of his

(Continued on page 10)

Grainger Will Start Monday

James R. Grainger will be elected president of Republic Pictures within the next few days and will assume his new post next Monday. Mr. Grainger arrived from Hollywood on the Broadway Limited yesterday with H. J. Yates, president of Consolidated Film Industries, who will arrange for the Republic board meeting at which Mr. Grainger's formal designation as head of the company will be made.

Mr. Grainger's contract with Universal, which prevented his acceptance of the Republic post earlier, expires at the end of this week. He said yesterday he would make his headquarters in New York, but expected to be on the road much of the time. He has been vacationing on the coast and in Honolulu for the past four months.

Allied May Settle Conciliation Row

PITTSBURGH, May 16.—The extent to which Allied is willing to go along with other exhibitor organizations and the major distributors in establishing conciliation procedure for adjudication of industry disputes is expected to be defined during the three-day national convention which gets under way at the William Penn here tomorrow. Delegates arriving tonight

(Continued on page 4)

Duals Illinois Allied Problem—Saperstein

CHICAGO, May 16.—Before leaving for the Allied meeting in Pittsburgh tonight, Aaron Saperstein said that Allied of Illinois has only one problem to bring before the national group and that is the elimination of double features. He said he doubted that anything could be done by the national group but hoped something might be worked out to help relieve

(Continued on page 4)

Griffis Says No Change at Para. Studio

Quiets Rumors Zukor to Return to New York

No executive changes of any kind are contemplated by Paramount at the studio, Stanton Griffis, chairman of the executive committee, reiterated yesterday in answer to persistent reports that Adolph Zukor, chairman of the board, would return to New York to make his headquarters at the home office again.

The reports were denied in advance of the departure of Mr. Griffis and Barney Balaban, Paramount president, for their three-week visit at the studio, from which they returned on Sunday, but were revived again recently.

Plans for most of the balance of the company's new season production schedule were completed during their studio visit, and with several of the company's more important pictures set to start immediately, activity at the studio will reach its highest peak in months this week. Eight pictures will be in work within the next few days, among them being "Men with Wings," "If I Were King," "Spawn of the North," and "Sing, You Sinners."

Mr. Griffis said that the subject of production costs was studied thoroughly and that, as a result, economies are expected wherever they can be realized without sacrifice of picture quality.

Selznick to Reopen U. A. Negotiations

Selznick International will reopen discussions for an extension of its release arrangements with United Artists in the near future, John Hay Whitney, chairman of the board, said yesterday following his return from a one-month European vacation.

The company has plans for two productions in addition to the final two which remain to be delivered on its

(Continued on page 5)

Technicolor Net in 4 Months $475,000

Technicolor earnings for the first four months of this year were estimated at $475,000 against three-month earnings of $361,339, Dr. Herbert T. Kalmus reported at a meeting of com-

(Continued on page 4)

◂ Purely Personal ▸

JOHN HAY WHITNEY, CLAUDETTE COLBERT and her husband, Dr. JOEL PRESSMAN, LILY PONS and OLIVIA DE HAVILLAND arrived yesterday on the *Normandie.*

•

HERB MORGAN, in charge of M-G-M's shorts publicity, has returned from a trip up the canal to Ithaca. The canal may be featured in a forthcoming short.

•

HARVEY B. DAY and EDDIE McAVOY are grandfathers. Last Friday their children, HARVEY, JR., and MRS. DAY became the parents of a baby girl, BARBARA LEE.

•

HAL B. WALLIS, Warner associate producer, will arrive tomorrow on the Century for a short vacation in New York.

•

DALE VAN EVERY'S and TOM KILPATRICK'S original screenplay, "Mister Coronado," has been purchased by M-G-M.

•

H. J. YATES, head of Consolidated, arrived from the coast yesterday.

Col. Executives Off For Chicago Session

Columbia home office officials, headed by Jack Cohn, vice-president, and A. Montague, general sales manager, will leave for Chicago today, where the company's second regional sales meeting will open at the Drake tomorrow to continue through Friday.

In addition to the Chicago branch, the Milwaukee, Minneapolis, Omaha, Des Moines, Detroit, Kansas City, St. Louis and Indianapolis exchanges will be represented at the meeting From the home office, in addition to those named, will be Rube Jackter, Lou Weinberg, Louis Astor, M. Weisfeldt, H. C. Kaufman, M. Grad, G. Josephs and M. Hannock.

The Chicago meeting will be followed by regionals at Dallas and San Francisco.

FitzPatrick Weds Today

James A. FitzPatrick, producer of Traveltalks for M-G-M, will be married to Lesley Champlin of Evanston, Ill., this afternoon at the Riverside Church. Mr. FitzPatrick returned from a world cruise yesterday on the *Empress of Britain.* His plans for the immediate future could not be learned at a late hour yesterday.

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Hollywood Preview

"Holiday"

(*Columbia*)

HOLLYWOOD, May 16.—With inspired acting, sensitive direction and high production values, Philip Barry's "Holiday" comes to the screen again as excellent entertainment. It is perhaps not a film to bring cheers from those preferring blood and thunder action, but it should win the approbation of all those appreciating a fine thing finely done.

Preserving the full spirit of the original play in the picture, following the same situations, and retaining large portions of Barry's dialogue, Donald Ogden Stewart and Sidney Buchanan, who did the screenplay, nevertheless have introduced lines which have modernized the story.

Produced and directed in the impressive style for which Everett Riskin and George Cukor are noted, "Holiday" is in the nature of a personal vindication for Katharine Hepburn, who turns in the kind of performance which first brought her to public attention. Excellent support is afforded by Lew Ayres, Cary Grant, Doris Nolan, Henry Kolker, Edward Everett Horton, Binnie Barnes, Jean Dixon and Henry Daniel.

The theme concerns two rebellious, free souls, who refuse to worship the sacred cows of respectability and narrow tradition. Deeply in love with Doris Nolan, Grant wants her to marry him and enjoy life while both are young. Halted in his effort to convince Kolker, Miss Nolan's father, Grant finds a kindred spirit in Miss Hepburn, the older sister, and a sympathetic ally in Ayres, the brother. While Miss Barnes and Horton supply comedy material, Grant breaks with Miss Nolan and Kolker, and Miss Hepburn, whose love for her sister's fiance has always been evident but never obtrusive, rushes to join Grant. The catchline, "She went on her sister's honeymoon," still is entirely descriptive of the film's entertainment character.

Smart showmanship should impart considerable popular appeal to the film.

Running time, 95 minutes. "G."

(Additional Review on page 5)

Loew's Stockholder Suits Consolidated

A decision consolidating the seven separate stockholders' actions against Loew's, Inc., was granted yesterday in N. Y. Supreme Court by Justice Aaron J. Levy. The consolidated actions are to be tried on the suit brought originally by Bernard Epstein against officers and directors of the corporation.

Emil K. Ellis, Epstein's attorney, is to act as attorney for all the plaintiffs. Epstein's case will hold its original position on the calendar. The suit was brought for an injunction and an accounting to restrain the officers and directors of Loew's, Inc., from paying themselves salaries and bonuses.

The personal service agreements were ratified Jan. 25. The stockholders claim that the salaries and bonuses were excessive and unreasonable, and suit was brought to set aside the agreements.

In addition to Mr. Epstein, the other stockholders suing are Arba Dike Faxon, Nicholas Lowy, Charles Alpert, Pearl R. Ginsburg, H. W. Goldstein and Hannah Helfer.

Justice Levy at the same time granted a motion for an examination before trial of the officers and directors of Loew's and for an inspection of the corporation's books. No date has been set for this, but it will be set in a few days.

Loew Board to Meet

A deferred meeting of the board of Loew's, Inc., is scheduled for tomorrow afternoon. It was postponed from May 5 pending the arrival of Nicholas M. Schenck, who returned Friday from Florida.

RKO Drive Ends with Record Week Billing

The final week of the RKO Ned Depinet drive resulted in the largest single week's total of domestic billings, $1,083,000, in the history of the company, according to Jules Levy, general sales manager.

The drive occupied 15 weeks, and collections mounted steadily during the period, Levy stated. The sales head traveled 12,000 miles during his last four-week cross-country trip. Walter Branson was captain of the drive.

Scranton Honors Walker

SCRANTON, May 16.—Frank C. Walker, vice-president and general manager of the Comerford Theatres, Inc., has been elected to the board of trustees of the University of Scranton (formerly St. Thomas College).

Mr. Walker is an alumnus of the Montana School of Mines and of Notre Dame University and a trustee of the latter institution. Mr. Walker was recently appointed to the board of regents of the University of the State of New York.

R. & R., Alexander Renew

DALLAS, May 16.—Robb & Rowley Theatres, operating 60 houses in Texas, Oklahoma and Arkansas, have renewed their three-year contract with Alexander Film Co. for screening short-length advertising films.

Hoffberg Closes Deal

J. H. Hoffberg has closed a deal with the Criterion for the showing of "Trailing the Jaguar," which pictures Dan Brennan hunting in Mexico with bow and arrow.

Frank Capra Named Director Unit Head

HOLLYWOOD, May 16.—Frank Capra was elected president of the Screen Directors' Guild last night, and Edward Sutherland and Gregory La-Cava, two other members of the guild's negotiation committee, were named to the board of directors. This is regarded as a vote of confidence in the committee handling the recent controversy with producers.

Other officers named were vice-presidents, W. S. Van Dyke and Howard Hawks; secretary, Frank Tuttle; treasurer, Rowland V. Lee. Other members of the board are: Herbert Biberman, John Cromwell, John Ford, William K. Howard, Leo McCarey, Rouben Mamoulian, Lewis Milestone, Phil Rosen and William A. Wellman.

The guild reaffirmed its stand in favor of unity in seeking a pact with producers which will keep assistants and unit managers in the guild.

English Exports Gain

LONDON, May 16.—Exports of exposed positive film for April totaled 1,790,290 feet, an increase of 46,986 feet over April, 1937. The value of the exports this year is £12,009, an increase over last April's value of £3,645. Imports for April, this year, amounted to 1,253,991 feet, valued at £12,014 and totaling 395,072 feet less than in April, 1937, representing a decrease in value of £1,968.

Premiere to Minneapolis

MINNEAPOLIS, May 16.—Arrangements have been completed between Warners and the Minnesota Amusement Co. to hold the world premiere of "Gold Diggers in Paris" at the Orpheum here. The Schnickelfritz Band, starred in the picture, first came into prominence in this city.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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We just had to let 'em GO TO TOWN!

making motion picture musicals make SENSE and DOLLARS!

(An Advertisement for Paramount's "Cocoanut Grove")

• Recently there has been widespread criticism in the trade of "clambake musicals" "Clambake musicals" are big vaudeville shows with lots of music, lots of girls, lots of gags... but practically no human interest, no heart punch, no real story. What this industry has been demanding, needing, is a **new formula for motion picture musicals.** And Paramount, ever a pioneer in picture enterprise, has succeeded in discovering that formula, creating that kind of picture.

Paramount's "COCOANUT GROVE" has music, a good share of it among the finest tunes turned out by Hollywood's musical colony in the past two years. "Says My Heart" and "You Leave Me Breathless" will definitely rank with such hits as "Thanks for the Memory". "COCOANUT GROVE" has a strong marquee lineup . Fred MacMurray, Harriet Hilliard, one of the top names of radio, the Yacht Club Boys, Ben Blue, Rufe Davis, Billy Lee, Eve Arden. "COCOANUT GROVE" has the necessary elements for a big time musical picture.

But "COCOANUT GROVE" is more than a musical picture. "COCOANUT GROVE" has story, one of the finest human interest stories the screen has seen this year... the true-to-life adventures of a swing band, a kid they adopt, and the girl who adopts them. From start to finish, "COCOANUT GROVE" holds your interest by the heart tugging story itself. The dances, the tunes, the music are not just tossed in. They are natural parts of the plot itself. At no time does any song or act seem unreal or "just stuck in" to pep up the show.

We have screened "COCOANUT GROVE" for hardboiled exhibitors, many of whom have been frankly skeptical about the possibility of creating a new and more successful musical motion picture formula. To a man, they have praised "COCOANUT GROVE". Audiences at public previews have said the same.

"COCOANUT GROVE" marks the beginning of a new era in the musical motion picture. Book it and you'll soon see why.

Paramount Pictures Inc

real heart appeal

believable action

convincing plot

COCOANUT GROVE

In **"Cocoanut Grove"**, the new Paramount comedy-romance with music, starring Fred MacMurray with Harriet Hilliard, The Yacht Club Boys, Ben Blue, Rufe Davis, Billy Lee and Eve Arden, we tried something completely different in musical shows. We decided that plot and characterization, in short—one whale of a good story—came first. And we made tunes, gags, dances fit neatly and convincingly into our plot structure... That is... until the last reel. Then the Yacht Club Boys and Ben Blue got a few ideas of their own. The Yacht Club Boys showed up on the lot dressed as Four of the Three Musketeers, and started putting the heat on Ben Blue. Well, frankly, it was too funny to leave out of the picture. So be prepared, when you screen Paramount's **"Cocoanut Grove"**, not only for the first musical show to make plot, story, human interest the central points of the picture... but for one terrific laugh session with **America's favorite comics in what you'll be the first to agree are the laughingest antics they've ever devised.**

Allied May Settle Conciliation Row

(Continued from page 1)

freely discussed the possibility that Allied will take a stand for conciliation with provisos for "the preservation of the independents' rights" and are interested in the major distributors' apparent endorsement of such a program, but leave national policy up to the steering committee.

The directors, with Abram F. Myers, chairman of the board and Nathan Yamins, president, met tonight in private session to lay convention strategy. What that will be will be disclosed as the convention progresses.

The distributors' viewpoint on "conciliation and arbitration" will be given Wednesday afternoon by William F. Rodgers, M-G-M general sales manager, who is expected to hold out an olive branch. This will be one of the important addresses.

Yamins Asks "Propaganda"

In his message published in the convention program, Mr. Yamins declares that among matters "of utmost importance" is the "launching of propaganda that our problems are industry problems to be settled within the industry and not by Governmental regulation, and that industry leaders have expressed a willingness to set up conciliation boards or other machinery for the purpose." Independent exhibitors, he says, must "give expression to their conception of what rights they feel they are entitled to and, if we are to have 'conciliation boards,' how they are to be instituted and administered."

Mr. Yamins declares he is "firmly convinced" that at this convention "will be determined once and for all whether the independent exhibitor is to be allowed to continue in this industry with a due regard and respect for his rights as an exhibitor, or whether his rights, or what little is left of them, are to be further abridged to the point of extinction."

Myers, in his message, charges that "the highly organized producers-distributors are all set to pass on to the workers and the exhibitors the entire burden of the present calamitous business slump by the simple expedient of reducing production costs on the one hand and raising prices on the other." This alleged condition, he says, "calls for a plan of action which is the product of the best brains in exhibitor ranks."

The conclave will open tomorrow with an address of welcome by Mayor Cornelius Scully, and the presidential address by Mr. Yamins will follow. Other talks are scheduled by William Sussman, 20th Century-Fox eastern division manager; W. A. Steffes, Minneapolis, and H. M. Richey, Detroit.

Following, there will be an open forum on percentage, preferred playing time, double bills and independent poster exchanges. At night there will be a cabaret supper and dancing with entertainment provided by Warners Stanley Theatre.

Allied Leaders at Meet

These men will guide the activities of the members of Allied States at the annual three-day meeting in Pittsburgh, opening today. Top row, left to right: Abram F. Myers, board chairman and general counsel; Nathan Yamins, president; Herman Blum, treasurer. Bottom row, left to right: W. A. Steffes, member of the executive board; Sidney Samuelson, member of the executive board; Col. H. A. Cole, regional vice-president.

Duals Illinois Allied Problem—Saperstein

(Continued from page 1)

the present situation here as well as nationally.

More than 20 members of Illinois Allied left tonight on special cars for the convention in Pittsburgh. Included in the local party are Mr. Saperstein, Van Nomikos, Joseph Weiss, Arthur Goldberg, William Pearl, Jack Rose, Elmer Benesch, Charles Kay, Edward Brunell, Ludwig Sussman, Ben Bartelstein, Tippy Harrison, Jack Kirsch, Verne Langdon, Charles Nelson, Samuel Roberts, Max Sachs, Jack Ruben, Richard Sachsel, John Mednikow, Henri Elman and Irving Mack.

Postpone Cleveland Meet

CLEVELAND, May 16.—The meeting between local theatre managers and union representatives which was scheduled for today has been postponed until May 27. It will be held at the Carter Hotel.

Union Heads Confer

SAN FRANCISCO, May 16.—L. C. Helm, business representative of Studio Utility Employees Local 724, Hollywood, is here to confer with Joseph Marshall, international vice-president.

Technicolor Net in 4 Months $475,000

(Continued from page 1)

pany stockholders yesterday. Dr. Kalmus also reported April business to be very good with shipments totaling 7,500,000 feet.

He also told the meeting of a new color process called Monapack, to be ready in a year and a half, which will eliminate the need of special cameras. The process at present is in laboratory research stages, he added. The Monapack process is being developed in conjunction with the Eastman Kodak Co. which has perfected it for 16mm. use.

The company has expanded its production activities so that it now can handle between 90,000,000 and 130,000,000 feet of film annually. So far this year 70,000,000 has been ordered. Dr. Kalmus said that a contract with Eastern Service Studios had recently been signed which will put a Technicolor unit into the Long Island studio. The service will be available in the east about July 1.

Directors Elected

At yesterday's meeting directors were elected for three years. They include John L. Anderson, Ebersley Childs, Lester G. Clark and Dr. Kalmus. Charles D. Thompson was elected director for two years. Officers are slated to be elected at a directors' meeting tomorrow at which a dividend will be announced. The executive setup slated to be reelected includes Dr. Kalmus, president; George F. Lewis, vice-president; Lester G. Clark, treasurer; George F. Lewis, secretary, and L. A. Skinner, assistant secretary. Dr. Kalmus will leave on his annual survey of the European field on the *Queen Mary* May 25.

John Schermerhorn Dies

Services will be held today in East Orange for John R. Schermerhorn, formerly manager of foreign activities of Edison Industries, Inc., who died yesterday at his home in Orange, N. J. He was 75 and is survived by his widow, a daughter and two sons.

Projectionist Found Dead

CHICAGO, May 16.—The body of Henry Schneider, 41, operator at the Adelphia, who had been missing since last Monday, today was found in the woods near Glencoe. Authorities have begun an investigation.

Plans State-made Film

A feature length picture, to be made by one of the major companies and titled "Cavalcade of New York" will be shown in the theatre of the New York State exhibit at the World's Fair, according to Assemblyman Irwin Steingut.

The picture, Mr. Steingut said, will show the development of New York State through a dramatic, personalized tale.

After the fair, the picture will be released throughout the country.

Globe Takes Serial

The Globe has booked the serial, "Secret of a Treasure Island," to start next Saturday. It is the first serial booking ever made by the house.

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RAILWAY EXPRESS AGENCY, INC.
4 TONS OF NEWSREELS FLY "AIR EXPRESS"

Biggest one-day record in motion picture history. 8,000 pounds of "hot spot" news films rushed to hundreds of theatres from coast to coast, border to border, by AIR EXPRESS—2500 miles overnight! It's a "natural" *high* speed route for reels, scripts, sound records—anything—at *low* cost. Day and night, nation-wide service; also to Canada, Latin America, Honolulu, and Far East. For service, 'phone any RAILWAY EXPRESS office—AIR EXPRESS Division.

Chicago Loop Grosses Fall Into Nosedive

CHICAGO, May 16.—Loop theatre business continues in the doldrums as only holdover pictures such as "Test Pilo[illegible]nd "In Old Chicago" bring in what real business there is.

At the Chicago "Cocoanut Grove" had a hard struggle to get $20,500 with the help of Abe Lyman's band on the stage. Even Sophie Tucker's personal appearance at the Oriental couldn't hold up "There's Always a Woman" which lasted but six days.

Other Loop theatres found business very dull and the bad weather over the weekend didn't help things any.

Total first run business was $92,500. Average is $121,000.

Estimated takings:

Week Ending May 12:

"DR. RHYTHM" (Para.)
APOLLO—(1,400), 35c-55c-65c, 7 days. **Gross:** $4,700. (Average, $6,500)

"COCOANUT GROVE" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Abe Lyman and Revue. **Gross:** $20,500. (Average, $32,000)

"BELOVED BRAT" (Col.)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $4,000. (Average, $6,500)

"THERE'S ALWAYS A WOMAN" (Col).
ORIENTAL—(3,490), 35c-55c-75c, 6 days. Stage: Sophie Tucker and Revue. **Gross:** $11,900. (Average, $18,000)

"SINNERS IN PARADISE" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Olsen and Johnson and Revue. **Gross:** $16,900. (Average, $19,000)

"START CHEERING" (Col.)
STATE-LAKE — (2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $11,500. (Average, $13,000)

Week Ending May 13:

"IN OLD CHIGACO" (20th-Fox)
ROOSEVELT—(1,300), 35c-55c-75c, 4th week, 7 days. **Gross:** $9,000. (Average, $11,000)

"TEST PILOT" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 3rd week, 7 days. **Gross:** $14,000. (Average, $15,000)

Selznick to Reopen U. A. Negotiations

(*Continued from page* 1)

expiring United Artists commitment, he said. Seven or eight, in all, may be made for next season, he said, among them "Gone With the Wind," which will go before the cameras early next fall.

Henry Ginsberg, general manager of the company, also arrived in New York yesterday, coming from the coast by train. He described his visit as "routine" and said that he planned to return to the coast in "about a week." He added that Mr. Whitney was aware already of the recently approved profit-sharing participations for United Artists producers and the reduced charges for world distribution, declaring that his trip had nothing to do with these. These new arrangements, however, are regarded as influential factors in the reopening of Selznick International's negotiations for a new distributing deal with United Artists.

May Lift Sunday Ban

NASHVILLE, May 16.—Lifting of the Sunday film ban here looms as a possibility.

Out Hollywood Way

HOLLYWOOD, May 16.—"Hans Brinker or the Silver Skates," the widely read children's story, will serve as a vehicle for BOBBY BREEN and four-and-a-half-year-old IRENE DARE, figure skater. SOL LESSER will produce.

RICHARD HALLIDAY, general manager of Paramount's home office story department, is in town for several weeks of conferences. . . . JOAN BENNETT draws the feminine lead of Paramount's "Artists and Models Abroad," . . . IRENE DUNNE is to play the leading role in "The Sisters," Warners' version of the MYRON BRINIG novel. . . . HARRY SHERMAN is planning a sequel to "Borderland," one of the most popular of the Hopalong Cassidy pictures. It is tentatively titled "The Fox Returns."

+

Casting—ANTHONY AVERILL, ROSELLA TOWNE and CAROLE LANDIS in "Girls on Probation," Warners. . . . MARY FORBES in "Always Goodbye," 20th Century Fox. . . . ZEFFIE TILBURY in "One Woman's Answer" and TOMMY BOND in "The Magician's Daughter," short, both at M-G-M. . . . KAY SUTTON in "Carefree" and LORRAINE JOHNSON in the feminine lead of "Border G-Man," GEORGE O'BRIEN vehicle, both at RKO. . . . ALMA LLOYD, daughter of FRANK LLOYD, in "If I Were King," and EDWARD EVERETT HORTON, AKIM TAMIROFF and BEN BLUE in "Paris Honeymoon," both at Paramount. . . . RICHARD CARLSON, signed as actor-writer-director at Selznick International, and BILLIE BURKE in "The Young in Heart," Selznick.

+

Title Changes—"The Lady's from Kentucky" has been set for the working title of the Paramount film known as "Racing Form." . . . "Come Across" is the new title for the M-G-M short, "Pay-Off," and "The Forgotten Step," the release title for "The Clock Ticks On." . . . "One Woman's Answer" is M-G-M's new title for "Enemy Territory." . . . Grand National has retitled "Trails West" as "Six-Shootin' Sheriff." . . . LARRY DARMOUR'S "Valley of Violence," starring JACK LUDEN, is now "Pioneer Trail."

+

Contracts—Paramount has extended the contracts of RAY MILLAND and BETTY GRABLE. . . . ROLF PASSER has been given a writer's contract at M-G-M.

+

Writers—Warner writing assignments include: SETON I. MILLER on the script of "You Can't Escape Forever"; ROBERTSON WHITE on the script of "Nancy Drew Gets the Passport," first of a series of Drew pictures starring BONITA GRANVILLE; ALBERT DEMOND on "Torchy in Trouble," and ABEM FINKEL collaborating with MARK HELLINGER on "The $1,000 Window."

Hollywood Preview

"Hunted Men"

(*Paramount*)

HOLLYWOOD, May 16.—One or all of the persons responsible for putting this picture together must have been good and tired of seeing gangsters represented as supermen, supermugs, super this and/or that, and determined to do something about it. The something he, she or they did is a fine microscopic study of the gunman as to cause, effect, temperamental motivation and end result. The enterprise was conducted with rare discrimination and full application of the motion picture's power to dissect a character, yet the treatment is unfailingly dramatic, honestly theatrical and, although in complete sense a study, never studied. It equals solid entertainment.

Associate Producer Stuart Walker and Director Louis King had in hand a screenplay by Horace McCoy and William R. Lipman based on a play by Albert Duffy and Marian Grant. To its performance they assigned Mary Carlisle, Lloyd Nolan, Lynne Overman, J. Carrol Naish, Anthony Quinn, Larry Crabbe, Johnny Downs, Dorothy Peterson, Delmar Watson, Regie Toomey and Louise Miller. They could have substituted a half dozen first line marquee personalities and turned out a more exploitable picture, but not a better one. Nolan's handling of the gangster, Overman's delineation of his unwilling host and Quinn's performance of the brutish underling are outstanding, yet in whole harmony with a masterfully matched ensemble portrayal.

The story is strong in its simplicity. Nolan commits a murder and hides out in the home of a small town hardware dealer who, under threat of death, gives him shelter but shields his identity from his daughter and son. During the gangster's stay he comes to see himself as he really is and, when police arrive, solves his problem in unforeshadowed but wholly logical manner.

Running time, 65 minutes. "G."

Unionization Complete

MEXICO CITY, May 16.—Unionization of the film industry is close to 100 per cent with the almost complete organization and affiliation with the big labor unions of white collar employees of the exchanges.

Kallen in Seattle Job

SEATTLE, May 16.—Arthur Kallen has arrived here from Los Angeles to become assistant manager and booker at L. J. McGinley's local Universal exchange. He succeeds Louis A. Samuelson, deceased.

Variety Club

Baltimore

BALTIMORE, May 16.—Members of the Washington Tent were entertained by the local tent at club headquarters in the Hotel Belvedere, with J. LOUIS ROME, chief barker, and others acting as hosts.

Among those from Washington who attended were: JULIAN BRYLAWSKI, ABE LICHTMAN, CARTER BARRON, ARCHIE EUGEL and JOE KALISKI. BUDDY ROGERS also appeared.

Minneapolis

MINNEAPOLIS, May 16.—Formed under the direction of Chief Barker W. A. STEFFES, a committee of the Twin City Variety Club is engaging on a program of charity that will include furnishing glasses free to children unable to finance their own examinations, fittings and glasses. THEODORE HAYS is chairman of the committee, and other members are EDDIE RUBEN, GEORGE GRANDSTROM, A. A. KAPLAN, CHARLES WEINER, FRANK McCORMICK and BEN FRIEDMAN. Another activity of the committee has been to purchase a sound truck that will make it possible to bring pictures to shutins otherwise unable to see films.

Omaha

OMAHA, May 16. — Variety Club will sponsor a gridiron dinner May 27 at the Hotel Fontenelle for the charity funds of the Omaha *World-Herald.* The club expects to sell at least 600 tickets at $5 each and hopes to turn over $2,000 to the newspaper.

Chief Barker WALTER GREEN has appointed as a special committee JOE JACOBS, chairman; EDDIE SHAFTON, HARRY J. SHUMOW, EVERT R. CUMMINGS, JACK EPSTEIN and JOHN GILLIN, JR.

Pittsburgh

PITTSBURGH, May 16.—The Club sent CAB CALLOWAY and several of his musicians down to the Western Penitentiary last week to put on a jam session for the prisoners.

HARRY SEED'S wife and daughter are going to California for the summer.

HARRY KALMINE will be a warm weather bachelor, too, with the family preparing to pull out for Atlantic City again.

Only four members, FABIAN WRIGHT, RAY DOWNEY, JAKE SOLTZ and MIKE GALLAGHER, attended every one of the Monday night dinners in the series just closed.

JOHNNY HARRIS had RIP COLLINS and PHIL CAVARETTA of the Chicago Cubs as his guests.

To Close St. Louis Fox

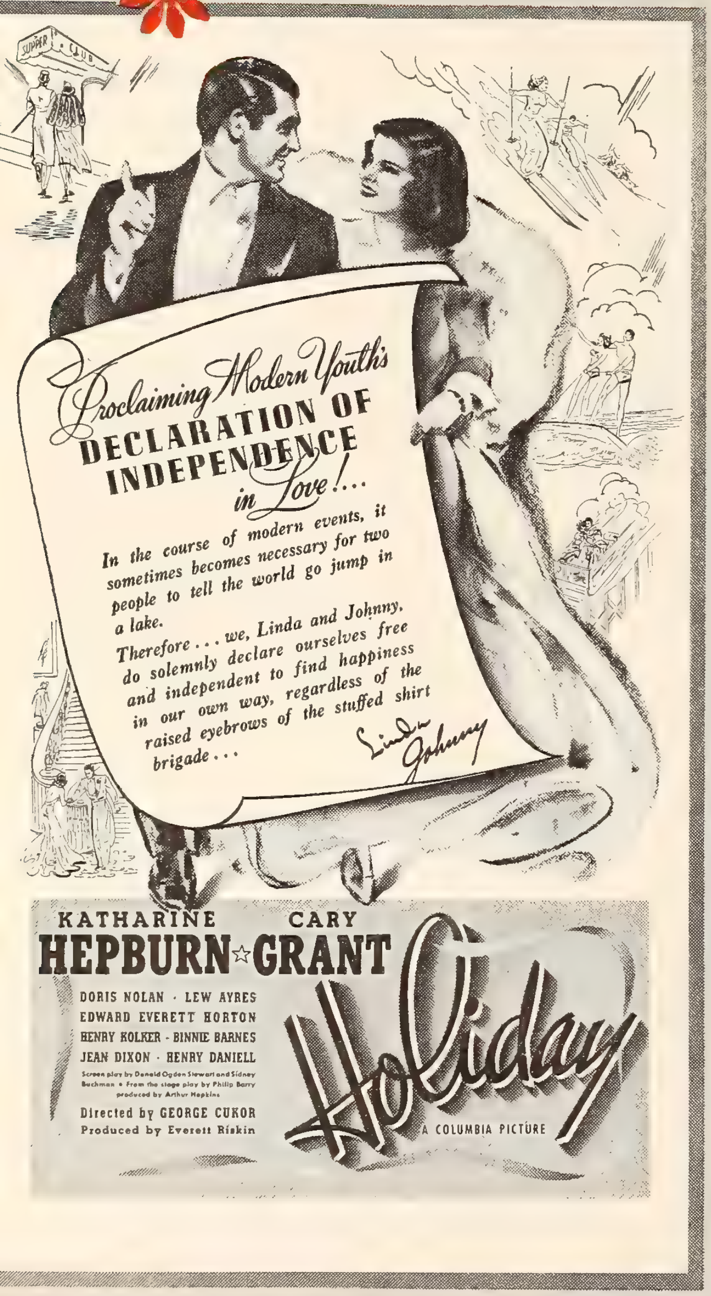
ST. LOUIS, May 16.—The Fox, one of the three largest theatres in the United States, will be closed May 20 until September.

Harry Arthur, vice-president of Fanchon & Marco, said business was bad, and there are not enough good pictures to keep four first runs operating profitably in St. Louis.

Atlanta Theatre Darkened

ATLANTA, May 16.—The Georgia closed last Saturday night for the summer months, following a custom of several years. It is one of the Lucas & Jenkins circuit.

ADVERTISING
IN THE SELLING O



Proclaiming Modern Youth's
DECLARATION OF INDEPENDENCE
in Love!...

In the course of modern events, it sometimes becomes necessary for two people to tell the world go jump in a lake.

Therefore . . . we, Linda and Johnny, do solemnly declare ourselves free and independent to find happiness in our own way, regardless of the raised eyebrows of the stuffed shirt brigade . . .

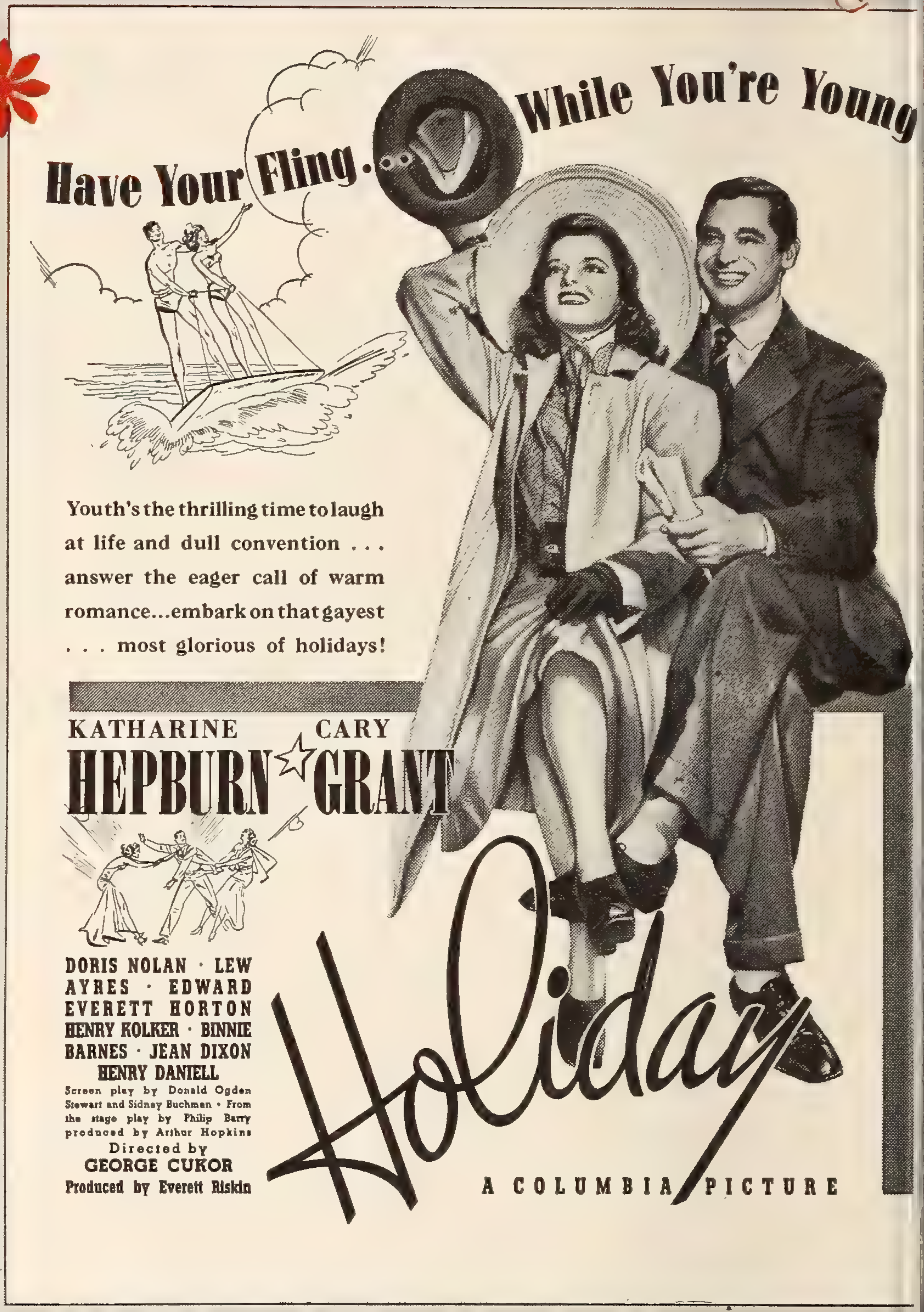
Linda
Johnny

KATHARINE CARY
HEPBURN ☆ GRANT

Holiday

DORIS NOLAN · LEW AYRES
EDWARD EVERETT HORTON
HENRY KOLKER · BINNIE BARNES
JEAN DIXON · HENRY DANIELL
Screen play by Donald Ogden Stewart and Sidney Buchman • From the stage play by Philip Barry produced by Arthur Hopkins
Directed by GEORGE CUKOR
Produced by Everett Riskin

A COLUMBIA PICTURE



Have Your Fling. . . While You're Young

Youth's the thrilling time to laugh at life and dull convention . . . answer the eager call of warm romance...embark on that gayest . . . most glorious of holidays!

KATHARINE CARY
HEPBURN ☆ GRANT

DORIS NOLAN · LEW AYRES · EDWARD EVERETT HORTON
HENRY KOLKER · BINNIE BARNES · JEAN DIXON
HENRY DANIELL
Screen play by Donald Ogden Stewart and Sidney Buchman • From the stage play by Philip Barry produced by Arthur Hopkins
Directed by
GEORGE CUKOR
Produced by Everett Riskin

Holiday

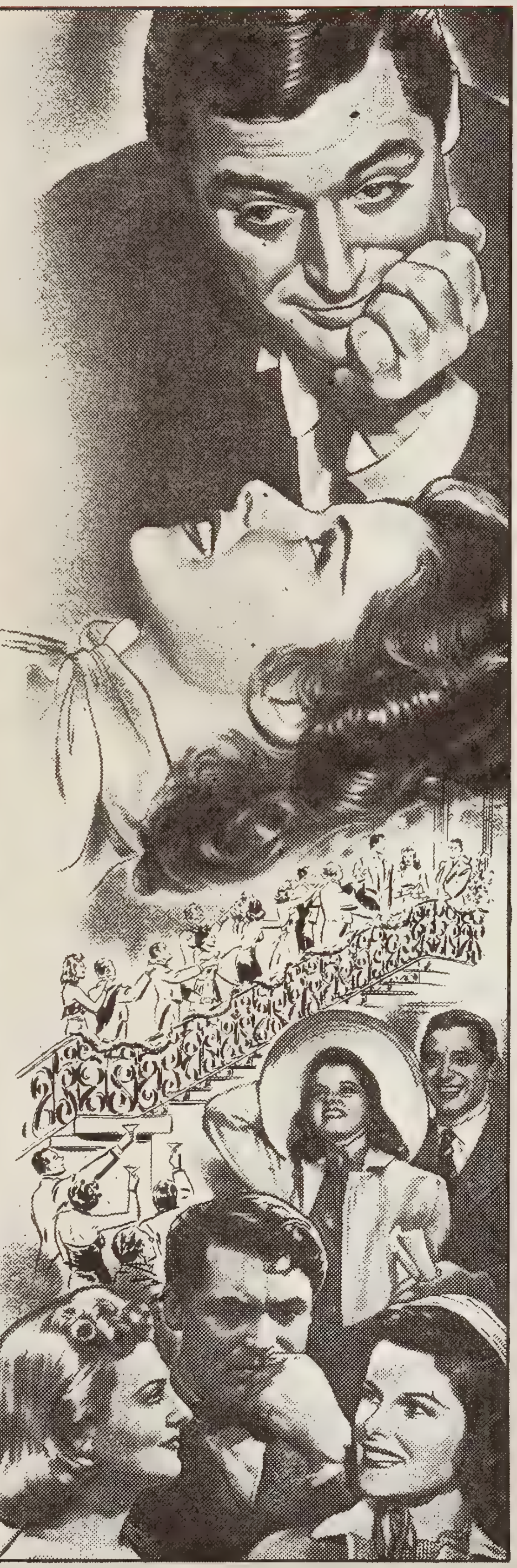
A COLUMBIA PICTURE

AND REASONS WHY

The advertising for "Holiday" is the advertising that every showman will appreciate because "Holiday" is an ad-man's perfect picture and these ads strongly reflect that fact.

Here is a great love story of a boy and girl who had the courage to walk out on convention and face the world in their own romantic way . . . "HOLIDAY" will bring great holiday business in June.

APPROACHES
GREAT PICTURE



A Tear Behind the Smile . . .

Out of the unconquerable depths of a gallant girl's heart . . . and the heroic vistas of a brave boy's dreams . . . comes one of the great romances of modern times . . . so daring, so tender, so human, so true . . . that everyone in love will want to see it! Glistening with tears of infinite understanding!

SUPPER CLUB

Ringing with laughter that defies the stars in their orbits! Truly a great emotional experience!

KATHARINE ☆**HEPBURN** CARY ☆**GRANT**

Holiday

DORIS NOLAN · LEW AYRES · EDWARD EVERETT HORTON
HENRY KOLKER · BINNIE BARNES · JEAN DIXON · HENRY DANIELL

Screen play by Donald Ogden Stewart and Sidney Buchman
From the stage play by Philip Barry produced by Arthur Hopkins
Directed by GEORGE CUKOR • Produced by Everett Riskin
A COLUMBIA PICTURE

MOTION PICTURE DAILY'S HANDY BOOKING CHART

[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	G. B.	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
April 22	There's Always A Woman (A) (C) *Joan Blondell* Extortion (D)		Test Pilot (G) (D) *Clark Gable* *Myrna Loy* *Spencer Tracy*		Heart of Arizona (G) (O) *Boyd* *Natalie Moorhead*	Under Western Stars (G) (O) *Roy Rogers* *Burnette*	Go Chase Yourself (G) (C) *Ball* *Penner*	Battle of Broadway (G) (C) *McLaglen* *Hovick*		Lady in the Morgue (G) (D) *Preston Foster* *Patricia Ellis*	Women Are Like That (G) (D) *Kay Francis* *Pat O'Brien*
April 29	Call of the Rockies (O) *Starrett*	To the Victor (G) (D) *Will Fyffe* *Loder*		Two Gun Justice (O) *McCoy*	College Swing (G) (C) *Burns & Allen* *Raye*			Four Men and A Prayer (G) (D) *Loretta Young*	Return of Scarlet Pimpernel (G) (D) *Barnes*		Beloved Brat (G) (D) *Granville* *Dolores Costello*
May 6	The Main Event (D) *Paige* *Wells*	F P I Doesn't Answer (Reissue) (D) *Veidt* *Fenton*			Doctor Rhythm (G) (C) *Crosby* *Carlisle* *Lillie*	Romance on the Run (G) (D) *Donald Woods* *Patricia Ellis*	Law of the Underworld (A) (D) *Chester Morris* *Shirley*	A Trip To Paris (G) (D) Life Begins at 40 (G) (D) *Will Rogers*		Sinners in Paradise (G) (D) *Boles* *Evans*	Torchy Blane in Panama (G) (D) *Paul Kelly*
May 13	Law of the Plains (O) *Starrett* *Iris Meredith*	The Show Goes On (D) *Neagle* *Carminati*	Hold That Kiss (G) (C) *O'Keefe* *O'Sullivan* *Rooney*	Gunsmoke Trail (O) *Jack Randall*	Stolen Heaven (G) (D) *Raymond* *Bradna*	Gangs of New York (D) *Bickford* *Dvorak*	Vivacious Lady (A) (C) *Ginger Rogers* Gun Law (O) *O'Brien*	Kentucky Moonshine (G) (C) *Ritz Bros.* *Martin*		Air Devils (C) *Dick Purcell* *Beryl Wallace*	Adventures of Robin Hood (G) (D) *Flynn* *de Havilland*
May 20			Swiss Miss (G) (C) *Laurel and Hardy*	Numbered Woman (G) (D) *Sally Blane* *John Arledge*	Cocoanut Grove (G) (M) *MacMurray* *Hilliard*		Blind Alibi (G) (D) *Richard Dix* *Bourne*	Rascals (G) (D) *Jane Withers* *Robt. Wilcox*		The Devil's Party (D) *McLaglen* *Roberts*	Mystery House (D) *Purcell* *Sheridan*
May 27			Yellow Jack (D) *Montgomery* *Bruce*	Phantom Ranger (O) *McCoy*	Hunted Men (D) *Lloyd Nolan* *Carlisle*	Desert Patrol (O) *Bob Steele*		Kidnapped (D) *Warner Baxter* *Bartholomew*			Crime School (G) (D) *Gale Page* *Bogart*
June 3		3 on a Week End (D) *Margaret Lockwood* *John Lodge*	Three Comrades (D) *Robt. Taylor* *Sullavan*		You and Me (D) *Raft* *Sidney*		Saint in New York (G) *Hayward* *Sutton*	Josette (C) *Simon* *Ameche*		Wives Under Suspicion (D) *Warren William* *Gail Patrick*	Little Miss Thoroughbred (G) (D) *Sheridan*
June 10	City Shadows (D) *Fellows* *Carrillo*		The Toy Wife (D) *Rainer* *Douglas*	Marines Are Here (D) *June Travis* *Gordon Oliver*		Riders of the Black Hills (O) *3 Mesquiteers*		One Wild Night (G) (C) *June Lang* *Lyle Talbot*			Gold Diggers in Paris (M) *Rudy Vallee* *Rosemary Lane*
June 17	Holiday (D) *Hepburn* *Cary Grant*	Crime Over London (D) *Margot Grahame* *Paul Cavanaugh*	Lord Jeff (D) *Bartholomew* *Rooney*		Prison Farm (D) *Lloyd Nolan* *Carlisle*		Muddled Deal *Fontaine* *DeMarney*	Three Blind Mice (C) *Loretta Young* *Joel McCrea*	Blockade (D) *Madeleine Carroll* *Fonda*	Afraid to Talk (D) *Robt. Wilcox* *Dorothea Kent*	When Were You Born? *Anna Wong*
June 24	Stagecoach Days (O) *Luden*		One Woman's Answer *Bruce* *Marshall*	Romance of the Limberlost (D) *Jean Parker* *Eric Linden*	Bar 20 Justice (G) (O) *Boyd*		Border G-Man (O) *O'Brien*	Mr. Moto Takes a Chance (D) *Lorre* *Rochelle Hudson*			White Banners (D) *Raine* *Bainter*

TOP STAR

IN Eastman Super X Panchromatic Negative, speed, fine grain, and photographic quality invariably combine for superlative performance. After three full years on location and lot, Super X is still the top star among motion picture negative films. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Rogers Seeks Showdown on Status at "U"

(*Continued from page* 1)

point, the views of the home office officials have prevailed and Mr. Rogers is represented as feeling that a definition of the extent of home office authority in production and studio operations should be had.

No predictions are available as to what course Mr. Rogers will pursue in the event that the board holds that final authority on studio as well as other company operations is vested in Nate J. Blumberg, Universal president. However, the possibility that Mr. Rogers may be designated head of studio business affairs, thus relieving him of responsibility for production on which he was given no final authority, has been reported.

It is known that Mr. Blumberg plans to spend a great deal of his time at the studio in the immediate future.

Mr. Rogers is en route to New York, where he will arrive on Wednesday.

Universal home office officials again yesterday declined comment on the Hollywood story of Charles R. Rogers' purpose in requesting the calling of a special meeting of the board for Thursday. The officials reiterated their statement of Saturday that Mr. Rogers had not specified his reasons for asking the meeting either at the time or since.

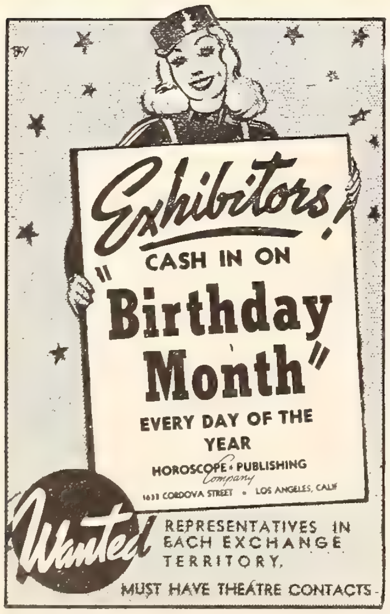
Court Grants Review In William Fox Case

(*Continued from page* 1)

assets before he filed a voluntary petition in bankruptcy in 1936.

Eva Fox, his wife, is president of the corporation and claims to own all the stock, although it stands on the books in the name of William Fox. The circuit court held the Bankruptcy Court had no power to compel the corporation to submit the books to examination.

Argument in the case will not be held until fall.


Exhibitors!
CASH IN ON
"Birthday Month"
EVERY DAY OF THE YEAR
HOROSCOPE PUBLISHING Company
1633 CORDOVA STREET • LOS ANGELES, CALIF
Wanted
REPRESENTATIVES IN EACH EXCHANGE TERRITORY.
MUST HAVE THEATRE CONTACTS

Jury Patriots

Dallas, May 16.—Karl Hoblitzelle, head of the Interstate circuit, and Charles O'Donnell, president of the Southwestern Life Insurance Co., both of whom accepted calls for jury service here, today were complimented by Judge W. L. Thornton, who said:

"I hope the appearance of you gentlemen on this jury will serve as an example to the public and as evidence that it is the duty of every citizen to serve when called for jury duty."

U. S. Judge Bondy Orders Hearings On New RKO Plan

(*Continued from page* 1)

C. Rickaby, attorney for Atlas corp., proponent of the plan, were characterized as "optimistic" by Judge Bondy. Mr. Rickaby assured the court, however, that the amended plan "has substantially the same, if not more, support than the original one had."

Opposition to the new plan was voiced at yesterday's hearing by independent stockholders' attorneys; by Nathan Rosenberg, attorney for an investment organization which holds $200,000 of RKO debentures, and by John Stover, attorney for Ernest W. Stirn, owner of a large block of old RKO Class A shares. Others at the hearing reserved expressions of opinion on the new plan, explaining that they had not had an opportunity to study it yet.

Jurist Tells of Protests

Judge Bondy related that he had received a number of letters from RKO stockholders, protesting that the amended plan was "unfair." He said he favored the return of the plan to Mr. Alger for full hearings for that reason.

Mr. Rickaby informed the court that there still is some dissatisfaction "on minor points" among the reorganizers, despite the fact that nine revisions of the plan were made prior to its submission to the court. He said that oral assurances only have been received from the leading creditors' groups on their consent to the amendments.

Mr. Rickaby credited Floyd B. Odlum, president of Atlas Corp., for the completion of the plan and described its principal advantage as leaving RKO free of debt upon reorganization.

Festival Week Ends

Cleveland, May 16.—Motion Picture Festival Week, sponsored by the Cleveland Cinema Club, ended with a gala banquet at the Statler Hotel, with approximately 200 present.

Norris Nelson a Father

Baltimore, May 16.—Mrs. Norris Nelson, wife of the Warners' Stanley manager here, presented her husband a baby girl early yesterday morning.

Warner Dallas Meet Started By Kalmenson

(*Continued from page* 1)

the New York meeting, will be the feature of tomorrow's session.

Mr. Sears announced the winners of the southern district, headed by Mr. Jack, had taken second prize in the recently completed Sears Drive and the eastern district, headed by Edward Schnitzer, had taken third place. Wolfe Cohen's Canadian district was awarded first prize at the New York meeting last week.

Branches in the Southern District which will share in the second prize money are: New Orleans, Luke Conner, branch manager; Charlotte, R. L. McCoy, branch manager; Oklahoma City, J. O. Rohde; Atlanta, J. C. Vergesslich; Kansas City, William Warner, and Memphis, W. O. Williamson.

Branches in the Eastern District sharing in the third prize money are: New York and Brooklyn, Harry Decker, branch manager; Albany, Norman Ayers; New Jersey, Harry Hummell; New Haven, John Pavone and Boston, Nat Furst.

Mr. Leserman presented checks to the winning district managers.

Roberts Wins Shoot

In the skeet shoot yesterday Doak Roberts was first, William Grant, Minneapolis salesman, second, and Mr. Sears third.

The midwestern contingent pooled quite a bit of money and bet it on the prowess of Mr. Grant. Mr. Roberts, however, was sure of eye, and just blew those skeets apart. The Chicago and Minneapolis boys are "unhappy about the whole thing." The latter part of the evening was devoted to a picnic and barbecue.

Joan Blondell and Dick Powell had been scheduled to make an appearance at today's session, but failed to do so. It was announced that they were sick. No other stars have been sent in their place.

No "Winkle" but More "Melodies"

Hollywood, May 16.—With the cartoon quota increased from 36 to 42, Leon Schlesinger today dropped, temporarily at least, his plans to produce "Rip Van Winkle" as a full length cartoon for Warners.

Warners have increased their quota of "Merrie Melodies" from 20 to 26 for next season.

Court Approves Two Tex Ritters for G. N.

Los Angeles, May 16.—Federal Judge William P. James today approved a plan under which Grand National will distribute two more Tex Ritters produced by Ed Finney. They are "Utah Trail" and "Rollin' Plains" and will be the final films of the series for G. N. Mr. Finney then will move his producing to Monogram for next season.

The sum of $1,500 is said to have been paid for each of the two Tex Ritters. The court also approved the purchase by G. N. of "Held for Ransom" from International Pictures Corp. for $17,500.

Among the Warnerites

Dallas, May 16.—"Is this a convention train or isn't it?" was Arthu Sachson's cry when he noticed th boys dressed in their Sunday best Arthur is a disciple of lounge pajama wear for convention trains.

+

The Warner boys presente Lieut C. C. Rader of the Dallas polic force, with a beautiful pearl-handle gun. He has been assigned to 'guard the convention delegates during thei Dallas stay.

+

Somebody was mean enough to stea "Rasty" Herman's false teeth, an poor Herman had a job to keep fro opening his mouth. The dental turned up on "Rasty's" plate durin the convention luncheon!

+

Carl Leserman, Grad Sears an Ben Kalmenson contributed to th expenses of Arthur Sachson's convention trip—all three losing to Arthur on the train from New York

+

Fred Jack did a grand job in welcoming the delegates at the Dallas station. The welcomers were geared i 10-gallon hats and orange colored kerchiefs and "yippeed" the gang in. A string of cars led by a brass ban took the gang to the Baker Hotel the convention quarters. Newsboy distributed a special Warner convention issue of the *Dallas Dispatch*.

+

The dining car on the train was made up in Old English fashion an labeled "The Robin Hood Tavern," with special menues arranged by Ralph Budd, personnel director. It must have been a tieup!

Circuit Managers Meet

Columbia, S. C., May 16.—Seventeen managers of Palmetto Amusements, Inc., theatres met here last week for a conference. Warren Irvin district manager here, and General Manager H. F. Kincey, Charlotte, N. C., presided.

Wall Street

Declines Dominate on Board

	Open	High	Low	Close	Net Change
Col.	12½	12⅝	12⅛	12⅛	+ ⅛
Col. pfd. ..	33½	33½	33½	33½	+ ¼
E. K.	155½	155½	153	154	—2½
G. T. E.....	12	12	12	12	— ¼
Loew	42¼	42⅜	42	42⅛	+ ⅛
Para.	8⅛	8⅛	7⅞	7⅞	— ⅛
Para. 1.....	76⅝	76⅝	76⅝	76⅝	— ⅜
Para. 2.....	9	9	9	9	— ¼
Pathe	5¼	5¼	5	5	— ½
RKO	2⅛	2⅛	2	2⅛	+ ⅛
20th Fox ..	22¼	22⅜	22¼	22¼	.....
Univ. pfd...	35	35	35	35	—2
W. B.	5⅛	5⅛	5	5	— ⅛

Light Curb Activity

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	.....
Monogram	1⅝	1⅝	1⅝	1⅝	.....
Tech.	22⅝	22⅞	22	22	— ⅞
Univ. Corp.	2	2	2	2	.....

Bonds Have Small Losses

	High	Low	Close	Net Change
Para. Pict. '47....	71¾	71¾	71¾	— ¼
RKO 6s '41.......	72½	71	71	—1⅜
W. B. 6s '39......	75	75	75	— ½

(Quotations at close of May 16)

Banner LINES

Y OUNG & RUBICAM'S selection of the west coast program, "What Would You Have one," as the summer replacement ow for the Jack Benny series is a ther daring choice for this agency, r Y & R is as cautious as the orse player who bets favorites for ow positions. In other words, Y & prefers to let the other agencies ake the gambles, while it plays safe. red Allen, Phil Baker, Kate Smith, urns & Allen and the newly-signed l Pearce all had been built up to ar peak popularity before being gned by Young & Rubicam.

▼

NBC, anxious to unload the oublesome "Newsreel" of the ir," has offered its new sustain- g series, "Information, Please," the Energine Co. at $2,500 per roadcast, with the latter balking t the buy because of the price, hich is double what it wants to pend. Incidentally, since the Newsreel" got NBC into hot ater by presenting the Japanese mbassador on the program, the etwork has been watching the ries like a cat watches a mouse, efusing recently to allow the Newsreel" to present Commander ugo Eckener, despite assurances om the sponsor that the German eppelin genius would not speak bout the U. S. Government's re- sal to "lend" helium gas to Ger- any, but would confine himself to marks commemorating the deaths those who died in the Hinden- urg crash.

▼

It might get the announcer in a jam we gave his name, so we'll keep him onymous. At any rate, he was in e barber shop in Radio City, getting shave, when the barber whispered to his ear that Mr. Rockefeller was the place. Thinking it was a gag, e announcer sarcastically remarked: magine me breathing the same air Mr. Rockefeller!" He almost col- psed when the man in the adjoining air glanced around to look at him. was John D. Rockefeller, Jr.

▼

ere and There

We hope it isn't true that that band ader will hire none but an Aryan ess agent. . . . George Ross, *World- elegram* columnist; his publicist ife, Dorothy, and her partner, Sid pier, have been in Atlantic City for few days of rest, returning today. . . Good luck to Sam G. Wingfield, rmerly with Kenyon & Eckhart, who s opened his own public relations fice. . . . The advice that John J. nthony hands out on the Mutual- ter-City "Good Will" show is so erile it often becomes annoying. . . . uch excitement at the last Vallee hearsal over the pronunciation of e word "acumen." After much de- te and dictionary perusing the oper inflection was decided upon— t with all that, Rudy pronounced e word incorrectly on the broadcast yhow.

—JACK BANNER

Negotiate for New Air Show ByParamount

HOLLYWOOD, May 16.—Negotiations are underway here between Paramount and a group of California industries for a new radio series which will utilize the film company's acting, writing and production talent. The series, if negotiations are successful, will begin some time in September or October.

The plan, in its present form, calls for participation by 13 industries, each to have four programs on a 52-week with a sustaining series over NBC, and CBS have been contacted for time clearance. Motion pictures being a major California industry, it is believed that Paramount itself will sponsor four weeks of the series, while the other sponsors will be drawn from the fields of banking, citrus fruit growing, lumbering, dairying and other major California industries.

Paramount tried radio a year ago with a sustaining series over NBC, but after a few broadcasts discontinued the program. Since then, however, M-G-M and Warners have assayed network radio shows, the former quite successfully in a tieup with General Foods; the latter rather unhappily because of conflict with the American Tobacco Co.

To Air Piano Recitals

PITTSBURGH, May 16. — Carolyn Gray, Pittsburgh girl who has been staff pianist at NBC and CBS for the last five years, is home for the summer again and has been signed by WWSW for a series of piano recitals during the summer. She will be heard on the air once a week and in addition is to conduct a number of microphone classes at the station.

Film Radio Market

NBC has produced a film which shows the Pacific northwest radio market and the coverage given by KOMO and KJR in Seattle. It is said to be the first industrial film to be made in that state and the first on radio promotion. The picture offers behind-the-screen shots of station activity and statistics relating to radio coverage.

WOV Sets Talent Deals

The WOV artists bureau has signed several to managerial contracts, including Charles Berry, Alan Stratton and Richard Norman, announcers; Dr. Leandro Forno and Gaestano Ferri, Italian narrators, and Mimi Aguglia, Antonio Lofreddo, Amelia Sanandras, players.

James to Oklahoma City

Hal James, program manager at the Compton agency, is off to Oklahoma City and other points for one week in connection with the agency's spot business on stations in that area.

Lewis' Mother Passes

CIRCLEVILLE, O., May 16.—Mrs. Ben Freedman, mother of Ted Lewis, the band leader, died here over the weekend. She was 78 years old.

Special Brasses

San Francisco, May 16.—Gaetano Merola has returned from two months in Europe to direct the new summer symphony series on KPO and the coast Red network, sponsored by Standard Oil Co.

Merola's baggage included five special Wagnerian brass instruments—four tubas and a trumpet—made to order in Milan.

Short Wave Station Hits Congress Snag

(*Continued from page* 1)

bring grief to the Administration because of the diplomatic "incidents" which inevitably would follow the official programs.

The attitude of the committee was evinced after Congressman Celler of New York, author of the measure, declared that private broadcasting "cannot cope" with the situation arising out of German and Italian efforts to propagandize South America Both Democratic and Republican members of the committee questioned Mr. Celler closely.

Mr. Celler asked the committee to delay action pending publication of the report of the interdepartmental committee which is studying the problem. Chairman Carl Vinson indicated he would suspend the inquiry until the report is available after hearing broadcasting officials.

Mark Ethridge, president of the National Association of Broadcasters, said the United States would be in a constant state of embarrassment if the station were started. He said there were not more than 2,000,000 receiving sets in South America and only about 10 per cent can receive short wave broadcasts.

Sponsor KFRC Program

SAN FRANCISCO, May 16.—"Headlines of the Past," Toby Reed's twice-weekly commentary on early bay region history, has been sponsored for 52 weeks by the San Francisco Bank. Other new KFRC accounts include Roma Wine Co., Time Tested Laboratories, Minnesota Consolidated Canneries, Industrial Training Corp. of Chicago, Sensation cigarettes, Star Outfitting Co.

Start New Ball Series

CINCINNATI, May 16.—"Ortel's Baseball Scoreboard" is a new commercial over WCKY, sponsored by the Ortel Brewing Co., of Louisville. It will be broadcast daily at 5:30 P.M., E.S.T. The program, conducted by Rex Davis, carries the first scores to be aired here of the National and American Leagues and American Association.

Plan Television Scripts

The Script Library, a division of Radio Events, Inc., starting Wednesday, will issue a weekly series of dramatic scripts planned for television presentation. The series is designed to fill a threefold purpose: to enable production executives to study the problem, to permit actors to change their technique, and to build public acceptance for the new medium.

▸ *Radio Personals* ◂

JACK POPPELE, WOR's chief engineer, who has been on the continent for the past two months, will sail for home with Mrs. Poppele May 20 on the *Washington*. . . . Steve Hannagan is no longer handling the publicity for the transcribed Warner air show. . . . The Andrew Sisters will fly from Chicago to participate in the Randall's Island "Carnival of Swing" on May 29. . . . Charles E. Green, president of Consolidated Radio Artists, is visiting the Chicago and Cleveland offices of CRA.

+

NBC yesterday tendered a cocktail party to Sir Adrian Boult, musical director of the BBC, who is here to direct the network's symphony orchestra. . . . The third of Maxwell Anderson's original radio dramas, "The Bastion Saint Gervis," will be presented May 25 at 9 P. M. on the NBC-Blue. . . . Because of the many inquiries from Rubinoff's friends and fans, his brother Phil has taken a room at Dr. Mayo's clinic, Rochester, Minn., to receive all incoming calls for Dave, who is recovering from an operation.

CBS Seeks Hernandez

SAN FRANCISCO, May 16.—The exclusive services of Joe Hernandez, veteran coast racetrack commentator, are sought by CBS until after the Santa Anita Handicap. Other coast-to-coast shows planned for airing by Hernandez will be the Delmar Handicap and the Longacre Mile, in the fall. Hernandez is now airing daily Tanforan races over a local station, KYA.

Reinstatement Ordered

SAN FRANCISCO, May 16.—Ralph Rogers, former production manager of KFPY, fired several months ago for union activities, has been ordered reinstated by the National Labor Relations Board. Rogers was represented by the American Federation of Radio Artists. Since being dismissed at KFPY, Rogers has obtained employment in Los Angeles.

Carper Heads Sidles Co.

LINCOLN, May 16.—Charles Carper has been elected president of the Sidles Co., taking the place of the late Charles Stuart who died a short time ago. The Sidles Co. owns 50 per cent of the stock in Central States Broadcasting Co., which has KFAB, KOIL, and KFOR.

Two Join NBC Sales

SAN FRANCISCO, May 16.—New additions to NBC's sales department here are Chet Blomsness, formerly with KOIN and KGW, Portland, and L. Ray Rhodes, former business manager of the University of California *Daily Californian.*

Change Program Time

The Cummer Products "Radio Newsreel," now heard over the NBC-Red on Sundays at 3 P. M., is changing its broadcast time to 5:30 P. M.

Monastery

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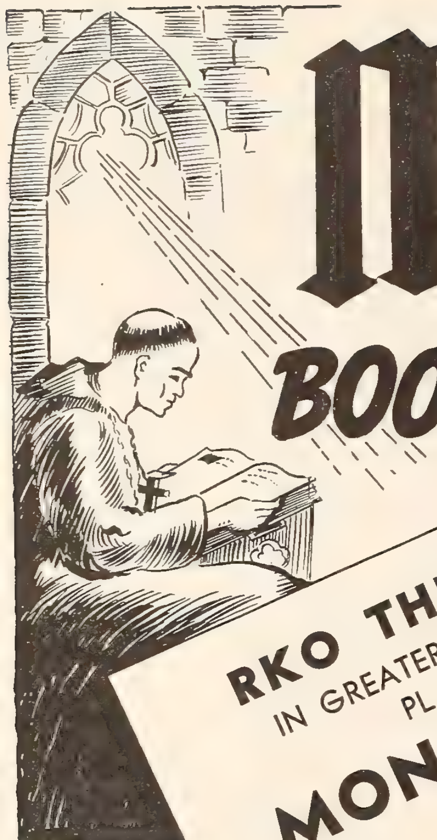

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- MADISON
- MIDTOWN
- MT. VERNON
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- NEW ROCHELLE
- 125th ST.
- ORPHEUM
- PROSPECT
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VOL. [illegible] NO. 115 NEW YORK, WEDNESDAY, MAY 18, 1938 TEN CENTS

Senate Passes the Neely Bill; House May Not Act

Slight Prospect Is Seen For Concurrent Action At This Session

By BERTRAM F. LINZ

WASHINGTON, May 17.—The Senate today passed the Neely block booking bill, with little likelihood, however, that the House would take the concurrent action necessary to make it effective.

Passage of the bill, approved without a record vote, was hailed by Senator Matthew M. Neely of West Virginia, its author, as a reward for the bitter campaign he waged to secure consideration of the measure by the Senate.

Industry members in Washington tonight did not appear unduly perturbed by the Senate action, confident that the measure would die in the House, where similar legislation has been pigeonholed in committee all this session, but independent exhibitors were highly gratified, pointing out that this was the first time a block

(*Continued on page 9*)

G.N. Abandons Its Producing; Will Distribute

Deals for 62 Films Set, Say Co-trustees

HOLLYWOOD, May 17.—Grand National will drop its identity as a production organization and remain solely a distributing firm, according to Loyd Wright and Edward Alperson, co-trustees, who today told a creditors' meeting here that three deals to provide a maximum of 62 pictures from outside production groups will be signed this week.

Since entering trusteeship, Feb. 21, when G. N. was forced to undergo Section 77-B of the Bankruptcy Act reorganization, Mr. Wright said that $115,000 in new business, most of which is on old pictures, has been underwritten, approximately $75,000 paid on producer claims and $81,000 cash remains in bank.

Production deals expected to be signed this week include one with a group having $25,000 finances already

(*Continued on page 4*)

Circuits in N.Y. Keeping Calm on Problem of Duals

Metropolitan New York circuit operators failed to get into a state of excitement over Harry Brandt's blast against duals. So far as they are concerned a policy of watchful waiting seems to have been adopted.

This general attitude was expressed yesterday before it became known that Mr. Brandt had denied a story in the *Daily News* in which it was stated that he had decided to eliminate duals

(*Continued on page 4*)

Hearings Postponed On Federal Station

WASHINGTON, May 17.—Further hearings on the bill for a Government owned and operated station for international broadcasts were indefinitely postponed today by the House Naval Affairs Committee after representatives of private radio companies had told the committee that their facilities

(*Continued on page 8*)

More Radio—P. 8

Yamins Lists Conditions to Conciliation

By AL FINESTONE

PITTSBURGH, May 17.—Unanimous consent of all major distributors toward "removing all the vicious practices" that Allied exhibitors complain of was laid down as a condition to Allied's support of conciliation in the presidential address of Nathan Yamins at the opening session of the organization at William Penn Hotel this afternoon.

Furthermore, Mr. Yamins said, "before Allied can seriously entertain the thought to depart from its present program, there must be first an invitation from an official committee

(*Continued on page 4*)

Columbia to Have 7 Every 2 Months

CHICAGO, May 17.—With a tentative production schedule already set as far ahead as next March on Columbia's more important pictures, the company's midwestern sales executives will be told today that a release schedule of approximately seven pictures every two months will be maintained beginning Sept. 1.

The company's second regional sales meeting will open at the Drake here on Wednesday and continue through

(*Continued on page 7*)

Findings Filed in Dallas Trust Case

DALLAS, May 17.—The findings of fact and conclusions at law in the Interstate Circuit case, which the U. S. Supreme Court directed should be made before it would review the case, were filed in U. S. District court here today by Federal Judge W. H. Atwell.

On the basis of these findings, Judge Atwell will enter a new decree in the case in favor of the plaintiffs

(*Continued on page 8*)

Warner List Cut from 60 To 52 Films

DALLAS, May 17.—Warners have decided to produce 52 pictures for the 1938-'39 season instead of 60 as previously announced. Gradwell L. Sears made this known today at the company's regional sales convention here following long distance telephone talks with Jack Warner and Hal Wallis at the studio.

The production budget, originally set for 60, will be kept for the 52, it was stated. Mr. Sears explained this by saying: "This will allow for a proportionate increase in the production budget on each of the 52 releases. It will enable the company to produce a consistently high grade attraction

(*Continued on page 7*)

Expect IATSE to Soft-pedal Moves On Actor Control

Indications that the I.A.T.S.E. will "overlook" its informal claims to jurisdiction over actors and all other production workers, which were made in statements issued by I. A. officials last winter, appeared yesterday in the obvious disinterest of union spokesmen in the subject. One official of the international said he "doubted that the subject would even be discussed" at the I. A. convention which will open in Cleveland on June 6.

The I. A.'s claim, when it was made last winter, caused considerable consternation in the ranks of the As-

(*Continued on page 4*)

Court Gets Plan for Reorganizing Condor

HOLLYWOOD, May 17.—Federal Judge George Cosgrave today received the reorganization plan for Condor Pictures, Inc.

Under the plan a new company, Peerless Productions, Inc., would be created and Condor stock would be

(*Continued on page 7*)

Photo Cell License Claimed Necessary

Licenses for the application of the photoelectric cell to film sound reproduction and radio transmission, among other arts, must be obtained from the Polytechnic Development Corp., New York, according to Leonard Day, head of the company. The contention is based on the control by the firm of the patent granted last month to Albert A. Radtke, Chicago inventor.

As a result, there is industry speculation on the possible revival of sound patent litigation. Engineers are awaiting examination of the patent as issued. The patent is claimed to represent all applications of the cell to the conversion of light energy to electrical energy. Mr. Day said his company would ask only "reasonable" fees in granting licenses. Warners and Herman A. DeVry are understood to have been licensed already.

Purely Personal

HAL WALLIS and LEWIS E. GENSLER of Warners; DANIELLE DARRIEUX and her husband, HENRI DECOIN; TILLY LOSCH, BRIAN AHERNE, DAVID NIVEN, PHILIP REED and DIANA BARRYMORE will sail today on the *Normandie*.

•

OLIVIA DE HAVILLAND will leave tomorrow for Philadelphia and Pittsburgh for personal appearances in conjunction with "The Adventures of Robin Hood."

•

Y. FRANK FREEMAN, Paramount theatre head, returned yesterday from a weekend on the Mississippi Gulf coast with E. V. RICHARDS of New Orleans.

•

EDWARD GOLDEN, Monogram vice-president, left for Pittsburgh last night where he will address the Allied States national convention there today.

•

PETER WITT, Samuel Goldwyn's representative for continental Europe, has arrived in town for conferences with JAMES MULVEY.

•

ARTHUR M. LOEW will arrive tomorrow from the coast. He is flying in. It is the last stage of a round-the-world trip.

•

EDWARD A. GOLDEN, Monogram vice president, left yesterday to attend the Allied convention in Pittsburgh.

•

ARTHUR GREENBLATT, G. B. eastern sales representative, will leave for Albany tomorrow night.

•

CHARLES R. ROGERS, Universal vice-president, will arrive from the coast today by train.

Einfeld to Hollywood

HOLLYWOOD, May 17.—S. Charles Einfeld is due here Saturday from the Dallas meeting of Warners. He will be accompanied by Mitchell Rawson. They will stay for a week of conferences.

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AMERICAN
AIRLINES INC.

The Newsreel Parade

Movietone News
Vol. 20, No. 71
(20th Century-Fox)

Important from a news standpoint and for its general significance, the pictures of Mussolini showing off his war machine for Hitler are the chief clip of the reel. The battle fleet, complete with air units, submarines and target practice, and the display of land strength, all combine to make a fearsome picture in our intelligent modern civilization.

Mrs. Roosevelt accepting new air mail stamps in Washington, a gyro landing on the roof of the post office in Chicago and Shirley Temple sending a letter serve to introduce National Air Mail Week photographically. England tests a net of cables about London, designed to trap enemy planes, and the liner *Lafayette* burns at its French drydock to complete the "World's Events" section.

The rest includes women's beach fashions, Lew Lehr with amusing comment on the man who is shot from a cannon, Dauber wading to victory in the Preakness, Jimmy Hines capturing a golf crown in the rain, and Wellesley girls rowing like veterans. Running time, 10 mins. A.

News of the Day
Vol. 9, No. 269
(M-G-M)

The greater part of the footage in this reel is devoted to scenes of the display of Italian fighting strength put on by Dictator Mussolini for visiting Dictator Hitler, and it is a brave and noisy show of military strength on land and sea. Good closeups of the two war lords are afforded, and little imagination is required to perceive that Mussolini is happy in the impressive display, while Hitler is mentally calculating and comparing what he sees with what he has at home.

Air Mail Week is ushered in with ceremonies in Washington, at which Mrs. Roosevelt accepts a sheet of new air mail stamps, and an auto gyro lands on the roof of the Chicago post office, then takes off again. The marriage of a former German prince at Doorn, Holland, is pictured, with a shot of the former Kaiser. A jumping contest for pet frogs in California does not quite stir the pulses.

In France a new tank, of almost incredible strength, mows down large trees and tears through brick walls. A photographic trick is used with pictures of the man who earns his living by acting as a cannon's projectile, and the winning of the Preakness by Dauber in the deep mud ends the reel. Running time, 9 mins. A.

Paramount News
Issue No. 82
(Paramount)

All the men who lost money on the Preakness can figure out why by watching this issue of Paramount News. At the close of the race some of the jockeys are shown in closeups, their faces plastered with mud. Only the winner, the rider of Dauber, has white skin showing under and around his eyes.

Some neat camera work has been done in getting angles on the 70-ton French tanks which push posts down into the ground and go through concrete walls. In the Names and Events in the Headlines department the Kaiser's grandson is shown at the Doorn wedding, there is some clay pigeon shooting at Travers Island, and King George inspects his air forces. Not very stimulating.

National Air Mail week is duly celebrated with pictures of Mrs. Roosevelt and Government officials around a plane, with 1918 scenes of President Wilson starting an early air mail flight, and with an auto gyro landing on a roof in Chicago. The youngsters will go for this. Running time, 9 mins. J.

Universal Newsreel
Vol. 10, No. 667
(Universal)

Although a few of the events offered in this issue are dated, the reel as a whole holds the interest. The material is a fair pictorial cross-section of recent national and international news.

Airmail Week takes the opening position with appropriate aviation stunts which, include an auto gyro landing on the roof of the postoffice in Chicago. England's protection against air raids is demonstrated with balloons that have wires suspended from them. A hotel burns in Atlanta. The *Lafayette* is seen smoldering at her dock in Havre. Polish flyers en route to Warsaw take off from Burbank, Cal. A 70-ton French tank smashes its way through the walls and roof of a house, drives piles into the ground and levels trees.

Hope Hampton leaves on the Century for Hollywood. The Cotton Carnival in Memphis gets interesting coverage. Chicago again enters the scene with a kissing meter. Frogs jump at Angel's Camp, Cal. There is an auto race in England and the Preakness with Dauber on top to round out the sports section. Running time, 9 mins. P.

RKO Pathe News
Vol. 9, No. 86
(RKO)

The camera's reporting of Dauber's victory in the Preakness at Pimlico on a muddy track is the outstanding subject in this release and wins it the lead position. A good novelty subject is made for National Air Mail Week, now being observed, in a pictorial record of air mail handling from the time of its posting in New York to its landing in Los Angeles.

The remaining material is of secondary interest and includes views of the *Lafayette* after being ruined by fire at her dock in Le Havre; the start of a 16,500-mile flight of a California-made plane for delivery in Poland; the Bonneville Dam's "salmon ladder" in Oregon; Government fire tests at Washington in an effort to determine the Pacific Clipper's fate; scenes of the Memphis cotton carnival; a Chinese crew takes over a ship and Japanese scrap iron consignment in San Francisco harbor, and pictures of France's new high power tank in action.

Photography, makeup and narration are excellent. Running time, 9 minutes. K.

Paramount Men Set For Dakota Hearing

Austin C. Keough, vice-president and director of Paramount; Louis Phillips of the company's legal department; Thomas D. Thacher and A. C. Bickford of Simpson, Thacher & Bartlett, Paramount counsel, will leave for Fargo, N. D., late next week to participate in the trial there on June 1 involving the state's affiliated theatre "divorcement" law.

A three-judge Federal [illegible]utory court will hear Paramount's attack on the constitutionality of the law, which is being defended by the state attorney general's office and Allied States counsel in Minneapolis. Paramount's attorneys will also be assisted by attorneys for its Minneapolis affiliate, Minnesota Amusement Co., which operates the only affiliated theatres in North Dakota.

L. J. Ludwig and John J. Friedl, Minnesota Amusement heads, are in New York for conferences with home officials on the impending litigation.

Order "Blockade" Prints

HOLLYWOOD, May 17.—The United Artists answer to the reported attempts to change the story of Walter Wanger's "Blockade" through fear of retaliation from abroad because of the film's current Spanish war background was the announcement today that 350 prints have been ordered for simultaneous bookings. This is a record number for a Wanger film.

Kent Is Due Monday

LONDON, May 17.—Sidney R. Kent, president of 20th Century-Fox, will sail from England tomorrow on the *Queen Mary*, which is scheduled to arrive in New York next Monday. On the boat also will be John W. Hicks and Roy Disney.

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; J. M. JERAULD, Managing Editor; JAMES A. CRON, Advertising Manager. EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone, Thomas Fitzsimmons, Sherwin A. Kane, Irene Kuhn, Joseph Priore.

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Entered as second class matter January 4, 1926, at the Post Office at New York, N. Y., under Act of March 3, 1879.

Subscription rates per year $6 in the Americas, and foreign $12. Single copies 10 cents.

● When "Yellow Jack" opened as a play, Brooks Atkinson, critic of the N. Y. Times, said: *"Sidney Howard has accomplished something of tremendous importance to the stage."*

● John Mason Brown of the Post said: *"It takes its place in the first rank of the season's offerings."*

...and Now M-G-M's production of

YELLOW JACK

is of tremendous importance to the *screen* and takes its place in the front rank of the season's motion picture offerings.

●

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ROBT.
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Stars as Sgt. O'Hara
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HENRY HULL
BUDDY EBSEN
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Directed by George B. Seitz
Produced by Jack Cummings

Short Subjects
"COME ACROSS"
Crime Doesn't Pay Series
"MODELING FOR MONEY"
A Pete Smith Specialty

Yamins Lists Conditions to Conciliation

(Continued from page 1)

representing all major distributors, and that committee in its invitation must give reasonable assurance that it is willing to negotiate a solution of the major as well as the minor problems of the industry." Until such a formal offer is made, the Allied head continued, "Allied must carry on" its program of legislation and "there must be no letdown. "This convention must resolve to continue its present campaign, for only by continuing our present fight can we gain our ultimate goal—independence for the independent exhibitor."

Mr. Yamins thus struck the keynote of the convention, which is to be further amplified by Abram F. Myers tomorrow. Myers is expected to discuss the Neely bill, which today was passed by the Senate in Washington.

M-G-M, Fox Mentioned

It is not enough, said Mr. Yamins, that M-G-M and Fox have given assurance of supporting conciliation, since the position of the other six of the "Big Eight" has not yet been clarified.

The only other significant address of the session was by William Sussman of 20th Century-Fox. He committed his company to "any workable scheme that may be envolved by either side" to conciliate grievances. Commenting on Mr. Yamins' speech at the conclusion of the session, Mr. Sussman declared his commitment was for his own company. William F. Rodgers of M-G-M also has indicated he speaks for his company only and not for the distributors generally.

News of the passage of the Neely bill came during the course of a cocktail party and threw the delegates into an uproar of jubilation. Mr. Myers wrote out and handed to press representatives the statement:

"In a Congressional fight I would rather have a good bill than money any day."

To this statement, Pete Wood added, "This is only the beginning." While Mr. Yamins beamed his satisfaction, Mr. Rodgers refused comment. Mr. Yamins wired the Senator inviting him to attend the convention and receive the thanks of the delegates.

Registration Exceeds 300

M. A. Rosenberg, convention chairman, estimated registration as more than 300 and attendance at the opening session at about 400, including the ladies.

Allied's president opened his address by reciting grievances such as high percentage, allocation of delivered pictures, increase in percentage films, the selling of unknown quantities, forcing of shorts and newsreels with features and the score charge, for which, he said, "There is no legal or moral justification but is just another racket to milk money from the helpless exhibitors." The latest effort to "add to the exhibitors' burden," he charged, is the announcement by some of the companies that "they will make no more B pictures next year and perform this miracle without any mention of it in the contracts."

During the open forum, J. Unger, Allied of New Jersey official, and Col. H. A. Cole of Texas mentioned the 50 per cent terms for "Snow White" as "one of greatest abuses of past year" and expressed the fear that unless protested this would serve as a precedent for other companies.

Mr. Sussman's pledge on conciliation was warmly applauded and on motion of W. A. Steffes the convention gave a vote of thanks to him and to 20th Century-Fox for designating him as its spokesman here.

Mr. Yamins then spoke about "inflated" film rentals despite lowered production costs," declaring that companies raised prices 10 per cent last year.

Committees Named

Mr. Yamins announced committees as follows: Resolutions—Martin Smith, Ohio, chairman; Maurice Rubin, Indiana; Irving Dollinger, New Jersey; A. W. Lilly, Texas; Frank Hornig, Maryland. Grievances — Aaron Saperstein, Chicago, chairman; Charles Philbrook, Western Pennsylvania; P. J. Wood, Ohio; Lee Newbury, New Jersey; Max A. Cohen, New York; E. F. Maertz, Wisconsin; Bernie Berger, Minnesota; Ray Branch, Michigan.

The Allied board of directors went into session following adjournment to decide on tomorrow's procedure.

Allied is in good shape financially and no effort will be made to raise a war chest this year, it was said by the directors who attended the board meeting last night.

For Conciliation

Pittsburgh, May 17.—Regardless of how other major distributors feel about establishing conciliation procedure, M-G-M is wholeheartedly for the idea and not fearful of any consequences from the direction of the Federal Government, William F. Rodgers, general sales manager, told *Motion Picture Daily* today. This coincides with the views of S. R. Kent.

Rodgers says he understands virtually all majors will back conciliation, but claims he has no official information to that effect.

Testimony Ordered In "U" Film Action

Robert H. Cochrane, Willard S. McKay and Charles B. Paine, former officers of Universal, were ordered by Justice Samuel I. Rosenman in N. Y. Supreme Court yesterday to appear for examination before trial on June 2 in connection with the $600,000 breach of contract action brought by John D. Tippett, Inc., against Universal. Justice Rosenman ordered books and records of the defendants to be produced for use by the witnesses, but denied the plaintiff the right to inspect the books.

Tippett claims that a five-year contract made in June, 1932, under which Universal allegedly agreed to purchase one-half of its positive film raw stock from the plaintiff was breached in February, 1933.

G.N. Abandons Its Producing; Will Distribute

(Continued from page 1)

set up, another whose banking arrangements were completed today and another with a producer now releasing through a major studio.

According to Mr. Wright, nine pictures are now being distributed and commitments are made for six additional ones. Mr. Alperson said the trustees are working on the premise that most desirable is the outlay of the least cash possible.

The disclosure was made that Monogram and G. B. both offered to take over the companies and liquidate the exchanges and the distribution end but the trustees turned down the deals. Mr. Wright said the net returns to the company at present total $7,000 per week.

Grand National Studios, Inc., will be operated as a studio rental company, production deals to include use of the property by producers, the creditors were told.

The minimum program needed to break even on costs requires 24 features and 16 westerns, Mr. Wright said.

Circuits in N.Y. Keeping Calm on Problem of Duals

(Continued from page 1)

in 20 houses and substitute vaudeville for the second feature. Mr. Brandt qualified the newspaper story by saying he intended to put vaudeville in Aug. 15, but has not yet concluded "united front" negotiations.

C. C. Moskowitz of Loew's said: "We'll just continue to run our business. We watch our business. If a change of policy is required we'll know when and how to make it."

Abraham L. Suchman of Consolidated said: "We'll see what happens in Mr. Brandt's theatres when August comes around. At present we have no idea of eliminating the double bill. We'll run double bills so long as the first run circuits do it. We're flexible and if they switch to single features, we will, too. I'd gladly single 'In Old Chicago' and I hope we can single 'Robin Hood' became here are two pictures with such box-office values that they can well stand alone. There's nothing that can be put with either of them on a double bill that will add anything to the show."

Monroe Stein of the Cocalis Circuit said: "So long as we have to buy as many pictures as we do, we'll run double. There's no change in our policy yet, with respect to going single feature in our houses."

"Hood" Albany Smash

ALBANY, May 17.—"Adventures of Robin Hood" is topping all recent figures in the Strand, first run Warner theatre here. The gross is expected to exceed $10,000. The picture is being held over for a second week, the first time this has been done in years.

Expect IATSE to Soft-pedal Moves On Actor Control

(Continued from page 1)

sociated Actors & Artistes of America, the parent A. F. of L. performers' organization, and among officials of the Screen Actors Guild, which was believed to be the or[illegible]ation most directly involved. Fr[illegible] Gillmore, head of the Four A's, and Kenneth Thomson, executive secretary of the Screen Actors Guild, sought and were given the reassurances of William Green in Washington that no action would be taken by the A. F. of L. executive council on the I.A.T.S.E. claim without notice being given to the organizations affected. The claim was not pressed by the I.A. at the Miami meeting of the A. F. of L. executive council but I. A. officials subsequently stated that the matter would be considered further at the Cleveland convention in June.

At present, however, there appears to be a definite inclination on the part of I. A. officialdom to "forget" the claim at this time.

Ascap's Committee On Royalties Named

Ascap's new classification committee, which will study the organization's present method of distribution of royalties to its publisher members for the purpose of recommending improvements in the method, was named yesterday.

Members of the committee are Gene Buck, E. C. Mills and John G. Paine of the society's executive staff; Henry Spitzer of Chappell & Co.; Lou Diamond of Famous Music Corp.; John O'Connor of Words & Music, Inc., and A. Walter Kramer of Galaxy Music Corp.

Dissatisfaction of publisher-members with the present method of and basis for royalty distributions impelled the naming of the committe for the study.

Wall Street

Few Gains Mark Board

	Open	High	Low	Close	Net Change
Col.	12¼	12⅝	12¼	12⅝	+ ½
Col. pfd. ..	33½	33½	33½	33½	.....
Cons.	1¼	1¼	1¼	1¼	.....
E. K.	154½	155¾	154½	155	+1
G. T. E.....	12	12	12	12	.....
Loew	42	42	41⅝	42	— ⅛
Para.	7¾	8	7¾	8	+ ⅛
Para. 2 ...	9	9¼	9	9¼	+ ¼
Pathe	5	5	5	5	.....
RKO	2⅛	2⅛	2	2	— ⅛
20th Fox ..	22	22⅝	22	22½	+ ¼
20th pfd ...	30	30¼	30	30¼	+ ¾
Univ. pfd...	34	34	34	34	—1
W. B.	4⅞	4⅞	4⅞	4⅞	— ⅛
W. B. pfd.	28½	28½	28½	28½	—1½

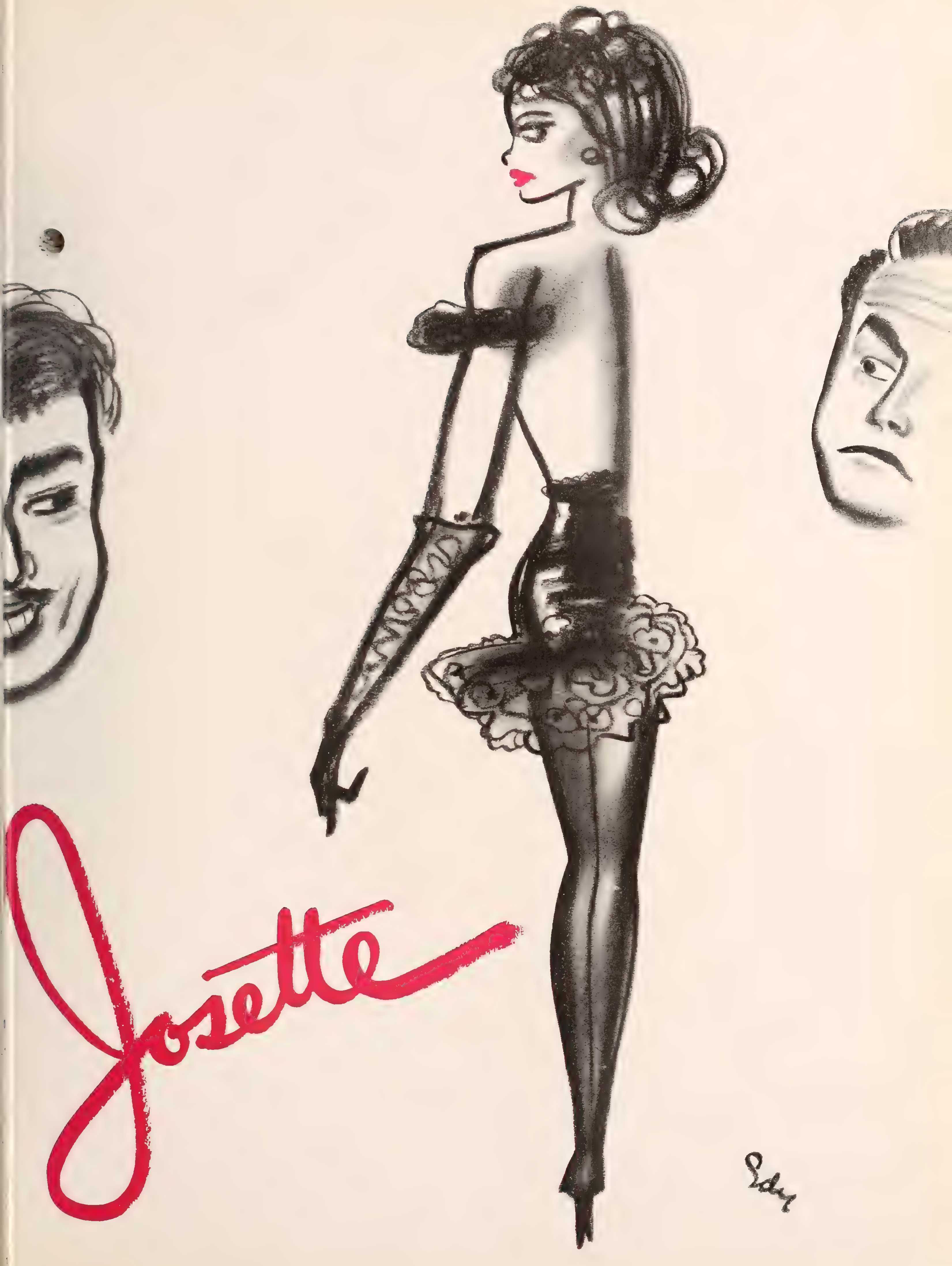
Technicolor Rises on Curb

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	.....
Monogram	1⅝	1⅝	1⅝	1⅝	.....
Sonotone ..	1⅜	1½	1⅜	1½	— ⅛
Tech.	21¾	22⅝	21½	22⅝	+ ⅝
Univ. Corp.	2	2	2	2	.....

Bonds Have Slight Increase

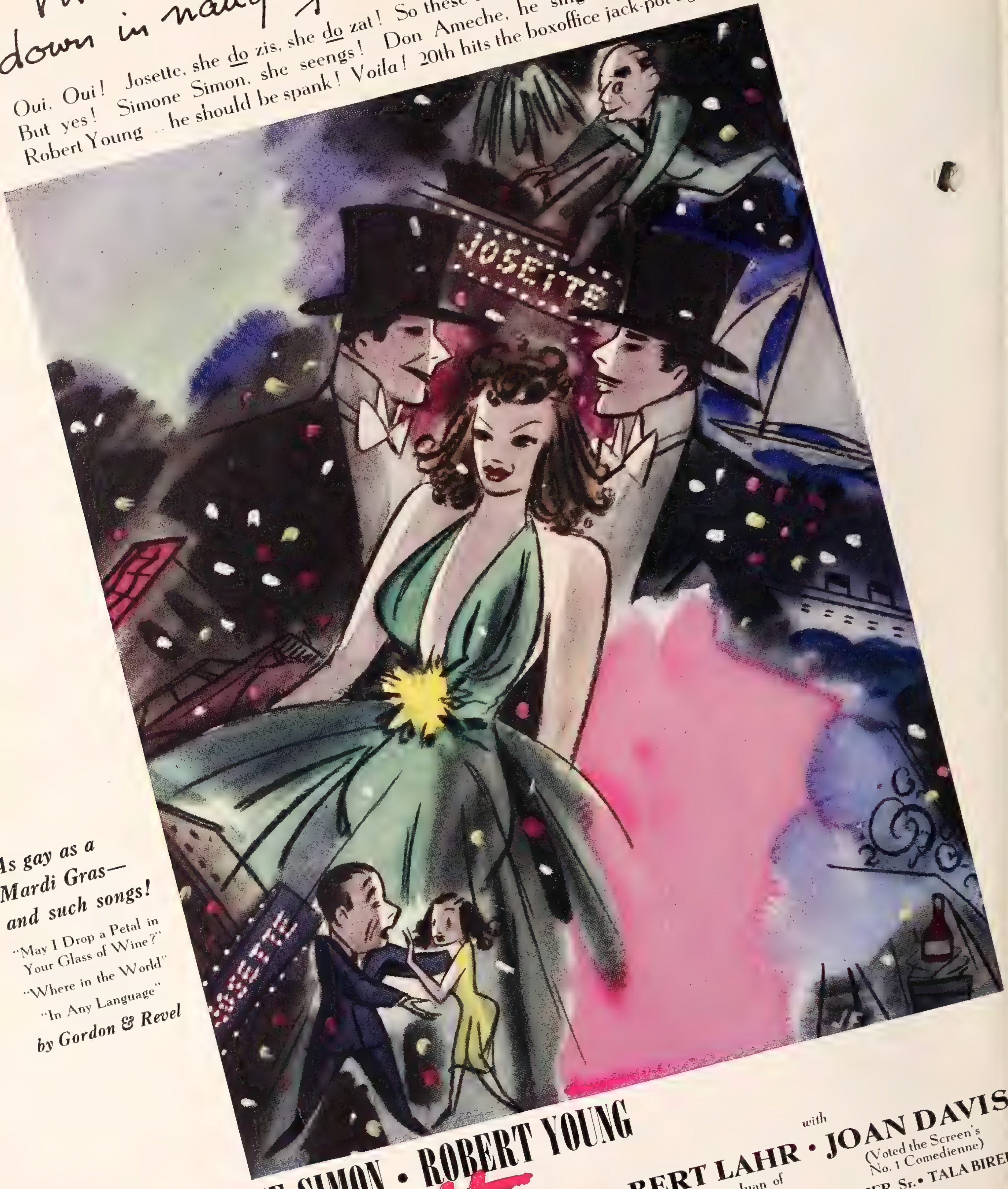
	High	Low	Close	Net Change
Loew 3½s '46....	100¼	100⅛	100⅛	+ ⅛
RKO 6s '41........	73	71	72½	+1

(Quotations at close of May 17)


Josette

It's "Vive l'amour" down in naughty New Orleans!

Oui, Oui! Josette, she do zis, she do zat! So these so nice boys, zey do zat, too! But yes! Simone Simon, she seengs! Don Ameche, he sings to her! And Robert Young .. he should be spank! Voila! 20th hits the boxoffice jack-pot again!



As gay as a Mardi Gras— and such songs!

"May I Drop a Petal in Your Glass of Wine?"
"Where in the World"
"In Any Language"
by Gordon & Revel

DON AMECHE • SIMONE SIMON • ROBERT YOUNG

in

Josette

with

BERT LAHR • JOAN DAVIS
(Wacky Don Juan of "Love and Hisses") (Voted the Screen's No. 1 Comedienne)

PAUL HURST • WILLIAM COLLIER, Sr. • TALA BIRELL

Directed by Allan Dwan

Associate Producer Gene Markey • Screen Play by James Edward Grant • Based on a play by Paul Frank and Georg Frazer • From a story by Ladislaus Vadnai Dances staged by Nick Castle and Geneva Sawyer

Darryl F. Zanuck in Charge of Production

20th CENTURY FOX

Warner List Cut from 60 To 52 Films

(*Continued from page* 1)

with a strong picture for release every week during the season."

M[illegible]ears predicted that each picture [illegible]uld be aimed at a "top peak of entertainment."

Details of the short subject lineup were made known today. There will be 30 two-reelers and 104 singles, said Norman H. Moray, Vitaphone executive in charge of shorts and trailers. Sam Sax, productive executive at the Brooklyn Vitaphone studios, discussed the program.

Eight Technicolor subjects will be produced at the coast studios in addition to 42 cartoons to be made there. The color reels have been increased to 61 from the 46 produced this season.

The Brooklyn studio will produce 22 of the 30 two-reel "Broadway Brevity" musicals and comedies; 18 one-reel "Melody Master" band numbers; 13 one-reel Floyd Gibbons "Your True Adventures" films; 13 one-reel "Color Parades"; 12 one-reel "Vitaphone Varieties" and six one-reel "Technicolor Specials." The coast will produce 26 one-reel "Merrie Melody" cartoons in Technicolor and 16 one-reel "Looney Tune" black and white cartoons, and Hal B. Wallis will produce eight two-reel "Broadway Brevities" in color.

Release List Flexible

Releases for three months have been completed. The schedule is being arranged so that any new material discovered during the season can be injected into the series.

Prominent exhibitors from the south and west heard the new product announcement. Among those present were: P. K. Johnston, Harry Sachs, Raymond Willie, Lynn Stockard, Rupert Griffith, H. J. Griffith, R. I. Payne, H. R. Falls, Frank Plunlee, Don C. Douglass, C. V. Jones, Harold Robb, E. H. Rowley, Worth Leustrom, Ben Bedford, L. M. Rice, I. W. Rust and Debs Hayle.

The delegates were guests last night of the Interstate Circuit at a rodeo and barbecue at Buck Sansom's ranch in Fort Worth. They were taken to the ranch in buses during the late afternoon. Bob O'Donnell and Karl Hoblitzelle were hosts.

Uphold "Children" Ban

ALBANY, May 17.—The Court of Appeals today upheld the decision of the Appellate Division banning the picture, "Tomorrow's Children," from exhibition. The sex sterilization film was refused a permit originally by Director Irwin Esmond and Dr. Frank P. Graves, Commissioner of Education. Foy Productions and Principal Film Exchange appealed their ruling and lost in the Appellate Division by a 3 to 2 vote.

Goldburg to Europe

Jesse J. Goldburg, assistant to Ben Judell, head of Progressive Pictures, will sail today on the *Manhattan* to arrange foreign distribution on Progressive product in England and on the Continent. Goldburg will return in two months.

Columbia to Have 7 Every 2 Months

(*Continued from page* 1)

Friday. About 60 delegates will attend, including a home office group headed by Jack Cohn, vice-president, and A. Montague, general sales manager.

Mr. Montague will report today that 30 of the 40 pictures on the current season's schedule have been completed and that among the pictures remaining are "Holiday," which will be pre-released late this month, and an Edward G. Robinson picture which is scheduled for release about mid-July. "You Can't Take It With You" is expected to be ready about Labor Day, and Rouben Mamoulian's first film for Columbia by about Oct. 15. "Golden Boy" is expected to be released on New Year's, the first Irene Dunne picture late in January, and the second Robinson picture early in March.

Midwest Men Expected

Sales representatives who will attend the meeting from the Midwestern branches are:

Chicago — Midwestern Division Manager Phil Dunas; salesman, C. Phillips, G. St. Clair, G. Greenwood, F. Flaherty, J. Kaufman, M. Delano.

Milwaukee—Branch Manager O. J. Ruby; salesmen, T. J. MacEvoy, M. Weisner, S. R. Chapman.

Minneapolis—Branch Manager H. J. Chapman; salesmen, J. H. Jacobs, I. Marks, D. H. Conley, W. Sgutt, A. L. Aved.

Omaha — Branch Manager I. M. Weiner; salesmen, D. Guttman, S. Yaeger, R. Greenblatt.

Des Moines—Branch Manager M. H. Evidon; salesmen, A. B. Leake, M. L. Godwin.

Detroit—Central Division Manager Carl Shalit; salesmen, M. E. Cohen, R. F. Cloud, G. L. McCoy, C. H. Townsend.

Kansas City—Branch Manager B. C. Marcus; salesmen, L. E. Royster, W. Bradford, C. E. Reynolds, H. S. Stulz, T. Baldwin.

St. Louis—Branch Manager C. D. Hill; salesmen, J. Morphet, J. Bradford, C. Ferris.

Indianapolis—Branch Manager W. G. Craig; salesmen, H. Kaufman, E. Dunas, A. J. Gelman.

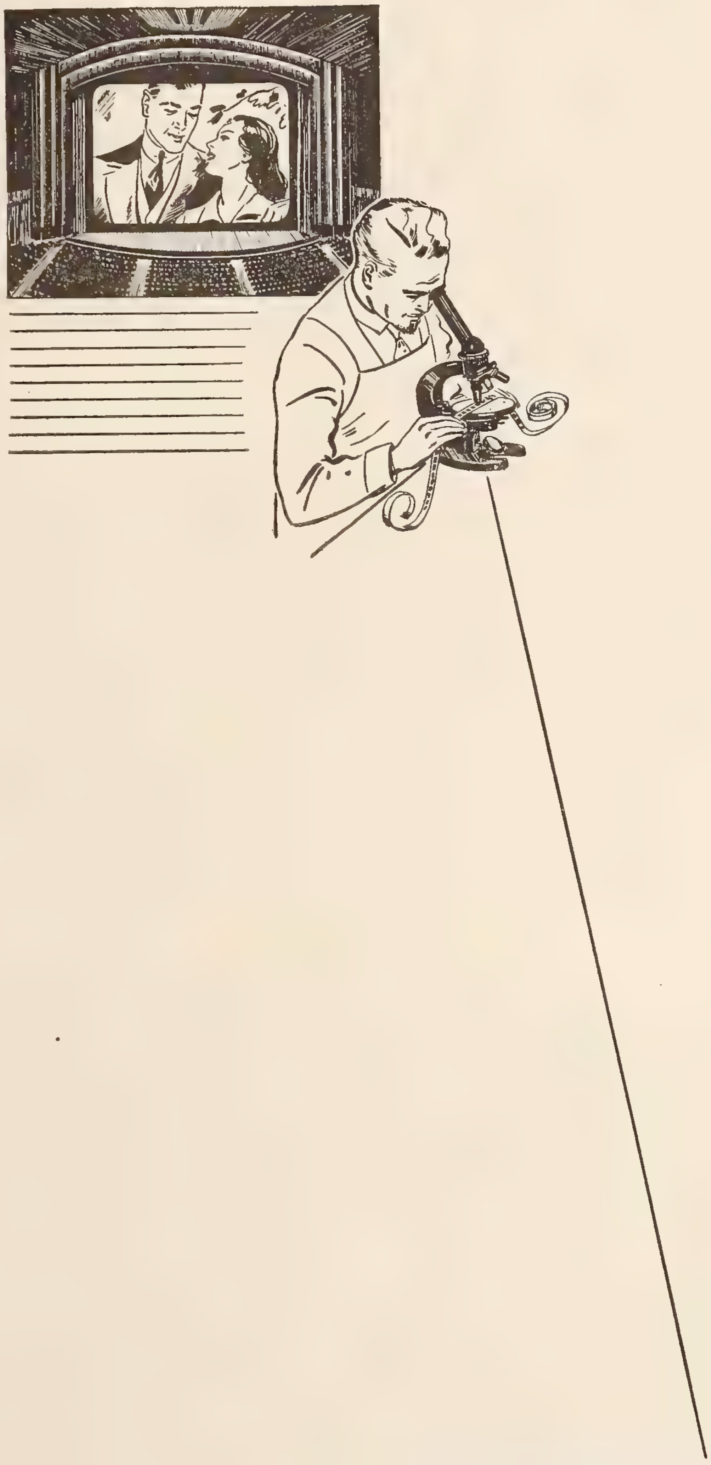
Court Gets Plan for Reorganizing Condor

(*Continued from page* 1)

exchanged for shares in the new company. A new issue would be floated for other investors.

Under the procedure outlined by Albert Lieberman, who described himself as an important stockholder, $50,000 in new capital is needed for continuing production. One-half the assets, as he proposed it, would be for administration costs, the other half for working capital. He assured the court returns from pictures already made and the paring of expenses would enable the corporation to continue on a profitable basis with pictures budgeted between $20,000 and $30,000.

The plan would provide one share of Peerless common for each share of Condor common and five shares of Condor common for one share of Peerless preferred.



A Continuing Policy

Conscious that the art of talking motion pictures has not yet reached technical perfection, Electrical Research Products Inc. continues to devote its efforts to anticipating and solving the problems of tomorrow.

In so doing, Electrical Research Products Inc. reaffirms its fundamental policy of maintaining an aggressive, long-range program of development and research, to the end that public interest in motion pictures may be constantly stimulated and the prosperity of producers and exhibitors, alike, enhanced.

Whitford Drake
PRESIDENT

Electrical Research Products Inc.
250 WEST 57th STREET, NEW YORK, N. Y.

Hearings Postponed On Federal Station

(*Continued from page* 1)

were open to the Government without cost for such broadcasts.

Frederic A. Willis, assistant to the president of CBS, said: "Our short-wave facilities are available for presenting programs in full cooperation not only with our established educational institutions, the Latin American Embassies and Pan American Union, but with all of our various Government departments."

The report of the Interdepartmental Committee on International Broadcasting will not be ready for submission to the President for several months, it was disclosed today by Chairman Frank R. McNinch of the Federal Communications Commission, head of the group.

Following a conference with the President on the subject today, McNinch announced further studies of the situation had been ordered and, as a result, he would not be prepared to testify before the House committee on the Celler bill.

Celler yesterday had urged the committee to suspend action on his bill pending publication of the committee's report, which, he said, was due within a day or two.

FCC to Hear Argument

WASHINGTON, May 17.—Oral argument on the application of the Food Terminal Broadcasting Co. for a 1,500-kilocycle, 100-watt daytime station at Cleveland will be held before the Federal Communications Commission June 2.

The commission also has scheduled for examiners' hearings July 1 the applications of the Civic Broadcasting Corp. for a 1,210-kilocycle, 100-watt station at Syracuse; Sentinel Broadcasting Corp. for a 620-kilocycle, 1,000-watt station at Salina, N. Y.; KTBS, Shreveport, La., for change of frequency from 1,450 to 620 kilocycles and increase of day power from 1,000 to 5,000 watts, and WHJB, Greensburgh, Pa., for increase of time from day to unlimited.

WHO Withdraws Plea

WASHINGTON, May 17.—The Federal Communications Commission today granted station WHO, Des Moines, authority to withdraw its application for experimental authority to broadcast with 500,000 watts power.

The application was withdrawn at the request of the station. With that of WLW, Cincinnati, for continuance of its authority to use fifty kilowatts, the WHO application had been slated for hearing following the conclusion of the general conference next month on revision of the broadcasting station regulations.

"Mickey Mouse" Show Off

HOLLYWOOD, May 17.—Tom McAfity of Lord & Thomas said today the "Mickey Mouse" show on NBC will not return to the air in the fall.

LEO SAYS:
WHN's United Press News Flashes are a magnet for sales!
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

'Twas War In Air and Upon Ground, But Press Took It

By JACK BANNER

The radio correspondents, two busloads of them, who were taken to Farmingdale, L. I., by CBS to observe how radio covered the war game maneuvers of the Army Air Corps, survived the air raid without a casualty, but more potent than the shot and shell and the bombs was the grog dispensed at the roadhouse close by the Seversky air field.

The two and a half hour wait for the zero hour, following the excellent dinner of officers' rations, proved too tedious for the scribes, and when the burly sergeant who spoke with a lisp volunteered to serve as our escort, the trek to the roadhouse was on. On the way back we knew how Napoleon must have felt during the retreat from Moscow.

Chaperoned by Top-Kick

The sergeant, who has been in the army 25 years, after inquiring our wants, announced to the waiter—"24 Scotch and sodas, and one beer for the sergeant."

On the third round—it was still "24 Scotch and sodas and one beer for the sergeant"—the scribes, now a bit green around the gills—gave up the elbow bending, and the sergeant reluctantly took us back to the field.

Our side wanted to join the army following the dinner, served in a tent. It was officers' rations we got, and Uncle Sam certainly dishes out a swell table. Boiled ham, roast beef, mashed potatoes, mixed vegetables, macaroni, lettuce, tomatoes, celery, coffee, crackers and jam, sliced peaches, and a sponge cake with vanilla icing. The trade press, smart guys, were in, seated and scoffing before the general press, and the boys from the newspapers let out an awful yowl when they saw how we had massacred the victuals, but the yowl quickly died when the orderlies came in with the replenishments. Champ eater among us, and the lad who made the real hit with the cook, who hovered about to see how we were taking to his food, was Sam Kaufman of *Radio News,* with four servings of practically everything. Jack Harrison of *Hollywood Reporter,* ever the reporter, was observed turning over the enamel cups and plates to see if they were of the "made in America" variety. They were.

"Attack" at 10:25

The bombardment of Farmingdale and the rise of the defending planes to meet the attack provided one of those once-in-a-lifetime thrills. At about 10:25 the defending planes, nine, roared across the field, and took off, circled, and their tail and wing lights quickly were lost among the stars as they made off to await the attackers. Two minutes later every light within a radius many miles of the Seversky factory blinked off—the "blackout"—and a moment later, just as the roar of the oncoming bombing planes became audible, the beams of eight giant army searchlights stabbed the heavens.

Attacks Realistic

Three bombers made the first attack. They were flying at about 5,000 feet, dropping flares which lighted the field brilliantly. The searchlight beams quickly picked off the planes, flooding their silver bellies in vivid detail. Once caught by the lights, the big ships, like whales harpooned, were trapped, for they are too big to try aerial acrobatics. Meanwhile, on the field, three anti-aircraft guns were coughing orange flame and smoke as the gunners tried to get the range. However, the attacking planes were late in coming in, and even a novice in warfare was able to sense that the invaders had scored a victory. Some minutes later six more attacking bombers came over, flying at about 15,000 feet, and the searchlights were able to locate but one.

Following the spectacle, an army private grumbled into our ear that "radio had lost the war for the defense." Explaining, he said that the generals had been so busy talking into the network microphones that their orders to the defending planes had been delivered late.

Three Webs Represented

CBS and Mutual had commentators aloft, while NBC covered only from the ground. John Reid King for Columbia and Dave Driscoll for Mutual gave an account of the attack as observed from the air, while Bob Trout, for CBS, George Hicks for NBC and Tom Slater for Mutual broadcast from terra firma.

Hicks gave the onlookers an unintended laugh when he broadcast that the sky was starlit but moonless. George couldn't see the moon because of a wall near him, but a round, orange moon, as big as a pumpkin, was hung on the ceiling all right.

Another amusing sidelight was provided by one of the army officers, who, reading from script, announced to the air audience that the invaders had been defeated by the defending forces—this after everyone on the field, including the officer who made the optimistic broadcast, knew that the opposite was true.

The war game maneuvers provided colorful material for the newsreels, and full crews of all the companies were on the field cranking away.

Shift U. P. Offices

SAN FRANCISCO, May 17.—Coast headquarters of United Press Radio Service have been transferred from Los Angeles to the state capital, Sacramento. Offices and a staff of seven have been established at KFBK. The move was made by the bureau chief, Hubert K. Gagos, to provide more central geographic location, for servicing 20 clients in California and the northwest.

Plan Political Series

SAN FRANCISCO, May 17.—Five stations of the California Radio System will release weekly quarter-hour political programs, sponsored by the Foreign Affairs Committee of the Japanese Association of San Francisco. The program is for 13 weeks, originating at KYA here. Other outlets are KFBK, Sacramento; KMJ, Fresno; KWG, Stockton; KERN, Bakersfield.

Findings Filed in Dallas Trust Case

(*Continued from page* 1)

and an appeal from this decree will be filed in the U. S. Supreme Court promptly by the distributor and circuit defendants. The new appeal to the high court will be heard next fall.

In the findings submitted today Judge Atwell holds that the [illegible]tributors and Interstate were e[illegible]ed in a conspiracy in restraint of trade in entering into contracts regulating admissions and double featuring in subsequent runs.

Sue 20th-Fox on Fire Damage

Two suits for damages totaling $35,700 were filed against Twentieth Century-Fox in the U. S. District Court here yesterday for alleged negligence in connection with the warehouse explosion at Little Ferry, N. J., July 9, 1937.

Superior Fire Insurance Co. of Pittsburgh asks for reimbursement of $3,770 allegedly paid to owners of neighboring buildings under fire insurance policies. Christine Mann, Lena Kozick, Julius Kozick, Elizabeth Braun, Walter Braun, Otto Curtis, Frank Godelski, Frank Savaresi and Frank Roberts seek $31,950 for personal injuries and damage to property.

Fitch-CBS Suit Settled

The plagiarism suit brought by Richard W. Fitch against CBS, Jacob and Lee Shubert, Select Theatre Corp., Select Operating Corp. and Shubert Theatres Corp. was marked settled in the U. S. District Court here yesterday. Terms of the settlement were not revealed.

Fitch charged infringement of "Barbara Frietchie, the Frederick Girl," written by Clyde Fitch in 1900 in the Shubert operetta "My Maryland." Songs from "My Maryland" were allegedly broadcast by CBS. The complaint sought a permanent injunction, damages and an accounting of the profits.

Suit Filed on "Gang Busters"

Colgate-Palmolive-Peet Co. filed suit in the U. S. District Court here to restrain Phillips H. Lord and Phillips H. Lord, Inc., from an alleged attempt to breach a contract made in January, 1936, to supply scripts and talent for the radio program "Gang Busters."

The complaint alleges that the original contract, which was made through Benton & Bowles, Inc., was renewed in 1937 and again this year and that the defendants have threatened to breach the agreement. "Gang Busters" is broadcast over 56 stations on the CBS chain, according to the complaint.

Reduce Portland Scales

PORTLAND, May 17.—The Broadway, United Artists, Mayfair, Paramount and Orpheum—Portland's five first run houses—on Friday will lower their prices to the summer schedule of a 40-cent top at night instead of 55 cents.

Cowan on Convention

ALBANY, May 17.—In charge of publicity for the state convention of the Veterans of Foreign Wars, to be held here June 28 to July 2, is Larry Cowan, manager of Fabian's Grand.

Senate Passes Neely's Block Booking Bill

(*Continued from page 1*)

booking bill has been given the approval of either house.

As[illegible]sed, the bill was amended in tw[illegible] respects. The first, resulting from a letter from Walt Disney to Senator Vandenberg of Michigan in which the effects of the bill on shorts were pointed out, was the inclusion, on a motion of Senator Minton of Indiana, of a provision exempting films of less than 2,000 feet from the block booking ban as well as from the synopsis requirements.

Borah Change Accepted

The second, offered by Senator Borah of Idaho, struck out the provision that if a picture differs substantially from its synopsis the exhibitor may cancel the lease without liability and recover damages, or may retain the lease and recover damages, it being pointed out that the provision was additional to the penalties for violation of the act and might lead to difficulties in enforcement, while it gave no remedy which was not already available under common law. Despite Senator Neely's contention that the legislation was of vast importance to millions of people, members of the Senate showed little interest in the bill, there frequently being less than a score in the Senate chamber, of whom, at one time, but two were paying attention to the Senator's remarks.

Marked by frequent tirades against the "moving picture trust" and the Hays organization, Neely's argument largely was a rehash of the speeches he has made on the subject of block booking in the past. Enactment of the bill, he said, would have much to do with elimination of objectionable scenes from pictures and would give the exhibitor and his patrons a freedom of selection they have never before enjoyed.

Calls Opposition Small

While organizations — many of which he named, including the various Allied groups—representing millions of people are in favor of the measure, he said, the "entire opposition does not exceed 200,000 persons," mostly members of the eight big companies and their employes.

Passage of the block booking bill, he assured the Senate, would make unnecessary legislation for Federal control of the industry which has been proposed from time to time. The distributors would have a period of 12 months in which to accommodate themselves to the new conditions, and no difficulty was foreseen in putting the act into effect.

Asked by Senator Pope of Idaho to comment on a letter from an Idaho exhibitor complaining that passage of the bill would have an adverse effect upon him because he would have to spend so much time previewing films, Senator Neely declared, "the author of this letter has stated what someone has convinced him is true" but asserted there is nothing in the bill to prevent an exhibitor from buying as many pictures at one time as he desires.

Protesting against the bill, Senator Copeland of New York charged it would lead to censorship, since local organizations would have the say as to what an exhibitor should show, but Senator Neely denied that such a result would ensue. "There is no law of common sense which justifies block booking," he declared.

Senator White Dissents

The only determined effort to defeat the bill was made by Senator White (Rep.) of Maine, who criticised Senator Neely for reporting a bill on which no hearings had been held, and while admitting Senator Neely's claim that the matter had been investigated in 1936, pointed out there "have been substantial changes in the personnel of the Senate" since that time.

Senator White also criticised the penalties provided in the measure as being entirely too severe, and read copiously from Governor Milliken's defense of block booking. He was unable to round up any support, however, and when a vote on the bill was called for it was passed without a roll call.

His Own Competitor

Plymouth, O., May 17.—Ed Ramsey, who operates the Plymouth, is giving free showings on a screen placed on the side of a corner building in the business sector Wednesday evenings, under sponsorship of local merchants.

KRS Approves Deal Ending Grading Plan

By AUBREY FLANAGAN

London, May 17.—The Kinematograph Renters' Society (distributors) today ratified the agreement reached recently with the Cinematograph Exhibitors' Association to suspend the K.R.S. plan to grade all features and calling for joint discussions of the problems of the two major trade organizations.

The decision to suspend grading followed a bitter fight in opposition to the plan waged by the C.E.A., which had insisted the plan was designed solely to bring about increases in film rentals, a view denied vigorously by the K.R.S. The first of the joint talks between representatives of the two groups has been scheduled for next Tuesday. The general council of the C.E.A. will hold a meeting this Thursday.

Bob O'Donnell Heads Dallas Charity Plan

Dallas, May 17. — Dallas theatre men, through the local Variety Club, will raise $110,000 to erect a proposed hospital for children here, it was stated today by Bob O'Donnell, barker of the Dallas Variety unit, at a meeting of the board of directors of the Freeman Memorial Clinic, to which the club is a heavy donor.

Mr. O'Donnell said that he has formulated no definite method for raising the money, but added that he felt certain it could be done and that he would gladly assume the job of doing it.

Coming
THE PICTURE YOU'LL NEVER FORGET!

THE Month of May again brings *Educational's* birthday — 23 years under one leader, with one ideal. In our chosen field, in each of these 23 years, we have been able to contribute somewhat to the growth and development of the screen. We have a just pride in the record. In another two years we will have completed a quarter of a century in the motion picture industry. We go forward to that Silver Jubilee still guided by the same ideal of short subjects leadership through Quality, Service and Integrity.

E. W. HAMMONS
Founder and President
Educational Pictures

Educational Pictures

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Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. [illegible] NO. 116 NEW YORK, THURSDAY, MAY 19, 1938 TEN CENTS

Allied Will Press Plans For Further Legislation

Bills on U.S. Radio Station Are Both Dead

Senate Committee Ends Its Hearings

WASHINGTON, May 18.—Following the lead of the House Naval Affairs Committee, which yesterday indefinitely postponed further consideration of the Celler bill authorizing the construction of a Government broadcasting station for propaganda purposes, the Senate Interstate Commerce Committee today decided to make no effort to press the similar Chavez-McAdoo bill this session.

Additional developments in radio yesterday on page 8.

As the hearings came to close, it was generally accepted that the bills are not only dead for the session but

(*Continued on page* 8)

French Production Currently at Peak

By PIERRE AUTRE

PARIS, May 18.—Activity in French studios is currently at the highest point in the history of the industry here, with 25 films now in production.

During the first four months of this year, a total of 34 features were produced, of which many already have been released.

Most important among the films completed and awaiting release are: "Le Quai des Brumes" ("The Foggy

(*Continued on page* 7)

Balcon May Resign

London, May 18.—Michael Balcon, a producer for M-G-M British, and one of the operating heads of the studio under the supervision of Ben Goetz, will not renew his contract when it expires later this year, according to reports here today. The report could not be confirmed officially, but was believed to be authoritative.

It is understood that Balcon plans to enter independent production. Formerly production head for Gaumont British, Balcon resigned to join Metro in Dec., 1936.

Rogers' Status At "U" Will Be Decided Today

The future status of Charles R. Rogers at Universal is scheduled to be determined by the company's board of directors at a special meeting to be held today at the request of Mr. Rogers.

The Universal studio head was uncommunicative on the stand he would take at today's meeting and refused to comment, on his arrival here yesterday, on reports which preceded him from Hollywood that he would resign from the company rather than accept authority on production and studio matters which would be secondary to

(*Continued on page* 7)

Freddi Is Retired From Job as Head Of Italian Films

Luigi Freddi, General Director for Cinematography at the Office of the Under-secretary of State for Press and Propaganda, at Rome, Italy, has been retired from that position.

There was no release of the news from Italy, nor will there be, it is believed. Equally lacking is exact news at the moment of a successor to Signor Freddi, but there is considerable speculation among those who might be expected to know about it, and it is the general understanding that Vittorio Mussolini, son of

(*Continued on page* 7)

Musicians' Dubbing Pact Starts Friday

An agreement by which producers will stop the practice of dubbing in recorded music on lower bracket features and most short subjects, which was reached in Hollywood this week, becomes effective tomorrow.

Joseph N. Weber, president of the American Federation of Musicians, declined yesterday to estimate the

(*Continued on page* 8)

U.A. Board Cut Held an Aid to N.Y. Operation

HOLLYWOOD, May 18.—A preliminary move in the ultimate transferral of the United Artists board of directors to New York is seen in the board's action late yesterday in moving to reduce the number of directors from 12 to six. Under the plan the five partner-owners may name either themselves of their individual appointees to the board. with Dr. A. H. Giannini the sixth member.

It is anticipated that the five partner-owners will designate their New York attorneys to be their appointees on the board, thus facilitating the establishment of board headquarters in that city in line with the general operation of the company from the home office under Maurice Silverstone,

(*Continued on page* 8)

"Robin Hood" Gets $105,000 1st Week

"The Adventures of Robin Hood" grossed in the neighborhood of $105,000 in its first week at the Music Hall. It is being held over.

The first week of "Crime School" at the Strand netted $41,000. It is also being held for a second week. "The Nurse from Brooklyn" and

(*Continued on page* 8)

Yamins, Cheered by Vote On Neely Bill, Says New Moves Near

By AL FINESTONE

PITTSBURGH, May 18.—Allied will drive for "full completion of its program of legislation and litigation," Nathan Yamins, president, told the annual convention here today. He also made a formal statement on the Senate passage of the Neely bill and declared the legislative campaign would be broadened.

The convention approved a Governmental investigation of the industry under the O'Mahoney resolution pending in Congress preparatory to strengthening of the anti-trust laws next year. A resolution to this effect was adopted unanimously at this afternoon's session.

In discussing the Neely measure Mr. Yamins said "particular thanks are due Abram F. Myers, who has sacrificed everything in the last few months and has neglected all other Allied business to get a favorable vote in the Senate."

"Even if the bill goes through the House and is signed by the President," he continued, "that is nowhere near a partial solution of our problem and we will continue our campaign to obtain full completion of our program. Further announcements along this line will be made, but I don't know how soon."

In a formal statement to the press Mr. Yamins said: "The passage by the Senate of the Neely bill to prevent compulsory block booking and blind

(*Continued on page* 4)

Rodgers Promises to Back Conciliation Before Allied

PITTSBURGH, May 18.—Complete endorsement of and promise of support for a system of conciliation boards within the industry for the settlement of its problems were pledged by William F. Rodgers, general sales manager of Loew's Inc., today at the annual convention of National Allied at the William Penn Hotel here. He indicated that he was speaking for Loew's as well as expressing his own views.

The sales executive likewise unequivocally stated that his company would participate in meetings "for the purpose of discussing ways and means for the creation of a better understanding and for the setting up of machinery with a view to settlement of disputes and the correction of abuses in the field."

Mr. Rodgers expressed the belief that round-table conferences can strengthen the "friendly relationship between buyer and seller." With ref-

(*Continued on page* 4)

Purely Personal

ROBERT GILLHAM, Paramount advertising and publicity director, returned to the home office yesterday after completing plans for Texas premieres of "The Texan" and "Tropic Holiday." He has no plans for visiting the studio in the near future.

•

DANIELLE DARRIEUX and her husband, HENRI DECOIN, sailed on the *Normandie* yesterday after arriving from the coast by train a few hours earlier. After a vacation in France, Universal's new star will return about mid-July to start work on her second picture for the company.

•

HARRY J. SPIESS, secretary of Castle Films, has returned from a trip to Italy where he made arrangements to photograph shorts on Naples and Rome.

•

L. H. LARIME, former exploitation director on a Jam Handy film, has been appointed technical supervisor of the projection department of the organization.

•

EDDIE FORMAN and JACK HENLEY, Vitaphone writers, are now at work on the latest "Joe and Asbestos," script. LLOYD FRENCH will direct.

•

A. E. MEYER, general sales manager of International Projector Corp., is attending the Allied convention in Pittsburgh.

•

AL CHRISTIE today will start shooting on "Pardon My Accident," WILLIE HOWARD's new two-reel comedy for Educational.

•

WILLIAM PEIRCE, Monogram west coast publicity director, has arrived here from the coast for a vacation.

•

ARTHUR LOEW will arrive from the coast by plane today, completing a five-month world business tour.

•

VICTOR C. KRUPA, chief technician of Peerless Film Processing Corp., has left for the coast to supervise installation of a new processing machine at the International Laboratories for Grand National release prints. He will return in two weeks.

•

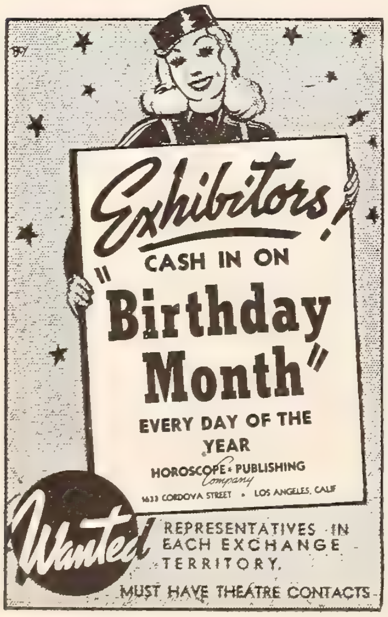
BOB BAKER, Universal cowboy star, has left Hollywood and is en route east on a personal appearance tour.

•

SAM POKRASS, 20th Century-Fox composer, has left for the coast following a vacation here.

•

GEORGE W. WEEKS, Monogram sales manager, has returned from a tour of exchanges.


Exhibitors!
CASH IN ON
"Birthday Month"
EVERY DAY OF THE YEAR
HOROSCOPE PUBLISHING Company
1633 CORDOVA STREET • LOS ANGELES, CALIF
Wanted
REPRESENTATIVES IN EACH EXCHANGE TERRITORY.
MUST HAVE THEATRE CONTACTS

New York Preview

"Yellow Jack"

(M-G-M)

From the successful stage play of 1934 by Sidney Howard, who had as his collaborator Paul de Kruif, M-G-M has woven a telling narrative in this story of the manner in which the dread "yellow jack," or yellow fever, was stamped out in Cuba, after the Spanish-American War.

It is a warm and human story, telling of the fight of the men of science, the courageous doctors, who never gave up the battle to learn how yellow jack was transmitted, of the young men attached to the medical experimental unit, lacking schooling and knowledge, who gambled with their lives that the truth might be found. It is tense drama very often, but not to the exclusion of all else. Production values are of the highest, the film has been built with care, and the result is that there is compensating amusement, compensating romance.

The narrative has inherent appeal, for sacrifice, especially that to aid humanity, sounds a responsive chord anywhere. It is fortunate that Edward Chodorov, in his screenplay, and George B. Seitz in his direction, tampered little or not at all with the expert, gripping play which Howard wrote for the stage. It was a great play then, and, with the additional scope permitted by the screen and a fine cast, is a splendid picture.

Robert Montgomery offers a smooth performance as the young Irishman, a sergeant under the famous Major Reed, who makes a double sacrifice for his officer, and who falls in love with a nurse, and through it all, displays a wit to match his courage. Virginia Bruce is adequate, but necessarily subordinate, as the nurse, and Lewis Stone as the sorely beset but persevering Major Reed, gives another of his long series of brilliant portrayals. Andy Devine contributes comedy, and full praise belong to the rest of the boys who volunteered to gamble with their lives that Major Reed's work might not fail, Buddy Ebsen, William Henry, Alan Curtis and Sam Levene.

Equally finely etched performances are offered by Henry Hull and Stanley Ridges as Major Reed's associates, and by Charles Coburn, as Dr. Finley, the Scotchman whose research in Cuba really led to the mosquito as the carrier, who had been laughed at years before, and who supplied Major Reed with the needed assistance.

In these days of war and danger of war, this tells of soldiers who volunteered for a different kind of fight, and who won for the health of the world, and as such it might be the more readily sold.

Running time, 83 minutes. "G."

Wallis Arrives to Look at New Plays

Hal B. Wallis, associate production head of Warners, arrived from the coast yesterday by train to spend several days here looking at the current Broadway play crop. He expressed interest in "Of Mice and Men" and "On Borrowed Time" but said that no deals would be discussed until he had viewed these and other local offerings.

Mr. Wallis, who was accompanied east by Lewis E. Gensler, Warner studio official, said he expected to leave New York this weekend or during the early part of next week and would begin a vacation in Honolulu thereafter. Mr. Gensler sailed on the *Normandie* yesterday for a European vacation.

Industry to Support New York Fund Drive

The support of the film industry was pledged yesterday in the campaign to raise $10,000,000 for the Greater New York Fund, at a meeting of industry representatives at the Astor presided over by J. Robert Rubin, vice-president of Loew's, Inc. The session was addressed by James G. Blaine and Winthrop Rockefeller, chairman and executive vice-chairman of the drive. All phases of the industry in New York will be canvassed in the drive.

Among the film men at the meeting were Harry Buckley, United Artists; J. Cheever Cowdin, Universal; Ned E. Depinet, RKO; Austin Keough, Paramount; W. C. Michel, 20th Century-Fox; Jesse Mills and William A. Orr, Loew's Inc.; Harold Rodner, Warners, Nate Spingold, Columbia; and Major L. E. Thompson, RKO.

Loew's Board Meets

The board of directors of Loew's, Inc., held a meeting yesterday which had been postponed from last week. A spokesman reported that only routine business was transacted.

Bobby Breen Injured

HOLLYWOOD, May 18.—Bobby Breen is recovering from a slight brain concussion suffered in a fall while learning to skate yesterday for a new role.

Film Men Are Guests At Golf Party Today

Leading film executives will be guests of David Bernstein, treasurer of Loew's, today at a golf party at the Quaker Ridge Golf Club, Mamaroneck. The party is being given by Mr. Bernstein, who was co-chairman with Major Albert Warner of the Amusement Division of the New York and Brooklyn Federation of Jewish Charities, for the members of [illegible] committee in last year's Federa[illegible] campaign.

Among those scheduled to attend today will be: Jack Alicoate, William Brandt, Oscar Doob, Alan E. Freedman, Leopold Friedman, Louis Frisch, Leon Goldberg, Marcus Heiman, Arthur Israel, William Klein, Dr. Leo Michel, Jack Mills, Edward H. Morris, William Morris, Jr., Sam E. Morris, Charles Moskowitz, Benjamin S. Moss, Michael M. Nisselson, Eugene Picker, Walter Reade, Sam Rinzler, Herman Robbins, Jack Robbins, Max Rudnick, Herman Sanders, Sam Sax, Marvin Schenck, Abe Schneider, Fred Schwartz, Max Seligman, Jack Skirball, George Skouras, Samuel Straussberg, Joseph R. Vogel, Albert Warner, Louis Bernstein, Leo Brecher, Sam Dembow, Jr., Hy Gardner, Ralph Poucher, and Nat Spingold.

Dr. Kalmus Reelected

The board of directors of Technicolor, meeting yesterday, reelected Dr. Herbert T. Kalmus, president; George F. Lewis, vice-president and secretary; Lester G. Clark, treasurer, and L. A. Skinner, assistant secretary.

A dividend of 50 cents a share on outstanding stock was declared, payable June 15 to stockholders of record June 1.

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; J. M. JERAULD, Managing Editor; JAMES A. CRON, Advertising Manager. EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone, Thomas Fitzsimmons, Sherwin A. Kane, Irene Kuhn, Joseph Priore.

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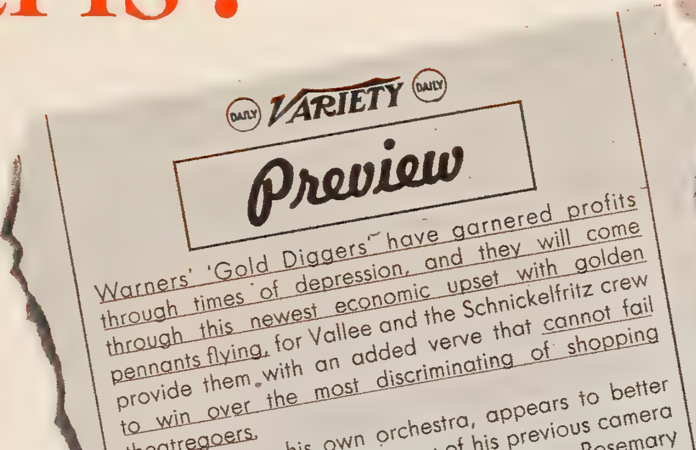
What Warners did for the depression with 'Gold Diggers of 1933' Warners do for the recession with the '38 'Gold Diggers In Paris'!



DAILY VARIETY DAILY

Preview

Warners' 'Gold Diggers' have garnered profits through times of depression, and they will come through this newest economic upset with golden pennants flying, for Vallee and the Schnickelfritz crew provide them with an added verve that cannot fail to win over the most discriminating of shopping theatregoers.

Vallee, sans his own orchestra, appears to better advantage than he has in any of his previous camera appearances, while his partner in romance, Rosemary Lane, attains new heights both as warbler and as actress.

—DAILY VARIETY

IT SAYS SO RIGHT HERE!

"GOLD DIGGERS
IN PARIS"
with RUDY VALLEE
ROSEMARY LANE • HUGH
HERBERT • ALLEN JENKINS
Gloria Dickson • Melville Cooper
Mabel Todd • Fritz Feld • and THE
SCHNICKELFRITZ BAND
Directed by Ray Enright
Musical Numbers Created and
Directed by Busby Berkeley
Screen Play by Earl Baldwin and Warren Duff
Story by Jerry Wald, Richard Macaulay and
Maurice Leo • From an Idea by Jerry Horwin
and James Seymour • Music and Lyrics by
Harry Warren and Al Dubin

The 'Robin Hood' Company!
The 'Crime School' Company!
The 'Gold Diggers' Company!
The ACTION Company!

Allied Plans New Campaign On Law Moves

(*Continued from page* 1)

buying is most gratifying. This association has sponsored such legislation ever since it was organized. Allied's support of the legislation has included not merely work among exhibitors, but the rallying of public support for the measure, also. This work has been intensified during the past three months and the action by the Senate yesterday was a happy culmination of the efforts expended."

The investigative petition to the Government will call for a five-point probe, including:

"The industry's organization, financing and practices."

"Causes of concentration of economic power in eight great corporations bound together in a common trade association."

Would Investigate Pricing

"Effect of existing distribution methods, especially pricing policies and leasing terms."

"The effect of the invasion by the producers-distributors of the field of exhibition and the preferences and advantages granted by them to their affiliated theatres and denied to independent theatres."

"The effect of existing copyright laws on competition, prices, profits and general economic conditions."

A legislative committee was directed to present the petition "to the appropriate Government agency" and to cooperate with it "to develop the facts" regarding alleged combinations and conspiracies.

Speaking in behalf of the resolution for the Federal investigation, Col. H. A. Cole said that trust-busting legislation will get under way in Congress after a thorough study of many industries and "we want them to include ours."

Myers Predicts Probe

In his address Mr. Myers said that an investigating of the film industry along with others is "in the immediate offing" and urged the convention to establish facilities to make its side available to the investigating committee which will launch a wide probe pursuant to the President's message last month on concentration of economic power.

Mr. Myers began his talk in conciliatory tone, saying the fact that Mr. Rodgers spoke so frankly is a "hopeful augury of future goodwill and understanding." He spoke of misunderstandings on both sides and said "A new day is in store for this business in which the barriers of misunderstanding, misrepresentation, intolerance and political maneuvering that have isolated earnest men in the several branches of the industry from a free interchange of ideas is drawing to a close." He predicted restoration of "contacts" between exhibitors and distributors.

"For nine long years anti-block booking bills have been pushed by Allied, since it was organized in 1929," Mr. Myers said. Declaring the Neely bill is intended to give independents selectivity of films and "put them on a par with the circuits," he said circuits "are operating under the Neely bill very satisfactorily, since they don't buy blindly or in blocks."

W. A. Steffes' motion authorizing the directors to meet with distributors at their discretion was challenged by Fred J. Herrington, secretary, M.P.T.O. of Western Pennsylvania, who contended that further Congressional action on the Neely bill would be prejudiced by such a conference. If any overtures are made, he said, let them come "from the other side."

After a floor debate in which J. Unger of New Jersey, Max A. Cohen of New York, Col. Cole, Mr. Herrington and others took part, Mr. Steffes' motion passed.

Query Two Resolutions

Two resolutions were questioned by Harry G. Kosch, counsel for New York Allied, these being condemnation of the 50 per cent rental on "Snow White" and distributors' alleged demand for admission price increases on the film, and another recommending that exhibitors ask price adjustments on the current season's contracts and "not to act hastily in signing for new production." The resolutions were referred to Myers for an opinion.

Another resolution condemned "unconscionable" salaries of top industry executives, no one named specifically, with instructions to turn details over to government investigators.

Also adopted was a resolution condemning sales drives.

Sidney Samuelson told the convention that the Neely bill vote would serve as a lesson to independent exhibitors that "everlastingly keeping on the right track will ultimately bring success."

Martin Smith of Toledo, chairman of the Resolutions Committee, offered a resolution expressing Allied's "gratitude" to Senator Neely and declaring passage of the bill "will give encouragement to independent exhibitors and independent merchants generally." The resolution was adopted by rising vote.

Samuel Goldwyn and Harry Brandt, president of the I.T.O.A., were excoriated for "silly statements" by Edward Golden, Monogram vice-president.

Golden Advises "Retailers"

On behalf of all smaller companies Mr. Golden urged exhibitors not to close up all their playing time, "since as good businessmen and retailers it behooves you to support the small wholesalers."

Introducing William F. Rodgers, Mr. Yamins said: "I want you to feel that despite anything that may have happened yesterday Allied has been, still is, and always will be sincerely devoted to a constructive solution of the major problems of our industry. We hope other companies will see the light of day and steer their course in the same direction that Metro is willing to steer its course."

Delegates listened attentively to Mr. Rodgers' talk and gave him loud applause at the close.

All sales managers were invited to address the convention.

The New Jersey unit is compaigning for the national convention in Atlantic City next year, probably around June 15 shortly after the World's Fair opens. Associated Theatre Owners of Indiana is supporting the New Jersey bid which will be voted on by the executive board next January. In return, Indiana has Jersey's endorsement of Indianapolis or French Lick Springs for the 1940 convention, which would be late in May to coincide with the Memorial Day auto races.

Industrial harmony keynotes were sounded at the banquet tonight which was attended by 500 persons. On the dais were William Sussman, William F. Rodgers, Nathan Yamins, Abram Myers, Eddie Golden, Col. H. A. Cole, Fred J. Herrington, M. A. Rosenberg and Lewen Pizor of Philadelphia, most of whom spoke, as did former Senator Frank J. Harris, who pleaded for tolerance in industry relations. Deputy Attorney General N. M. Katz was toastmaster.

The convention winds up with a final session tomorrow.

Rodgers Promises to Back Conciliation Before Allied

(*Continued from page* 1)

erence to Conciliation boards, he continued, "To be successful the members of such bodies should be so selected and elected that those whose interests they represent will be satisfied. . . . Further it is our belief that these bodies in principle should be guided by a governing headquarters board to whom anyone may appeal if dissatisfied with a local decision. It is important that those who sit in judgment on important matters have the unqualified confidence of the trade as a whole."

Referring directly to the Neely bill, which was passed by the Senate yesterday, Mr. Rogers declared, "To refute suppositions, rumors and propaganda to the contrary that distributors are awaiting the outcome of the Neely bill before committing themselves on conciliation, let me say for one distributor that no matter what disposition is made of either or both of these bills (Neely and Pettengill) we will actively support any movement for the creation of and functioning of such conciliation or trade bodies as may be decided upon."

Mr. Rodgers quoted from statements he made in March, 1936, before a House sub-committee with reference to the Neely and Pettengill bills, in which he, for his company, expressed willingness to participate in any industry conference, and said the measures "can only result in confusion, a partial paralysis of an industry perfectly capable of managing its affairs from within," and that "to change the present system of Federal regulation is a very sure method indeed to stifle the small man and will mean the certain elimination of many."

"It is my belief that this industry can be a solid one," Mr. Rodgers said.

Says Probe Is Due

Pittsburgh, May 18.—A high Allied official, who cannot be quoted, tonight told *Motion Picture Daily* that the film industry definitely is included among the large industries to be investigated by the Government this summer. He said the pending O'Mahoney resolution providing for a broad probe is regarded in Washington as "having already been passed" and Government investigators are already preparing the machinery.

With the Allied Men

Pittsburgh, May 18.—Nate Yamins, who takes his golf seriously and plays a good game, took advantage of the get-acquainted period before lunch Tuesday to ge[illegible] a few licks at the pellet at one of [illegible] courses hereabout. He had no trouble finding a partner.

✚

Among the newcomers on this year's steering committee are Irving Dollinger, head of the New Jersey unit, and Max A. Cohen, helmsman of the newly formed New York group. Max is the best dressed man at the conclave.

✚

M-G-M and 20th Century-Fox are well represented, the former by Bill Rodgers, Tom Connors, John E. Flynn, John J. Maloney, Charlie Deardourff and Charlie Barron, among others; the latter by Bill Sussman, Edgar Moss and Ira Cohn.

✚

Max A. Cohen, chairman New York Allied, made his bow to the national organization as a member of the grievance committee.

✚

Charlie Deardouroff of Cleveland, member of Billy Ferguson's staff of M-G-M exploitation men, made the delegates M-G-M conscious by having two pretty girls pass out candy kisses. Some of the delegates wanted the real kind.

✚

Dave Palfreyman of the Hays office is on deck.

✚

Sidney Samuelson vows it was plenty of exercise driving in from New Jersey. Mrs. Samuelson is along.

✚

Arthur K. Howard of Boston, as recording secretary, is one of the busiest officios around.

Seek Witnesses for N. D. 'Divorce' Suit

Pittsburgh, May 18.—W. A. Steffes of Minneapolis today called for exhibitors who wish to act as voluntary witnesses in the hearing on the North Dakota theatre "divorcement" suit scheduled before a three-judge Federal court in Fargo, N. D., next Monday. The action attacks legislation sponsored by Allied and adopted by the State Legislature last year.

Louis Schwartz of Minneapolis, one of the attorneys handling the defense, is here to confer with exhibitors who want to testify.

DAILY NEWS

NEW YORK'S PICTURE NEWSPAPER

New York, Wednesday, May 18, 1938

Hollywood

By ED SULLIVAN

IS IT TRUE WHAT THEY SAY ABOUT HEPBURN?... I've just returned from the preview of "Holiday." If they say SHE IS ONE OF THE THREE GREATEST AMERICAN MOVIE ACTRESSES, IT'S TRUE WHAT THEY SAY ABOUT HEPBURN. If they say that SHE HAS THE MOST EXPRESSIVE FACE ON THE SCREEN, IT'S TRUE WHAT THEY SAY ABOUT HEPBURN. In this picture, Hepburn, WITH HER BACK TO THE WALL, DELIVERS ONE OF THE FINEST PERFORMANCES OF HER CAREER ... and CARY GRANT WAS NEVER BETTER. You'll get a deep thrill from the comeback of Lew Ayres, as all of us did at the preview.

A COLUMBIA PICTURE

(ADVERTISEMENT)

Warners Conclude Meeting in Dallas

DALLAS, May 18.—Warners' western and southern regional sales convention concluded here today, and sales executives who attended will return to their territories tomorrow. The three-day meeting was presided over by Ben Kalmenson, southern and western sales manager.

Today's session was addressed by Gradwell L. Sears, general sales manager, who discussed prospects for next season. He said that Warners have set eight features for national trade previews for exhibitors of the country during the month of August. The films are "Boy Meets Girl," "The Amazing Dr. Clitterhouse," "Brother Rat," "Dodge City," "Racket Busters," "Valley of the Giants," "Sally" and "Garden of the Moon."

Mr. Sears also read a wire from Jack L. Warner and Hal B. Wallis from Hollywood stating the Burbank studios were geared for action with the first three months' releases either completed or in work.

Sales Policy Outlined

Mr. Kalmenson outlined sales policy and Carl Leserman, assistant to Mr. Sears, indicated what was wanted with respect to sales force morale.

In addition, W. E. Callaway of the west; Fred Jack in the south, and Rud Lohrenz, midwest, held individual meetings with their branch managers and salesmen.

Home office executives who will leave tomorrow for New York include: Mr. Sears, Mr. Leserman, Mr. Kalmenson, Roy Haines, Norman H. Moray, Clayton Bond, A. W. Schwalberg, Arthur Sachson, R. W. Budd and Joe Bloom, vice-president of the Blaine-Thompson Advertising Co.

S. Charles Einfeld, director of advertising and publicity, will go to the coast, accompanied by Mitchell Rawson, eastern publicity manager, for a month of conferences at the studio. Mr. Sears will address the National Convention of Sales Executives here tomorrow before leaving.

Galston Is Named to Head California ITO

HOLLYWOOD, May 18.—Albert A. Galston, manager of the Marcal, has been elected president of the Independent Theatre Owners of Southern California. He succeeds Jack Y. Berman, retired.

Other officers are: C. A. Ferry, first vice-president; E. S. Calvi, second vice-president and treasurer, and Mr. Berman, R. D. Whitson, Mrs. Jenny Dodge, Max Sinker, William Woodworth and Manny Feldstein, directors.

Robert H. Poole continues as secretary and business manager.

Protest Stars on Air

TORONTO, May 18.—Members of the Independent Exhibitors' Association of Ontario have gone on record as resenting the receipt of a circular letter from Empire-Universal Films, Ltd., Toronto, regarding a radio broadcast of the "Lux Radio Theatre" featuring several film celebrities as guest stars. The exhibitors claimed that the broadcasting of such programs is opposition to the theatres and is hurting the box-office.

Warners Dissolve Holding Companies

WASHINGTON, May 18.—Dissolution in March of holding companies owned by the three Warner brothers has been disclosed by the Securities and Exchange Commission.

The semi-monthly summary of transactions of officers and directors in the securities of their corporations shows they took over into direct ownership 3,767 of the 4,267 shares of Warner preferred which heretofore had been carried through a holding company, while Renraw, Inc., the group holding company, disposed of 11,300 of the 12,800 shares of common stock which it had held.

At the close of the month, in addition to the small volume of stock still in the hands of the holding companies, Albert Warner held 59,648 shares of common, 14,384 shares of preferred and 1,759,000 debentures, together with 5,460 debentures held through another holding company; H. M. Warner had 62,860 shares of common, 14,385 shares of preferred and 1,379,000 debentures, and Jack L. Warner held 88,060 shares of common, 14,384 shares of preferred and 1,183,000 debentures, the S. E. C. reported.

The only other film stock transaction carried in the summary was the acquisition of 10 shares of Pathe Film common by T. P. Loach, New York, officer, who held 31 shares at the close of the month.

Reports from men elected to office showed that John Dabney Penick, New York, held no securities in Universal, of which he was made a director April 1, while Gurdon W. Wattles, New York, held 1,200 shares of Pathe common when he became a director April 26.

Quebec Exhibitors Criticize Contract

MONTREAL, May 18.—Dissatisfaction over the present standard exhibitor contract with distributors was voiced today at the annual meeting of the Quebec Allied Theatrical Industries held in the Mount Royal Hotel here. The meeting, however, closed with no definite course of action on the matter reached.

Prohibition of children at theatres and "burdensome taxation which is placing the industry in a serious economic position" were also taken under advisement by nearly 100 exhibitors from all parts of the province.

Reelected to the presidency was B. E. Norrish, while E. N. Tavah and D. A. Burpee were renamed treasurer and secretary, respectively. The executive committee chosen for the year includes C. O. Auclaire, Montreal; T. W. Trow, Three Rivers; George Ganetakos, Montreal; L. K. Jones, Verdun; Arthur Hirsh, Montreal; N. Lawand and D. A. Burpee, Montreal.

J. J. Fitzgibbon, general manager Famous Players Canadian Corp., and Henry Chauvin, Montreal lawyer, addressed the meeting.

Cancel Bank Night Writ

TALLAHASSEE, May 18.—The Florida Supreme Court today overruled an order restraining enforcement of a lower court injunction against operation of Bank Night by the Little River Theatre Corp. of Miami.

"Snow" Paris Hit

Paris, May 18. — "Snow White and the Seven Dwarfs," in the French version, is doing outstanding business at the 1,800-seat, first run Marignan of the Pathe circuit. With estimated first week receipts of about $20,000, the film is doing better business than any since "Mayerling," which played in March, 1936.

"Snow White" is expected to run three months at the Marignan and the circuit has booked it for six.

"U" Chicago Meeting Gets Start Thursday

CHICAGO, May 18.—Universal's second regional sales meeting of a series of four being held this season for district and branch managers will open here Thursday in the Palmer House, and continue for three days. W. A. Scully, general sales manager, arrived here today from San Francisco, where the first meeting was concluded last Sunday.

W. H. Heineman, former western district sales manager, whose appointment to the post of western division manager was announced at the San Francisco meeting, accompanied Scully here. Heineman will make his headquarters at the home office hereafter. F. J. A. McCarthy, assistant general sales manager, will arrive here Thursday morning from New York to attend the local session and those at New Orleans and Washington, D. C., which will follow.

The branches represented at the meeting here include Chicago, Des Moines, Detroit, Indianapolis, Kansas City, Milwaukee, Minneapolis, Omaha and St. Louis.

Cummings to Issue Monopoly Case Data

WASHINGTON, May 18.—Plans for the issuance of explanatory statements of film and other anti-trust prosecutions, to serve as a guide to business men, were disclosed today by Attorney General Homer Cummings.

Acting on the suggestion of the new Assistant Attorney General in charge of anti-trust activities, Thurman Arnold, the department, Mr. Cummings said, will issue a formal statement at the outset of every investigation or prosecution undertaken, which will explain the conditions which the department believes to exist in the particular industry which create monopolistic control or restraint of trade; the reason why the particular procedure was adopted, and the economic results which are expected from the action.

Lehr to Start Series

Production on a new 20th Century-Fox series of one-reel shorts featuring Lew Lehr, to be known as "Lew Lehr's Kindergarten," will start next Monday at the company's studios on 54th St. No definite number of productions has been set, but it is expected to be between four and six. Lehr is writing the scripts and supervising production. The cast for the initial film includes John Palace, Charles Jordan, Dave Loweree, Dan Gautier and Eddie Parks.

Montague Has Kind Word for Exhibitor

CHICAGO, May 18. — The much maligned — of late — exhibitor was given a pat on the back for "smart showmanship and ability to sell pictures to the public" by A. Montague, Columbia general sales manager, in addressing the company's three-day regional sales meeting which opened at the Drake here today.

Asserting that an analysi[illegible] theatre campaigns on his company[illegible] more important pictures proved that "showmanship is not a lost art," Mr. Montague urged closer cooperation between sales forces in the field and the local exhibitors in developing campaigns for the better productions. He intimated that the distributors' part in theatre campaigns does not end with the work of the home office advertising department.

Jack Cohn spoke to the more than 50 delegates present, predicting boom business for the summer months and expressing satisfaction with the new plan of holding regional meetings rather than a single national convention.

Mr. Montague, discussing the Neely bill, said that its passage will cause most injury to the small exhibitors. He said that many exhibitors are asking for deals that would run from three to five years as protection against the possibility of the Neely bill becoming law.

Other speakers at today's session included Rube Jackter, Max Weisfeldt, Lou Weinberg, Louis Astor, George Josephs and Maurice Grad. Most of the session was devoted to an analysis of the company's new season production schedule. Branch managers' meetings and individual branch salesmen's meetings are to follow.

Fete Miss de Havilland

Olivia de Havilland was guest of honor yesterday at a cocktail party tendered by W. G. Van Schmus in the studio apartment of the Music Hall. Following the party, Miss de Havilland, accompanied by her mother and Herb Crooker, Warner publicity director, left for Philadelphia for meetings today with the press of that city.

Wall Street

Kodak Best Board Advance

	Open	High	Low	Close	Net Change
Col.	12½	12⅝	12⅜	12⅝	.....
Col. pfd. ..	33½	33½	33½	33½	.....
Cons.	1¼	1¼	1⅛	1⅛	— ⅛
E. K.	155	156½	155	156⅛	+1⅛
G. T. E.....	11¾	11¾	11¾	11¾	— ¼
Loew	42	42¼	42	42¼	+ ¼
Para.	7¾	7⅞	7¾	7¾	— ¼
Para. 1.....	76½	76½	76½	76½	— ⅛
Para. 2.....	9⅛	9⅛	9	9	— ¼
Pathe	5	5	5	5	.....
RKO	2⅛	2⅛	2⅛	2⅛	— ⅛
20th Fox ..	22⅞	22⅞	22½	22⅝	— ⅛
20th pfd. ..	30¼	30¼	30¼	30¼	.....
Univ. pfd.	34	34	34	34	.....
W. B.	5	5	5	5	+ ⅛

Technicolor Up 1⅛ on Curb

	Open	High	Low	Close	Net Change
Tech.	22⅞	24	22⅞	23⅝	+1⅛
Univ. Corp.	2¼	2¼	2	2	.....

Loew, RKO Bonds Gain

	High	Low	Close	Net Change
Loew 3½s '46....	100½	100¼	100½	+ ⅜
Para. Pict. 6s '55	91	91	91	.....
RKO 6s '41.......	73⅜	72½	73⅜	+1⅜

(Quotations at close of March 18)

Rogers' Status At "U" Will Be Decided Today

(*Continued from page* 1)

that of Nate J. Blumberg, Universal president.

Mr. Rogers, according to coast reports, will ask the Universal board of directors to define his authority as the ultimate on all studio and production matters. There was apparent evidence yesterday, however, that the board is not disposed to qualify the authority of the president of the company at the studio any more than in any other department of company operations. It was intimated, as well, that if Mr. Rogers was reluctant to accept home office supervision in production affairs he might be relieved of production responsibility and offered, instead, the supervision of studio business operations.

Pact Has 2 More Years

Mr. Rogers' contract with Universal is said to have more than two years to run at a salary in excess of $2,000 weekly. He is represented as feeling that his position as studio head was abridged during the planning of the company's 1938-'39 production schedule, on which the decisions of Mr. Blumberg and other home office officials prevailed; by recent changes made in studio personnel in which he did not concur, and that it will be further abridged on the return of Mr. Blumberg to the studio shortly.

Mr. Rogers was accompanied east by his assistant, William Pierce.

Freddi Is Retired From Job as Head Of Italian Films

(*Continued from page* 1)

Premier Mussolini, may take, or already has taken that position.

It will be remembered that young Vittorio Mussolini paid a visit to the United States some time ago, spent a few days in New York, then went to Hollywood.

Signor Freddi, a Grand Officer of the Order of the Crown of Italy, which entitles him to the abbreviaiton: "Gr. Uff." after his name, dates much of his rise to a dominant position in Italian Government circles to the fact that he was a boyhood chum of Benito Mussolini. They worked together on Mussolini's newspapers, he was beside Mussolini in the "March on Rome," and went from there into various Government posts.

Replacement Expected

It is understood that young Mussolini, with his interest in the screen, and following his visit to the United States, came to have more and more of an interest in the conduct of Signor Freddi's department, with the result that those familiar with the situation have expressed no surprise when apprised of the fact that Freddi is no longer the industry's chief in Italy.

A follower of Marinetti, he was arrested in 1914 for agitation against Austria. He was with the newspaper, *Popolo D'Italia,* from its inception. He won a medal during the war and participated in the first Fascist rally in 1919. A Fascist organizer, he was called to the paper by Mussolini, and after the "March on Rome" he held various party and Governmental posts until he received the appointment as dictator of the film industry on Sept. 12, 1934.

Omit Rome Display

RKO Pathe News omitted all footage on the Italian military show staged by Premier Mussolini for Reichsfuehrer Hitler from the issue of the reel released to theatres Tuesday. Pathe was supplied with 2,000 feet of film on the Italian war show, all of which was placed on the shelf.

"Exhibitors tell us they've had enough of Hitler's and Mussolini's military displays," Allyn Butterfield, in charge of the reel's makeup, explained. "Most of them delete the stuff when it reaches the theatre, anyhow, so we saved them the trouble."

No Universal Cinderella

HOLLYWOOD, May 18.—Universal has shelved, temporarily at least, its plans to produce "Cinderella" with Deanna Durbin. Reasons given were exhibitor protests against fantasy and the fact that Walt Disney controls the title.

Wants Chaplin Silent

HOLLYWOOD, May 18. — Charles Reisner, director, has registered objections to Charles Chaplin's plans to speak in his next picture. Reisner insists that he continue only in pantomime. No story has been chosen.

French Production Currently at Peak

(*Continued from page* 1)

Quay"), directed by Marcel Carne; "Le Petit Chose," from the classic by Alphonse Daudet; "The Patriot," a remake of the silent film directed by Maurice Tourneur, starring Harry Baur; "Piste du Sud" ("The Southern Trail"), shot in the Sahara, starring Ketti Gallian, directed by Pierre Billon.

Among the new films now in production, the most important are "Remontons Les Champs Elysees" ("Walking on the Champs Elysees"), a new Sacha Guitry production along the lines of "Pearls of the Crown," "Le Joueur D'Echecs" ("The Chess Player"), an historical film; "Drama of Shanghai," directed by G. W. Pabst; "Katia," directed by Maurice Tourner, and in which Danielle Darrieux will co-star with the British actor, John Loder; "Werther," from Goethe's famous drama.

Pictures planned include: "Return at Dawn," from Vicky Baum's novel, which will star Danielle Darrieux; "Gibraltar," "Sebastopol," "Life of Francois Villon," "Colomba," "Radetzky March," "Elizabeth of Austria," "Volpone."

Hersholt to Callender

HOLLYWOOD, May 18.—In a party that will include Herbert I. Leeds, director, and Lou Breslow, scenarist, Jean Hersholt will leave Friday for Callender, Ont., to start work on "Five of a Kind," starring the Dionne quintuplets. Hersholt will return to New York on Memorial Day.

Coming
THE GREATEST ADVENTURE EVER LIVED!

Bills on U.S. Radio Station Are Both Dead

(Continued from page 1)

will not be revived unless the private broadcasters fail to maintain their present high standard of service.

The action of the sub-committee was taken at the request of Senator Dennis Chavez (Dem., N. M.), who, at the opening of hearings this morning informed Chairman Homer T. Bone (Dem., Wash.) that "It is not the purpose of the sponsors of the bill to ask the committee to take action on the matter this session."

With this in mind, the sub-committee heard witnesses who had come to Washington to testify and brought its hearings to an end.

The keynote of the broadcasters' opposition to a Government station was voiced by Mark Etheridge, president of the National Association of Broadcasters, who repeated before the sub-committee the testimony he gave before the House group on Monday.

Courboin to Be Honored

The Belgian Government will confer the highest decoration it accords to a civilian, the Knighthood of the Order of Leopold, upon Dr. Charles M. Courboin, Belgian-American organist, whose programs are a Mutual network feature. The knighting, and presentation of the citation, will be made by Count Robert van der Straten Ponthoz, Belgian Ambassador to the United States, in a special ceremony to be broadcast from the American Academy of Arts and Letters here May 25 over Mutual at 8:30 P. M.

McDermott Head of KFH

Kansas City, May 18.—Gerald B. McDermott is the new manager of KFH, Wichita, and Milton W. Mendolsohn is new sales promotion and production manager, McDermott was eight years with WMAQ and WENR, Chicago. Mendolsohn has been in advertising agency work, Chicago.

To Start Mutual Show

"What's in a Word," which recently had a tryout on WOR, will be presented once a week over Mutual, starting May 24 and Tuesdays thereafter from 9:30 to 10 P. M. The program will feature Allan Prescott and Dr. Charles Funk. The production is Jerry Danzig's.

New CBS Series Ready

"Of Men and Books" will be CBS' fourth venture in the Adult Education series, with Professor John T. Frederick, professor of modern letters at the Medill School of Journalism, conducting the series, which is to be heard from 4 to 4:15 P.M. each Thursday beginning May 26.

Huston on "Lux" Show

Walter Huston, Ralph Forbes, Nigel Bruce and Merle Oberon will be the principal players in the "Lux Radio Theatre" production of "The Letter" on CBS, May 23.

The Chimes Again

No more will Bing Crosby, Bob Burns and Ken Carpenter indulge in those verbal exchanges leading to the ringing of a bell instead of a chime at station break time during the Kraft "Music Hall" presentations, for Major Lenox R. Lohr, NBC president, has dispatched three sets of chimes to Hollywood to be presented to the trio during tonight's program.

Long ago, as a gag, the "Music Hall" chimes were "stolen," and since then Ken has been ringing a bell. Don Gilman, NBC vice-president in charge of west coast operations, will make the presentations in behalf of Major Lohr.

Industry Facing Congress Ban on Air Super Power

Washington, May 18.—Threat of a Congressional ban on super power was voiced today by Senator Homer T. Bone, (Dem., Wash.) who declared that the proposed lifting of the present power maximum would entail new possibilities of monopoly in broadcasting.

Senator Bone made known his views —which he said also were those of a number of colleagues—during examination of Mark Etheridge, president of the National Association of Broadcasters, during hearings on the proposed Government propaganda station.

Referring to proposals to make the power maximum 500 kilowatts, the Senator asked Etheridge if there would be "a trend toward monopoly if the stations stepped up their power 10 times.

"There is in Congress now, for the first time," he added, "a disposition to seriously question the right of a domestic broadcaster to occupy a field vastly greater than that he has ever occupied. Five hundred kilowatts would thrust upon the industry very grave complications. That is a problem far more dangerous to the radio industry than this one of Government broadcasting."

Etheridge explained that the industry is fully aware of the complications attendant upon an increase of power, and disclosed that a number of stations, his own included, have filed applications for super power purely as a matter of "protection" and do not argue that there is any economic advantage in the high power.

To Shift NBC Show

The J. B. Williams Co. "True or False" program, now on Mutual, will transfer to the NBC-Blue, beginning July 4, for a 26-week stay. The series will be heard over the Basic Blue network with WLW and a Blue Mountain group. Its time on NBC will be from 10 to 10:30 P. M. J. Walter Thompson Co. handles the account.

U.A. Board Cut Held an Aid to N.Y. Operation

(Continued from page 1)

newly elected chairman of the executive committee.

It is understood on good authority that both the reduction of the board, its new makeup and the centering of company activities in the east are results of the agreement reached by the partner-owners at the London meeting which decided Mr. Silverstone's promotion, the producers' profit-sharing plan and the reduced charges for world distribution.

Indications are, therefore, that Dennis F. O'Brien will replace Neil A. McKay as Mary Pickford's representative on the board; that E. C. Raftery will replace Clarence E. Erickson as Douglas Fairbanks' representative; that Charles Schwartz will replace Alfred Reeves as Charles Chaplin's representative, and that James Mulvey will replace David Rose as Samuel Goldwyn's representative. The first three are New York attorneys and Mr. Mulvey is Mr. Goldwyn's eastern representative. It is believed that Sir Connop Guthrie will continue under the new arrangement to represent Alexander Korda.

Silverstone Off Board

Also in accordance with the London agreement Mr. Silverstone will not become a member of the board.

The board meeting here also formally approved the contract under which Hal Roach will become a United Artists producer. The contract provides for four to six pictures to be made by Roach yearly for the next eight years. The first is to be delivered about Dec. 1.

Musicians Dubbing Pact Starts Friday

(Continued from page 1)

benefits of the agreement to musicians in either employment or increased earnings, but stated that the improvement in both would be "considerable." The measure was pressed by the A. F. of M. to relieve unemployment among musicians in Hollywood.

The agreement excludes newsreels only from its provisions, because of the time limitations involved in preparing the bi-weekly newsreel releases. It applies to all other film productions and is made a condition of employment for all union musicians who, hereafter, will not be authorized to accept work from any producer not subscribing to it.

Upholds Ban on Film

Detroit, May 18.—Judge Robert M. Toms in Circuit Court has upheld the refusal of Police Censor Charles W. Snyder to issue a permit for the local showing of Jewel Productions' "Motherhood, or Childbirth."

Warner Club to Dance

Chicago, May 18.—The Chicago Warner Club will hold a cabaret party at the Hotel Sherman's College Inn June 6. Herb Wheeler is in charge of the affair.

Atlantic to Oppose Move in Baynes Suit

Application will be made today to N. Y. Supreme Court Justice Samuel I. Rosenman by Atlantic Film Productions, Ltd., for an order vacating a $30,000 writ of attachment on Atlantic Films in the suit for the same amount brought by George McLeod Baynes. At the same time Atlantic Films will ask the court to vacate the service on it by publication of the [illegible]plaint.

The attachment was issu[illegible]n May of last year, the petition stated, when Baynes first sued, claiming commissions for promoting the distribution and exhibition of "Thunder in the City." The writ, the petition alleged, was served on Columbia Pictures, but a certificate from Columbia indicated that it had no property of Atlantic Films. Atlantic claims that under the law the suit was never properly instituted against it because no actual levy on its property was ever made.

Hungarian Unit to Film Sequence Here

A Hungarian film unit of 60 people will arrive today on the *Saturnia* to film New York sequences in a musical called "Borcsa Amerikaban" (Barbara in America). The company will be here two weeks. The picture is based on a play by Erno Gaal which had a run of 200 performances in Budapest. Mr. Gaal also made the adaptation and is with the party.

Others in the group are Marget Dayka, leading woman; Emre Hamony and Gero Maly, leading men; Marton Kelete, director, and Miklos Vitez, writer.

"Robin Hood" Gets $105,000 1st Week

(Continued from page 1)

"Blonde Alibi" accounted for $6,500 at the Rialto.

"Stolen Heaven," with Bunny Berrigan and orchestra, Gene Raymond and Cass Daly on the stage, grossed $32,000 at the Paramount during the past week. "College Rhythm" opened yesterday.

Contest on "Blockade"

United Artists has inaugurated National Showmanship Week from June 17 through June 24 to mark the national day and date release of "Blockade." All theatres playing the picture during that period will be eligible for prizes totaling $1,000—divided into seven cash awards—for the best exploitation campaign on the film.

Hold Urie Rites Today

Bloomfield, N. J., May 18.—Funeral services will be held here tomorrow for John Urie, who worked for Thomas A. Edison in the early development of the motion picture. He died Tuesday at the Mountainside Hospital in Glen Ridge. He was 84. He is survived by three sons and two daughters.

B & K Considers "Birth"

Chicago, May 18.—B. & K. today viewed "The Birth of a Baby" and planned screenings before medical groups in the hope of obtaining enough support to get the film past the censor board which to date has not reviewed the picture.

FILE DO NOT REMOVE

Alert. Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 43. NO. 117 NEW YORK, FRIDAY, MAY 20, 1938 TEN CENTS

Rogers Leaves "U" Post; Name Work Studio Head

Allied Votes To Ask Price Cuts on Films

Lower Production Costs Cited in Resolution

By AL FINESTONE

PITTSBURGH, May 19.—Resolutions were adopted today at the closing session of the Allied convention recommending that exhibitors ask price adjustments on the current season's contracts in view of production cost reductions instituted by studios.

Another resolution condemned Walt Disney and RKO for asking 50 per cent on "Snow White."

The recommendation in the first resolution was that exhibitors "do not act hastily" in signing for new product, but this was deleted after the Resolutions Committee had consulted

(*Continued on page 5*)

Asher Takes Post With London Films

By AUBREY FLANAGAN

LONDON, May 19.—Irving Asher, who resigned recently as head of Warner British production, is occupying offices at the Denham studios of London Films, headed by Alexander Korda. When Mr. Korda and Mr. Asher left New York recently they indicated that a deal had been concluded under which Mr. Asher would join Mr. Korda's production staff, but that the affixing of signatures would await their arrival in London.

It is anticipated that the former Warner British executive will hold a high executive position as a producer for London Films, and it is considered likely that he will be placed in charge of the production of "Prison Without Bars."

Heads Film Council

London, May 19.—Oliver Stanley, president of the Board of Trade, declared today in the House of Commons that Sir Frederick Whyte has been selected as the chairman of the new Film Council provided in the recently enacted Films Act of 1938.

The selection of Sir Frederick for the key post was exclusively indicated in *Motion Picture Daily* two weeks ago.

Rogers Says . . .

"I do not desire to make any comment at this time with reference to the action taken by the Universal board of directors. The personalities developed under my regime, such as Deanna Durbin and Danielle Darrieux, and the pictures to be released, such as 'The Rage of Paris' with Miss Darrieux, and the John Stahl production, 'A Letter of Introduction,' with Edgar Bergen and Charlie McCarthy, will speak for themselves."

Reinstatement of 6 Is Upheld by Court

Supreme Court Justice Samuel I. Rosenman yesterday granted the application of the N. Y. State Labor Relations Board for an order enforcing its decision directing the United Long Island Theatre Corp. and five other independents on Long Island to refrain from interfering with the unionization activities of their employees. The independents were also ordered to desist from their alleged practice of making employment conditional upon employes abstaining from membership in Local 306. At the same time reinstatement of six previously discharged employes of the independents was ordered.

Justice Rosenman, in a combination motion, denied the request of the independents for a stay of the proceedings by the board. Hearings before the State Labor Board were instituted on the complaint of the six discharged employes and Local 306, in which the independents were charged with "unfair labor practices."

Columbia Decides On Four Reissues

CHICAGO, May 19.—The second of Columbia's four regional sales meetings was concluded at the Drake here today with the announcement that the company will reissue four pictures immediately. The pictures are "Man's Castle," "She Married Her Boss," "The Whole Town's Talking" and "Twentieth Century."

Jack Cohn, Columbia vice-president, who attended the three-day sales sessions here, left for New York this afternoon. A. Montague, general sales manager; Rube Jackter, assistant sales manager, and Hank Kaufman, manager of exchange operations, will leave for Dallas tomorrow, where the third of the four regional meetings will be opened at the Baker Hotel on Monday.

Other home office executives who are here will return to New York on Saturday. They are Max Weisfeldt, short subjects sales supervisor; Maurice Grad, George Josephs and Milton Hancock.

The Holdover Record

The following tabulation indicates the leading pictures of the current period, alphabetically arranged. Recorded are the number of cities in which each film has played, the total gross for its showings therein to date, and the number of weeks of holdover each has had.

Picture	*No. of Cities*	*Gross*	*Holdovers*
Adventures of Tom Sawyer	22	$ 508,600	23
Buccaneer	23	682,800	26
Hurricane	23	988,650	65
In Old Chicago	23	1,241,700	82
Jezebel	21	612,500	27
Mad About Music	23	625,100	39
Snow White	23	2,222,750	111
A Yank at Oxford	23	441,450	19

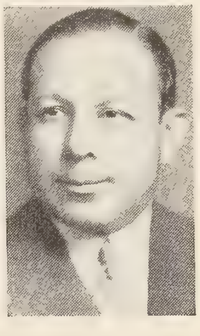
New Executive Has Been RKO Theatre Division Manager on Coast

Charles R. Rogers was relieved of his post of executive vice-president of Universal in charge of production by the company's board of directors which convened yesterday at Mr. Rogers' request to hear his claims to complete authority over studio and production affairs.

N. J. Blumberg

Clifford Work, Pacific Coast divisional manager for RKO Theatres, was elected a vice-president of Universal and general manager of the studio at the same meeting.

The company has made no decision yet on the appointment of an executive producer to succeed Mr. Rogers. This will be worked out by Nate J. Blumberg, Universal president, on his return to the studio. He will leave tonight with plans for spending a month or more on the coast. With him will be Matthew J. Fox, Universal vice-president and assistant to Mr. Blumberg, who, after having been at the studio for the past six weeks, was called into New York hurriedly a few days ago to attend yesterday's board meeting.


Charles Rogers

With them on the westbound trip will be John J. O'Connor, who succeeded Mr. Blumberg as RKO Theatre operating head when the latter resigned five months ago to accept his present post with Universal. In tendering his resignation from RKO, Mr. Blumberg added a postscript in the form of a staunch recommendation for Mr. O'Connor as

(*Continued on page 9*)

Radio News—P. 8

◂ Purely Personal ▸

JOSEPH I. BREEN, Production Code Administrator on the coast, will sail with Mrs. Breen on the *Saturnia* tomorrow for a vacation abroad. They will be away for several weeks.

•

John Kissenger, one of the two living survivors of the yellow fever inoculation test in 1900, arrived in New York yesterday to see "Yellow Jack" at the Capitol.

•

David Golden of 20th Century-Fox, did the adaptation of "Passenger to Bali," the Ella St. Joseph novel, which was broadcast over NBC last night.

•

H. W. Warren, formerly vice-president in charge of sales at National Studios, is now associated with Photocolor Studios, Inc.

•

J. J. Ferratti of the U. S. International Air Conditioning Corp. has returned from a business trip to the West Indies.

•

Olivia de Havilland was guest of honor at a luncheon yesterday in Philadelphia for the local and suburban press.

•

Crane Wilbur's "Bat Out of Hell" and Harold Shumate's "Picardy Max" have been acquired by RKO.

•

Jerry Keyser, in charge of Warner foreign publicity, will leave tonight for a 10-day stay at the coast studios.

•

Ben Roman has been added to Arthur Greenblatt's New York exchange of G. B.

•

. . . Indianapolis

Bob MacRaven has been transferred to the St. Louis office of M-G-M. Warren Slee goes to Detroit from the local M-G-M office.

B. N. Peterson is the father of a boy. He is a salesman for National Theatre Supply Co.

•

. . . Omaha

E. A. Harms has been named Nebraska representative for National Theatre Supply Co.

Jerry Bahner, Paramount salesman, has been transferred to the Des Moines branch.

Everett Strickland, veteran film salesman, has returned to Omaha after a 12-year absence and has joined Western Theatre Supply Co. as salesman.

F. A. Rohrs, U.A. branch manager at Washington, D. C., was here visiting relatives.

Serial at Criterion

"The Fighting Devil Dogs," Republic serial, has been booked into the Criterion, starting May 27. This is said to be the first time that two serials have played consecutively in a Broadway house. The deal was handled by Herman Gluckman, local Republic franchise holder. The serial has also been booked by Loew's, Inc., for its 46 houses in New York and surrounding territory.

Sears Speech Heard By Sales Federation

Dallas, May 19.—Gradwell L. Sears, general sales manager for Warners, addressing the third annual convention of the National Federation of Sales Executives at the Baker Hotel, stated that the film industry is the mutual ally of every branch of American industry.

"With every picture we make we are selling your product not only in this country but throughout the world, as American films have planetary distribution," said Sears. "Of course there is no such thing as direct advertising on the screen, but inevitably there is a powerful, indirect incentive created toward a higher standard of living, better home furnishings, better cars, better clothes for men, women, and children, in fact in every phase of life there is this continuous selling job that American motion pictures are carrying on for American products. From the largest cities to the tiniest hamlet our pictures are carrying this message which without question results in tangible benefits to every branch of American industry."

Warners Win Order In Plagiarism Suit

Application of Warner Bros. Productions Corp. and Warner Bros. Pictures, Inc., for an order directing the taking of written interrogatories in Los Angeles of F. Hugh Herbert, Erwin Gelsey, Jerome Kern, Oscar Hammerstein II, Hal Wallis and Mervyn LeRoy in the $250,000 plagiarism suit of Harry Armstrong and Richard H. Gerard was granted yesterday by N. Y. Supreme Court Justice Samuel I. Rosenman.

At the same time Justice Rosenman denied a request of Warners for a stay of the trial pending the examination without prejudice to a later renewal of the application. The plaintiffs, as alleged composers of the old song, "Sweet Adeline," are suing Warners and Mr. Witmark & Sons, Inc., music publishers, claiming plagiarism in the picture of the same name.

Hold "Hood" in 22 Spots

"The Adventures of Robin Hood" will be held for extra playing time in 22 situations, according to reports received by the Warner home office from the key cities where the film is playing.

Garrick to Change Policy

Chicago, May 19.—A reissue, "Son of the Sheik," has been booked into the Garrick by B & K, starting Friday. On the completion of the picture's run, the house is expected to begin a newsreel policy.

By Police Request

Kansas City, May 19.—Otto P. Higgins, Director of Police, has wired Wallace Beery asking him to act as "em cee" and be guest of honor May 25 at the Missouri Police Chief's and Sheriffs' Association convention at the Hotel President. Mr. Beery's father once was a member of the Kansas City police force.

Depositions Sought Here in Ascap Case

Barlow Nye, assistant attorney general of Nebraska, is in New York to obtain the depositions of officials and members of Ascap in preparation for the trial of the music licensing society's Federal court action to have Nebraska's anti-Ascap law invalidated as unconstitutional.

Trial of the case is expected some time next fall before a three-judge statutory court at Lincoln.

More Censor Appeals Up

The special sub-committee of the Board of Regents empowered to consider appeals on pictures rejected by the Motion Picture Division met in the State Office Building here yesterday to screen "Assassin of Youth." New York State rights are held by Leo J. McCarthy, who submitted the film for licensing in March. The picture is also known in some states as "Marijuana."

The 12 members of the Board of Regents will hold their monthly meeting in the State Office Building today. At this time, the sub-committee may report its decision on appeals from "Souls for Sale" and "The Pace That Kills," rejected films screened last month.

Negro Protests 'Nation'

Orange, N. J., May 19.—At the instance of Dr. Theodore Inge, Negro physician, Adolph J. Rettig, manager of the Ormont here, has been arrested on a charge of creating racial hatred by exhibiting "The Birth of a Nation." He awaits the action of the Essex County Grand Jury.

Color Film for G. B.

G. B. will produce "The Blue Lagoon" in color, its first departure from the black and white form. Exteriors will be filmed in the West Indies.

M-G-M Signs Robt. Donat

Hollywood, May 19.—Robert Donat has signed a contract with M-G-M calling for six pictures, the first of which will be "The Citadel."

Say Blood Colors Film

Washington, May 19.—Blood corpuscles on negative are the latest agents to which the developers of color film are turning, it develops as the result of the granting of patent No. 2,115,866 to Chalmers C. Smith of Glendale, Cal., and Ray H. Pinker of Los Angeles.

They use sheep's blood. The negative is dipped in it, a layer of albumen and alcohol is put on to protect it, and then the usual photographic emulsion is applied.

The corpuscles are dyed before being put on the negative. Sharper definition and faster exposures are claimed for the process.

Grainger Election Is Set for Monday

James R. Grainger will be elected president of Republic Pictures by the company's board of directors on Monday. His employment contract with the company becomes effective the same day.

On his arrival here early this week Mr. Grainger stated that while he expected to be on the road much of the time he would make New Y[illegible] his headquarters after assuming h[illegible]ew post on Monday.

Pascal to Produce Two Plays of Shaw

London, May 19.—Gabriel Pascal has signed a contract with George Bernard Shaw and will produce the playwright's work, "The Devil's Disciple," this year. Later, Mr. Pascal will make a film of Shaw's "Anthony and Cleopatra." The author will supervise the scripts, and Leslie Howard will co-direct.

Diana Wynyard has been signed to play the part of Lady Hamilton in Mr. Pascal's production on the life of Lord Nelson.

To Broadcast Opening

Los Angeles, May 19.—The opening of "Alexander's Ragtime Band" at the Carthay Circle here May 24 will be broadcast over Mutual from 12:30 to 1 A. M., E.D.S.T., with George Fischer as "em cee." Among the stars scheduled to appear before the microphone are Joan Crawford, Robert Taylor, Spencer Tracy, Fannie Brice, Deanna Durbin, Irene Dunne, Constance Bennett and the featured trio in the picture, Tyrone Power, Alice Faye and Don Ameche.

MOTION PICTURE
DAILY
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The stormy adventures of three who were valiant
. . . united by danger as a nation rings to the
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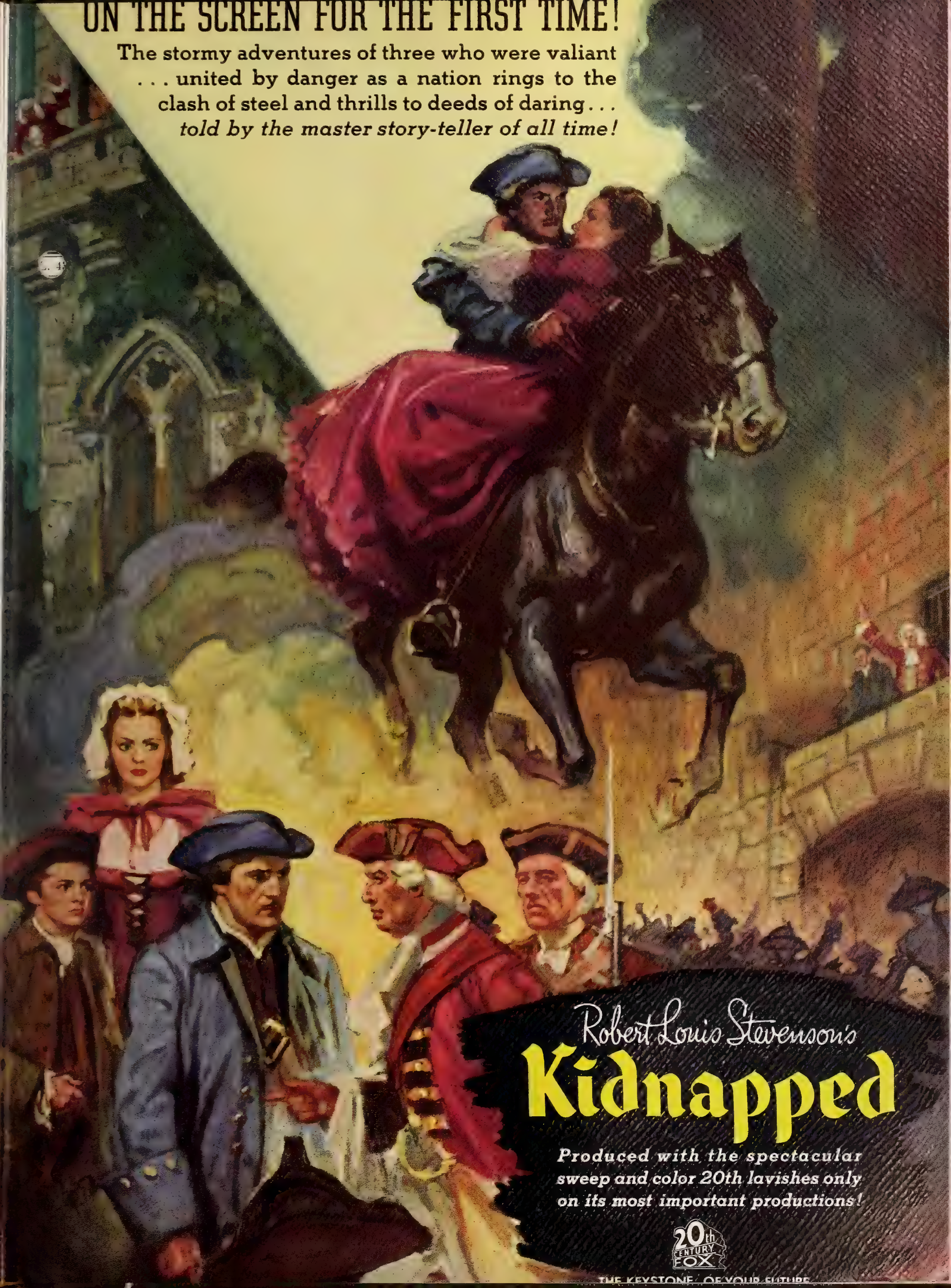
told by the master story-teller of all time!



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Kidnapped

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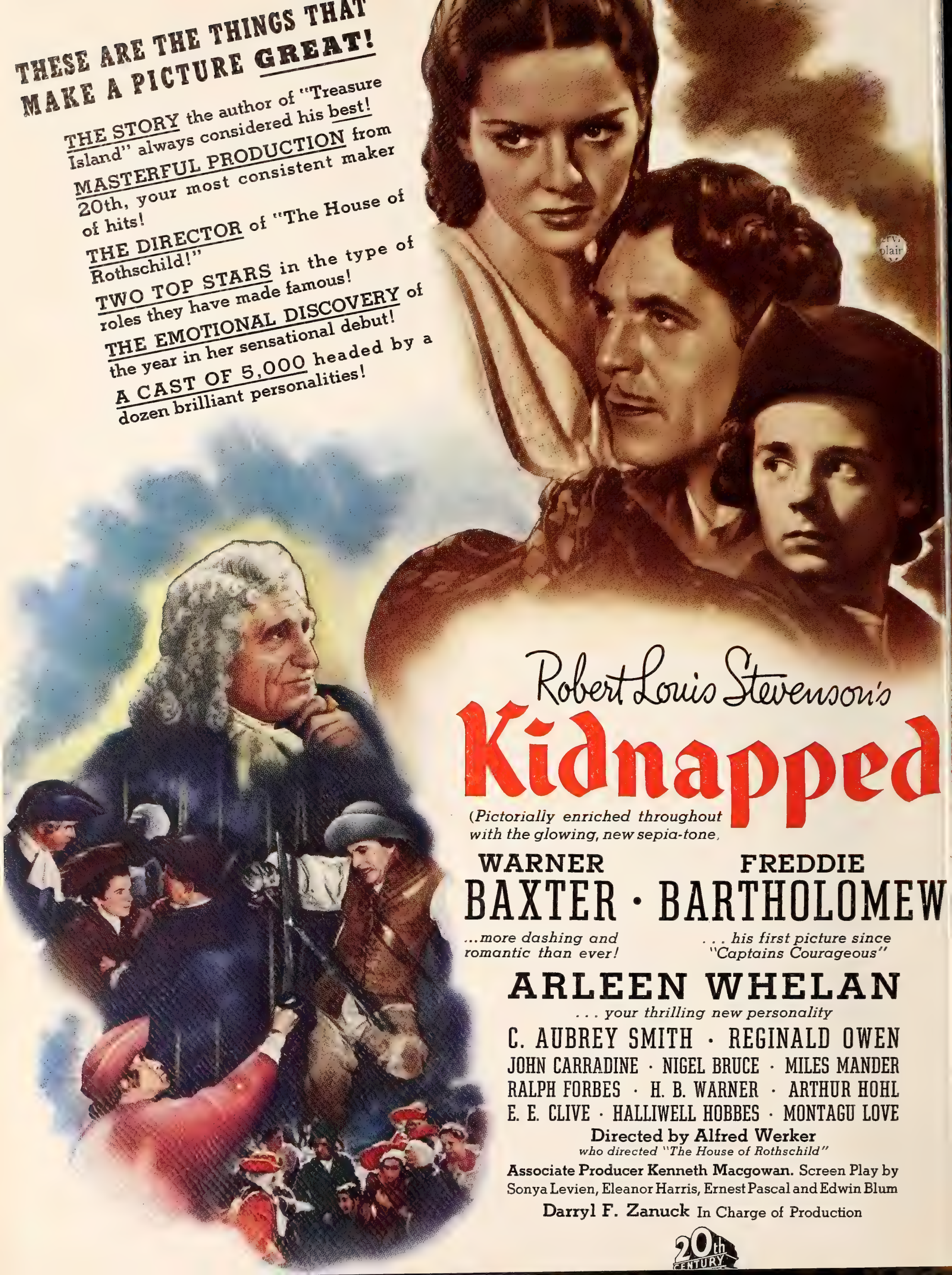

THESE ARE THE THINGS THAT MAKE A PICTURE GREAT!

THE STORY the author of "Treasure Island" always considered his best!

MASTERFUL PRODUCTION from 20th, your most consistent maker of hits!

THE DIRECTOR of "The House of Rothschild!"

TWO TOP STARS in the type of roles they have made famous!

THE EMOTIONAL DISCOVERY of the year in her sensational debut!

A CAST OF 5,000 headed by a dozen brilliant personalities!

Robert Louis Stevenson's

Kidnapped

(Pictorially enriched throughout with the glowing, new sepia-tone,

WARNER BAXTER · **FREDDIE BARTHOLOMEW**

...more dashing and romantic than ever!

. . . his first picture since "Captains Courageous"

ARLEEN WHELAN

. . . your thrilling new personality

C. AUBREY SMITH · REGINALD OWEN
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RALPH FORBES · H. B. WARNER · ARTHUR HOHL
E. E. CLIVE · HALLIWELL HOBBES · MONTAGU LOVE

Directed by Alfred Werker
who directed "The House of Rothschild"

Associate Producer Kenneth Macgowan. Screen Play by Sonya Levien, Eleanor Harris, Ernest Pascal and Edwin Blum

Darryl F. Zanuck In Charge of Production

20th CENTURY

MOTION PICTURE
DAILY

Allied Votes To Ask Price Cuts on Films

(*Continued from page 1*)

with Abram F. Myers and Harry G. Kosch, the latter counsel for New Y[illegible] Allied. They objected on the gr[illegible] that this contained "boycott and conspiracy implications."

L. 4

William L. Brown of Tarentum, Pa., spoke on local litigation and legislation problems and Col. H. A. Cole described specific court actions brought by exhibitors.

Sidney Samuelson thanked Fred J. Herrington, secretary of the M.P.T.O. of Western Pennsylvania, for the contion arrangements.

Allied Leaders Will Go to North Dakota

PITTSBURGH, May 19.—A number of Allied leaders are planning to attend the hearing on the North Dakota theatre divorcement law which will get under way at Fargo June 1, said Louis B. Schwartz, chief counsel for the defense, who is here attending the Allied convention.

Schwartz predicts that the hearing before Judges Sanborn, Thomas and Sullivan, sitting as a special Federal statutory court, will last 10 days. Twelve Allied spokesmen and independent exhibitors will be on hand. Among them will be Abram F. Myers, Col. H. A. Cole, Sidney Samuelson, Al Steffes, Arthur K. Howard and F. J. McWilliams.

Set Gracie Fields' Next

LONDON, May 19. — Gracie Fields' next production for 20th Century-Fox in England will be "Paddy Darling," an Irish comedy. It will go into work following "Piccadilly Circus."

"Penitentes" Ban Upheld

BALTIMORE, May 19.—Judge George A. Solter in City Court upheld the Maryland censor board's ban on "Lash of the Penitentes." The judge called it "incredibly stupid."

Wall Street

Board Issues Show Losses

	Open	High	Low	Close	Net Change
Col.	12⅝	12¾	12⅝	12¾	+ ⅛
Cons.	1⅛	1⅛	1⅛	1⅛	.....
E. K.	157	157	154	154	—2⅛
G. T. E.....	11⅞	11⅞	11½	11½	— ¼
Loew	42	42	41⅛	41⅛	—1⅛
Para.	7⅝	7¾	7½	7½	— ¼
Para. 2	8¾	8¾	8¾	8¾	— ¼
Pathe	4⅞	4⅞	4¾	4¾	— ¼
RKO	2⅛	2⅛	2⅛	2⅛	.....
20th Fox ..	22¾	22¾	22⅛	22½	— ⅛
Univ. pfd...	34	34	34	34	.....
W. B.	5	5	5	5	.....

Fractional Curb Declines

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	—1/16
Monogram	1⅝	1⅝	1⅝	1⅝	.....
Tech.	23¼	23¾	23¼	23¼	— ⅜

Para. Bonds Rise Slightly

	High	Low	Close	Net Change
Loew 3½s '46	100¾	100¼	100¼	— ½
Para. Pict. 6s '55	91½	91	91½	+ ½

(Quotations at close of May 19)

Thomson to Be Made Officer of Four A's

Kenneth Thomson, executive secretary of the Screen Actors Guild, will be confirmed as a vice-president of the Associated Actors & Artistes of America, the parent A. F. of L. performers' union, at the annual meeting of the latter organization to be held here June 6. The naming of Thomson is in recognition of the guild's new position of influence in Four A's activities, which now encompass stage, screen, radio and opera.

Also slated to be named to Four A's posts at the annual meeting are Gene Greenfield, a replacement as a vice-president, and Leo Fischer, a replacement as treasurer. No general election of officers is scheduled at the meeting, however, as the regular slate was elected last year for two-year terms. The three appointments to be confirmed at the meeting are to fill vacancies.

The annual reports of officers will be made at the meeting, but the proposed changes in the organization's constitution, giving effect to a closer union of the several member organizations, are not expected to be ready for consideration in time for the meeting, according to Frank Gillmore, Four A's president.

A. F. M. Opposed to New Vaudeville Plan

The American Federation of Musicians will oppose Vaude-Vision, a new mechanized form of vaudeville, it was said yesterday by Joseph N. Weber, president of the musicians' union.

Vaude-Vision is the development of B. A. Rolfe and Jack Horn, and consists of live talent without sets or scenery and also minus a pit orchestra. Its scenery is projected on a backdrop by film, and a synchronized musical track replaces the orchestra.

The union's opposition to Vaude-Vision is natural in that for years it has been waging a fight against mechanized music in theatres. Weber said yesterday that if its sponsors persist in attempts to book Vaude-Vision into theatres, he will issue an order prohibiting members from providing the music for the sound tracks.

New Laboratory Meeting Today

Due to the lack of full attendance by representatives of the major companies' laboratories at a recent meeting, the M. P. Laboratory Technicians' Union, Local 702, has called another meeting for this afternoon to discuss contracts and wage scale negotiations.

To Start on Shorts

Musart Film Productions will start shooting on the first of a series of six musical shorts next Tuesday at the Film Art Studios in the Bronx. The first, featuring Marusia Georgieovsky and Zinaida Ouzarova, will be directed by Edgar G. Ulmer and produced by Michael Gann.

Neilan-Kenton Signed

HOLLYWOOD, May 19.—Marshall Neilan and Erle Kenton have been signed as a writer-director team by Principal Productions. Their first assignment is "Fisherman's Wharf," Bobby Breen's next.

Washington's Top 'Chicago' As a 2nd Run

WASHINGTON, May 19.—"In Old Chicago," in a return engagement at Loew's Columbia, was the only downtown attraction to make a dent in the prevailing slump. The $4,800 gross was $1,200 into the profit column.

Stage shows with "Four Men and a Prayer" and "Women Are Like That" at Loew's Capitol and the Earle, respectively, failed to pull these two houses out of the doldrums.

Total first run business was $54,500. Average, $73,700.

Estimated takings, exclusive of tax:

Week Ending May 12:

"IN OLD CHIGACO" (20th-Fox)
(Return engagement)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days. **Gross:** $4,800. (Average, $3,600)

"MAD ABOUT MUSIC" (Univ.)
R. K. O. KEITH'S—(1,836), 25c-55c, 7 days, 2nd week. **Gross:** $8,700. (Average, $10,600)

"TEST PILOT" (M-G-M)
LOEW'S PALACE—(2,370), 25c-55c, 7 days, 2nd week. **Gross:** $10,500. (Average, $15,900)

"FOUR MEN AND A PRAYER" (20th-Fox)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: "Waikiki Nights." **Gross:** $15,500. (Average, $20,900)

"WOMEN ARE LIKE THAT" (W. B.)
EARLE—(2,218), 25c-66c, 7 days. Stage: "Broadway Discoveries of 1938" in 12 acts. **Gross:** $11,500. (Average, $18,400)

"BORDERTOWN" (W. B.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,300)

Ampa Ballot Lists Going to Theatres

Completed ballot lists for voting on the annual Ampa awards have been received by the 1938 Awards Committee, and these are to be mailed soon to theatre owner judges in key and smaller cities.

In the list are: Columbia, "Lost Horizon," "The Awful Truth" and "I'll Take Romance"; Lenauer International, "Mayerling"; M-G-M, "A Day at the Races," "Broadway Melody of 1938," "Saratoga" and "The Good Earth"; Monogram, "Boy of the Streets," "Paradise Isle" and "Hoosier Schoolboy"; Paramount, "Artists and Models," "The Plainsman," "Souls at Sea" and "Wells Fargo"; RKO, "Shall We Dance?" and "Stage Door"; Republic, "Dick Tracy," "Manhattan Merry-Go-Round," "The Hit Parade" and "Two Wise Maids"; United Artists, "The Hurricane," "A Star Is Born," "Stella Dallas" and "The Prisoner of Zenda"; Universal, "100 Men and a Girl," "You're A Sweetheart," "Merry-Go-Round of 1938" and "The Road Back"; Warners, "The Life of Emile Zola," "Alcatraz Island," "Submarine D-1" and "The Marked Woman."

First choices and runnersup will be chosen from the list and the awards will be made at the third annual Ampa dinner.

Move Jam Handy Unit

The New York production unit of Jam Handy Picture Service, Inc., has been consolidated and is being moved into new studios in the Central Zone Building, 305 East 45th St.

"Robin Hood" Double Smash On the Coast

LOS ANGELES, May 19.—"Adventures of Robin Hood" began shooting arrows at records from the start of its day and date runs at Warners' Hollywood and Downtown. The take at the former, $24,600, was $10,600 over normal, and at the latter it was $24,100, more than 100 per cent over par. There's been nothing like it around here for some time.

"Vivacious Lady," on a dual with "The Crime of Dr. Hallet," was strong at the Hillstreet and Pantages. At the former the $9,600 gross was up by $3,100 and at the latter the $10,400 take was $3,400 over the line. The competition was hard on other houses.

Total first run business was $107,341. Average is $90,950.

Estimated takings for the week ending May 18:

"IN OLD CHICAGO" (20th-Fox)
"ISLAND IN THE SKY" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days, 2nd week. **Gross:** $8,788. (Average, $12,500)

"STORM IN A TEACUP" (U.A.)
ESQUIRE—(900), 40c-55c, 6 days. **Gross:** $1,200. (Average, $2,500)

"SAILING ALONG" (G.B.)
"ADVENTURES OF CHICO" (Woodward Bros.)
4 STAR—(900), 40c-55c, 7 days. **Gross:** $3,535. (Average, $3,250)

"DYBBUK" (Foreign)
GRAND—(750), 35c-40c, 6 days. **Gross:** $1,900. (Average, $1,200)

"VIVACIOUS LADY" (RKO)
"THE CRIME OF DR. HALLET" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $9,600. (Average, $6,500)

"IN OLD CHICAGO" (20th-Fox)
"ISLAND IN THE SKY" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days, 2nd week. **Gross:** $12,718. (Average, $14,000)

"VIVACIOUS LADY" (RKO)
"THE CRIME OF DR. HALLET" (Univ.)
PANTAGES — (3,000), 30c-65c, 7 days. **Gross:** $10,400. (Average, $7,000)

"COCOANUT GROVE" (Para.)
"TIP-OFF GIRLS" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. **Gross:** $10,500. (Average, $18,000)

"ADVENTURES OF ROBIN HOOD" (F.N.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days. **Gross:** $24,600. (Average, $14,000)

"ADVENTURES OF ROBIN HOOD" (F.N.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days. **Gross:** $24,100. (Average, $12,000)

G. B. Closes Two Deals

G. B. has closed a deal with Loew's for the showing of "To the Victor" in the latter's houses outside of New York. The deal was arranged by Arthur Greenblatt for G. B. and Joel Levy of Loew's. Mr. Greenblatt also closed with Eugene Picker of the Loew Metropolitan circuit for "Sailing Along."

Start Agent Licensing

A drive to license all theatrical booking agencies has been started by Commissioner of Licenses Paul Moss. The fee will be $25, plus $10 for a $1,000 bond. Department agents are now visiting all reputable agencies which handle stage, screen and radio talent.

Murphy Leaves RKO

DETROIT, May 19.—Eddie Murphy veteran Michigan showman and salesman, has resigned from the local RKO sales staff.

Newsreel Parade

Movietone News

Vol. 20, No. 72

(20th Century-Fox)

The recent night air raid at Farmingdale, L. I., has the lead position in this issue. The filming is dramatic, catching all the action, and the comment aptly rounds out the material. The balance of the reel is made up of moderately interesting clips that are more entertaining than they are news worthy.

William Martin, newly elected president of the Stock Exchange, speaks briefly on recovery. The Exchange floor, rarely photographed, is seen. Four hundred Californians ride in the revival of an old Spanish custom—visiting friends once a year. School girls dance around Maypoles in Central Park. The *Nieuw Amsterdam* is shown at sea under a head of steam and later coming up the North River. They are good views. The fashion division concerns itself with the latest styles, seen around race tracks. Lew Lehr offers amusing comment with a performing chimpanzee. The sporting division offers football in New York as played and fought by Irish teams; the Royal Agricultural Show in Sydney, Australia, pictures horses jumping over hazards, and a slambang wrestling match in Melbourne ends the reel. Running time, 9 mins. P.

News of the Day

Vol. 9, No. 270

(M-G-M)

This issue is nicely balanced and combines various aspects of the news scene of the past few days in an interesting manner.

The air raid on Farmingdale, L. I., has the first position. The shots are good examples of night photography under difficult light conditions. The *Nieuw Amsterdam* is seen at sea and coming up the bay. Ranchers ride in the Santa Inez valley in observance of an old custom when settlers went visiting every year. The new head of the Stock Exchange speaks briefly and scenes of the board of directors and the Exchange floor supplement the story—the election of the organization's new president. A comical chimpanzee in a carnival show performs at Chester, Pa. The Sporting Page offers the Albany-to-New York outboard motorboat race. Artists race with automobile tires on Paris streets and Walter Hagen and Joe Kirkwood show Japanese golfers a few difficult shots. Running time, 9 mins. P.

Paramount News

No. 83

(Paramount)

The reel's leading clip are the shots of the Army Air Corps maneuvers, and the "attack" on Farmingdale, L. I. The cameramen have succeeded in presenting a good picture of the realistic-appearing air raid. There are news and interest in the pictures of the fire which cost so many lives in the Atlanta hotel, and in the inauguration of William Martin, Jr., 31, as head of the N. Y. Stock Exchange. Scenes on the trading floor are shown.

The rest of the reel pictures effectively the arrival in New York of the *Nieuw Amsterdam*, new Dutch liner, and the ship at sea; Queen Mother Mary presenting the colors to her own regiment on her 71st birthday; the use of charcoal for motor fuel in Tokyo to conserve gasoline, and the New York construction which employs welded, instead of riveted steel girders. Running time, 9 mins. A.

Universal Newsreel

Vol. 10, No. 668

(Universal)

Night pictures of the Army air force war games and the simulated attack on Farmingdale, L. I., have the featured spot in this release. The pictures are unusual and in some respects spectacular, particularly in view of the difficulties which confronted the cameramen after the town had been "blacked out" in advance of the arrival of the attacking planes.

Shots of a Japanese plane which managed to fly 800 miles and land safely after losing a section of one wing in combat over China make a "stranger than fiction" subject. A diagram of the manner in which the plane was disabled is inserted. Several subjects are outstanding for meritorious photography which emphasizes picturesque settings. These include the arrival of the *Nieuw Amsterdam* in New York harbor on her maiden voyage, snow plows in action in Rocky Mt. Park, Col., California ranchers in a revival of the Spanish settlers mass visiting custom, and fancy diving exhibitions at Pasadena, Cal.

Other subjects include a street pageant of Dutch tradition enacted in Holland, Mich., a statement of new policies for the N. Y. Stock Exchange by its new 31-year-old president, Maypole dancing and model boat races in New York's Central Park, an unusual setting for a Tennessee tug of war, and a British mine disaster.

The release is of better than average audience worth, well produced, edited and narrated. Running time, 9½ minutes. K.

Hollywood Previews

"The Lady in the Morgue"

(Universal)

Hollywood, May 19.—Despite the rather gruesome title, and the fact that a lot of time is spent in a morgue and moments are given over to grave looting and breaking into a tomb, "The Lady in the Morgue" is amusing entertainment. It is crowded with those elements that make a good comedy and full of those that make up a suspenseful crime mystery. Showmanship availability is the keynote of the style in which scenarists Eric Taylor and Robertson White have transcribed Jonathan Latimer's Crime Club story. Their work results in a cleverly complicated plot which should confound those who jump at immediate conclusions. The film's showmanship quantities are accentuated by Otis Garrett's direction, and Preston Foster, Frank Jenks and Patricia Ellis turn in A-1 performances. The Irving Starr production looms as a feature suitable for any house where melodramatic mystery, comedy, action, adventure and excitement is appreciated.

Necessary preliminaries completed, a woman's body disappears from a morgue, the keeper is slain and Policemen Thomas Jackson and Morgan Wallace suspect Detective Foster and his funny partner, Jenks, of complicity in both crimes. But three different forces want to obtain the body for devious purposes. With ease and aplomb, Foster, aided by Jenks, goes about his investigations unmindful of the menaces which rival racketeers, Joseph Downing and James Robbins; the police, suave Gordon Elliott and all the suspects, become to him. By means of a slick bit of detecting, he recovers the body, sets a trap for the dual killer, whom he bags at the coroner's inquest, turns up a missing girl who had hoped she would be regarded as the corpse, proves the racketeers had nothing to do with the case, as much as they claimed they did, and demonstrates that the police many times bark up the wrong tree.

Running time, 65 minutes. "G."

"Crime Takes a Holiday"

(Darmour-Columbia)

Hollywood, May 19.—Jack Holt moves indoors in "Crime Takes a Holiday" to enact the role of a district attorney whose job it is to round up a gang of racketeers harassing his district. The transition of background is effected without the loss of the entertainment elements which Larry Darmour embodies in his productions for Columbia release.

The story's novel denouement, as well as the devices used to further the plot, place this above the average prosecutor-racketeer pictures, of which for some time there have been many. Of suspense, there is much; of action, there is plenty. Holt fans will be satisfied, and the veteran may gain added following among those who might not have been attracted by the outdoor action pictures in which he has starred.

Lewis D. Collins executed a capable job of directing the skillful adaptation by Jefferson Parker, Henry Altimus and Charles Logue of Altimus' original. With Holt are Marcia Ralston, Russell Hopton, Douglas Dumbrille, Arthur Hohl, Thomas Jackson, John Wray, William Pawley, Paul Fix, Harry Woods and Joe Crehan.

Holt, as district attorney, convicts a man, with the latter's consent, of murder, in hopes of flushing out the real gang leader. Failing within a certain time to bring the genuine criminal to justice, Holt fails to get a reprieve from the Governor for the doomed man, but in a last minute try, uncovers the criminal via a radio broadcast, unknown to the gang leader, and is successful in freeing his helper.

Running time, 61 minutes. "G."

Variety Club

Detroit

Detroit, May 19.—Jackie Cooper will be guest of honor and there will be other entertainment at the Saturday night party of Variety Club. Duncan C. McCrea, Wayne County prosecutor, and Mrs. McCrea will be host and hostess.

The dance orchestra includes Paul Frischkorn, L. Spaulding, Wayne Edwards, Jerry Bowden and Hal Burriss.

Variety Club at its final luncheon of the season, May 23, will have as guest of honor Rabbi Leon Fram, one of the club's chaplains, who will tell of his trip last summer through Germany, Austria, Hungary, Roumania, Czechoslovakia and Poland.

Alma Phillips and Allan Summits will render classical selections.

Omaha

Omaha, May 19.—Variety Club members held annual golf tournament at Highland Country Club May 16. Joe Scott, 20th-Fox manager, won from Al Avery, RKO manager, on the flip of a coin after they had tied in the deciding match.

Twenty-eight members and visiting exhibitors participated in tourney and a like number played cards. The committee included Glenn Rogers, chairman; Avery, Scott and Chief Barker Walt Green.

Horoscope Assigns Men

Horoscope Publishing Co. has appointed a number of new field representatives. Benjamin R. Tolmas has been assigned to eastern Pennsylvania, New Jersey and Delaware, with offices in Philadelphia; Carl F. Mock goes to Texas, Oklahoma and Arkansas with offices in Dallas; Charles E. Goodwin has upper New York state with an office at Buffalo; Mayer H. Monsky gets Iowa, Nebraska, Missouri, Kansas, Minnesota, North and South Dakota, Colorado, New Mexico and Wyoming, with headquarters at Omaha, and Morris Segal has Ohio, Kentucky and southern West Virginia, with offices at Cincinnati.

Record for "Sonata"

Attendance records at the Little Carnegie Playhouse were broken during the first week of "Moonlight Sonata," which stars Ignace Jan Paderewski, pianist. From the opening day, Monday, May 9, until the following Sunday night, 14,000 paid admissions were recorded.

Bob Livingston Hurt

Lincoln, May 19.—After falling from a ladder while directing the mounting of a sign on the front of his theatre, Bob Livingston, owner manager of the Capitol, dislocated a vertebra and has been in bed. It is not serious.

"Here's to Danger . . . and Its Price!" . . .

'The Saint' always left his card.

Meet 'The Saint' *. . . audacious adventurer, man of mystery, master of men and matters outside the law! . . . Not a criminal, not a detective, perhaps a little bit of both! . . . A modern Robin Hood matching wits with the world for the love of danger and the thrill of reckless living! . . . The most amazing character that ever stepped out of the pages of a series of smash-selling novels!*

See 'The Saint' at work on the big-shot gangsters of New York . . . It's a revelation!

The 'SAINT' IN NEW YORK

with

LOUIS HAYWARD

KAY SUTTON SIG RUMANN

JONATHAN HALE

Screen play by Charles Kaufman & Mortimer Offner

Directed by Ben Holmes. Produced by William Sistrom

RKO RADIO PICTURES

From the novel by
LESLIE CHARTERIS, *author of the series of smash-selling "Saint" books*

Haley Is Signed for New Show Over CBS

Jack Haley has been signed for a new half-hour program beginning September 30 for Wonder Bread and Hostess Cake, products of the Continental Baking Co. The program will be presented in addition to "Pretty Kitty Kelly," dramatic serial which the same sponsor has been presenting since March over CBS.

Signed in addition to Haley was Ted Fio Rito's orchestra. The program, as yet untitled, will be heard over 43 CBS stations, Fridays at 7:30 P. M., with a rebroadcast at 9:30 P. M. for the Pacific Coast. Benton & Bowles is the agency handling the account.

Bill Seeks Control Over Wire Services

ALBANY, May 19.—Jurisdiction of the Public Service Commission over radio corporations, broadcasting and messenger services is asked under the terms of an amendment entered in the Constitutional Convention here today by Senator J. T. McCall, Tammany Democrat. The bill asks that the public have the right to demand that these services "be conducted with reasonable efficiency and under reasonable charges."

Senator McCall told MOTION PICTURE DAILY that the intent of the bill is to provide new means of state revenue. A similar bill entered in the recent legislative session died in committee.

NBC Executives at Dedication of KGKO

FT. WORTH, May 19.—Major Lenox R. Lohr, president of NBC, and Niles Trammel and William Heges, vice-presidents, attended the formal dedication ceremonies of KGKO held last night at the Auditorium here. Major Lohr said, "KGKO is an extremely important addition to NBC."

NBC loaned Gene Arnold and Don McNeill for the two-hour program, a half hour of which was broadcast over a nation-wide NBC hookup.

Lord Takes Rights On All Norris Work

Exclusive radio rights to all the published and unpublished novels of Kathleen Norris have been turned over to Phillips H. Lord by Doubleday, Doran & Co.

Lord has already completed scripts and sample waxing on a show, which will be made available to a national sponsor. Lord recently also obtained radio rights to name and material of Lloyds of London.

Renew WHN Program

Community Opticians have renewed their contract with WHN for four more weeks of sponsorship of the "Early Bird" program, broadcast Monday through Saturday in the morning. The Commonwealth agency, Boston, placed the renewal.

Sisson Quits Agency

Ted Sisson, radio director of Lord & Thomas, has resigned to become assistant to Gregory Williamson, radio director of Pedlar & Ryan.

▸ Radio Personals ◂

JOHN E. McMILIN, radio director of the Compton agency, is in Chicago in connection with the agency's shows which originate there . . . Cy Morgan has been signed by WHN to handle sports programs . . . Joseph Julian, regularly heard with the "Myrt and Marge" and "True Story" programs, is driving to the coast on a combination vacation and business trip. He is looking for a lead for "Double Feature," a play he wrote in collaboration with Maxwell Weinberg, to be produced at the Wharf Theatre, Provincetown, this summer . . . Jack Hasty, author of Jean Hersholt's "Dr. Christian" series, has left for six weeks in London.

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Albany

WGY, 50,000-watter at Schenectady, dedicated its 625-foot antenna tower last week with a special radio program . . . Local theatres currently are plugging every picture via WOKO or WABY. Three of the houses have amateur nights or community sings via radio . . . Forrest Willis is handling Fabian's Palace program Thursday nights over WABY, while Sherb Herrick does the job on Fabian's Grand amateur program Tuesdays . . . Gren Rand won a Wheaties baseball announcer contest last week. His father, the late Royden (Doc) Rand, won several similar contests in 1937.

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Louisville

Mike Riley's orchestra has opened at the Iroquois Gardens, and airs a 30-minute program nightly over WHAS . . . Harry Lukens, WAVE announcer, is on a wedding trip to Baltimore and Miami . . . Clayton McMichen's "Georgia Wildcats" closed their local engagement at WAVE and will transfer to KWK, St. Louis, where they will have a regular twice-daily spot . . . Leading parts in the Little Theatre production of "Dangerous Corner" were played by Russell Pirkey, WAVE continuity, and Jack Robertson, WGRC sports announcer.

+

San Francisco

KJBS has started its summer policy of signing on the air nightly at 10 P.M., one hour earlier than during the winter-spring season. . . . Bob Saunders' band has replaced Carvel Craig at the Hotel Whitcomb Roof Garden with a nightly KGO pickup. . . . Lucy Cuddy, KSFO dramatic chief, is writing the annual San Juan Bautista Pageant, to be staged at the Mission in June. The station's production chief, Jim Morgan, will direct. . . . Viola Morris and Victoria Anderson, Australian singers on world tour, are appearing on local variety programs before heading east. . . . Dorothy Dawn has been added to the KJBS staff as film gossiper. . . . Ken Owen of KPMC, Bakersfield, has joined KJBS here as announcer-producer. . . . Ben Harkins has been advanced to program manager at KFRC after two years on the production staff. . . . KGO's announcer, Lou Withers, has resigned to play in western films. . . . Natalie Park, actress, and Mel Vickland, KGO announcer, are recovering from injuries sustained in an automobile accident.

Add Fan Mail

Philadelphia, May 19.—The "For Men Only" program heard nightly over WIP here, is sponsored by the P. B. White Tailoring Co. Tom Rocap, who handles the show, has received a postcard from a listener asking for a three-day trial of the sponsor's product.

CBC's Mobile Unit Will Be Ready Soon

OTTAWA, May 19.—Now nearing completion here, the Canadian Broadcasting Corp. first mobile broadcasting unit will be sent to Toronto when ready—this as part of the scheme to make Toronto one of the main program production centers of the network. Already 20 members of the program, station relations and publicity staffs have been shifted.

The new mobile unit, which is expected to be ready for service in Toronto in about two weeks, is to be used for sports broadcasts and special events. It consists of a short-wave transmitter and a complete recording machine—re-broadcasts are one of the corporation's pet hobbies.

Several portable pack transmitters are to be carried by announcers on assignments such as golf tourneys or other events where they are kept moving around. The mobile unit will pick up their voices and either relay to the nearest CBC station or record.

Crossley Shifts Ward

James A. Ward, formerly in charge of the consumer index of Crossley, Inc., has been appointed manager of the radio division, where he will have charge of all radio research reports prepared by the company.

Bayuk Will Sponsor New Mutual Program

The Bayuk Philadelphia Cigar Co. will sponsor a new network sport series over Mutual, coast-to-coast, starting June 14, from 7:30 to 7:45 P. M., E. D. S. T., and Tuesdays, Thursdays and Saturdays at the same time over WOR, WLW, WCAE, WKBW, WABY, WBAX, WHK, WRVA and WNBF.

The repeat broadcast will be aired from 7:45 to 8 P. M., over WSYR, WEAN, WICC, WTHT. Another repeat, for coast stations, will be carried from 11:15 to 11:30 P. M. by KHJ, KFRC, KGB and KPMC, while playbacks will be broadcast by WGN, KWK, WNAC and WTAG.

The program will feature sports commentaries and results by Sam Balter, whose "Inside of Sports" has been a popular coast feature. The program will originate in KHJ, Los Angeles. McKee, Albright & Ivey, Philadelphia, is the agency.

New Price Series Ready

Hickman Price will begin a new series of broadcasts on WOR May 22 from 11:30 to 11:45 A. M., and Sundays thereafter at the same time, for the De Forrest Training Co. Mr. Price will offer comments on business and on industrial leaders.

Examiners' Hearings Set May 25 by F. C. C.

WASHINGTON, May 19.—The Federal Communications Commission today announced that examiners' hearings would be held May 25 on the applications of the Inland Empire Broadcasting Co. for a 1,310-kilocycle, 100-watt station at Pasco, Wash.; Emporia Broadcasting Co., Inc., for a 1,370-kilocycle, 100-watt daytime station at Emporia, Kan., and Robert-MacNab Co. for a 1,[illegible]-kilocycle station at Livingston, Mont., with 100 watts night, 250 watts day, and on May 26 on the application of WMFR, High Point, N. C., for increase of time from day to unlimited.

The commission also ordered set for hearings the applications of the Sumter Radio Broadcasting Co. for a 1,420-kilocycle, 250-watt daytime station at Sumter, N. C., and KID, Idaho Falls, for change of frequency from 1,320 to 630 kilocycles; WLVA, Lynchburg, Va., for change of frequency from 1,200 to 1,390 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts night and day, and WDEL, Wilmington, for increase of power from 250 watts night, 500 watts day, to 500 watts night, 1,000 watts day.

Receipt of an examiner's report in which Examiner John P. Bramhall recommended granting the application of the Kentucky Broadcasting Corp. for a 1,210-kilocycle station at Louisville, with 100 watts night, 250 watts day, was announced by the commission.

Foreign Nations to Air Salutes to Fair

Radio salutes to the New York World's Fair by the nations of Europe, to be broadcast on consecutive Sundays beginning in October, will be arranged for by Julius Cecil Holmes and John S. Young, Fair officials who sailed for the Continent on Wednesday. They will be joined later by George McAneny, chairman of the Fair's board of directors. At a later date Edward F. Roosevelt, commissioner for Latin America, will make a South American tour to arrange for broadcasts from nations there.

The broadcasts will begin in October and will terminate just before the opening of the Fair on April 30 next year. In all, 26 nations will be heard from.

Delay Musician Action

NEW ORLEANS, May 19.—WWL here has postponed until May 26 the cancellation of its contract with the Musicians' Mutual Protective Association, Local 174, according to Vincent Callahan, general manager of the station. The postponement followed requests from the American Federation of Musicians and the National Association of Broadcasters.

Compton to Cincinnati

Richard J. Compton, president of the Compton advertising agency, has left New York for conferences with Procter & Gamble in Cincinnati. He will return on Monday.

Simon to Join WPEN

Arthur Simon, special representative of *Radio Daily*, has been appointed general manager of WPEN, in Philadelphia, effective June 1.

Rogers Leaves "U"; Work Is Studio Head

(Continued from page 1)

his successor. The latter will appoint a successor to Mr. Work on his arrival in California.

Mr. Rogers will begin a three-month vacation immediately, following which his future activities with the company will be decided. Following the purchase of Carl Laemmle's controlling stock interest in Universal by Standard Capital Corp. and its associates, Mr. Rogers became vice-president and production head of the company in March, 1936. He was given a five-year contract at $2,000 per week. It was stated on his behalf that he has not yet decided whether he will discuss a settlement of the unexpired portion of his contract or bring suit against the company. Universal officials indicated that they would take no action in the matter until Mr. Rogers had been heard from.

Still on Directorates

Mr. Rogers is still a member of the boards of Universal Pictures Corp. and Universal Corp., the parent company, the action yesterday having no effect upon his status as a director. It is assumed, however, that yesterday's action will be reflected in changes in the personnel of both boards in the near future. Mr. Rogers, personally, is a large stockholder in the company.

The changes effected yesterday are understood to have been impelled by Mr. Rogers' insistence on full control of production and studio affairs which, it was said, he felt he had been deprived of when Mr. Blumberg and Mr. Fox visited the studio this spring and executed numerous changes in operations and personnel designed to increase efficiency and effect economies, as well as the dominant part each played in planning the company's 1938-'39 production schedule. Intent upon regaining his unqualified authority at the studio, Mr. Rogers requested the board meeting with the idea of obtaining the directors' support for a restatement of his complete control of studio matters. The board, however, declined to circumscribe Mr. Blumberg's authority as president of the company and held that studio operations had been materially improved by the action taken by Mr. Blumberg and Mr. Fox during the past few months.

Further Changes Possible

Universal officials stated yesterday that further executive changes at the studio would be up to Mr. Work and Mr. Blumberg. They added that no consideration has been given to further changes there at this time. James P. Normanly is vice-president and business manager of the studio; Val Paul is executive studio manager, and Jerry Sackheim is assistant to Mr. Rogers. These are regarded as the most likely to be affected by any studio management revision.

Mr. Work, long an associate of Mr. Blumberg's in RKO theatre operations, was associated with the old Orpheum Circuit and with RKO Theatres for almost 25 years.

Work Awaits "U" Official

Hollywood, May 19.—Cliff Work, who conferred at the Universal studio today, told Motion Picture Daily that his visit was entirely informal and that he would not assume direction of the plant until the arrival here Monday of Nate J. Blumberg and other executives now in New York. He refused further comment on the subject.

"U" Ad, Publicity Unit West June 10

Universal's home office publicity and advertising departments, with the exception of a single eastern representative, Louis Pollock, will move to the studio on June 10, it was stated yesterday.

Advertising, publicity and exploitation headquarters are being consolidated at Universal City under John Joseph, head of the departments. Those who will move to the studio are David Lipton, publicity manager; Mrs. Carrie F. Hall, head of the stills and research department; J. Albert Hirsch, in charge of press books; Carl Karoly, head of the art department, and David Sorocin and Harold Gutman, his assistants; Harry Ormiston, exploitation manager, and Benjamin LaPresti, Bernard McGuire, Sylvan Leff and Frank Cramer, assistants.

Mr. Pollock, who remains in the east in charge of advertising and publicity, will be assisted by Edward J. Eustis, Marion Orford, Lillian Thompson and Rainetta Marshall. Andrew J. Scharick, eastern studio contact, will also remain in the east with his full staff.

The complete personnel of the art department will be transferred to the studio and home office art work will be handled by an agency. Fewer than a dozen employes in all departments were let out.

Scully Makes Three Managerial Changes

Chicago, May 19.—William A. Scully, general sales manager of Universal, today confirmed three managerial appointments at the opening session of the regional sales meeting held at the Palmer House. Albert O'Keefe has been named west coast district manager, C. J. Feldman has been shifted from Salt Lake City to manage the Los Angeles branch and Matt Apperson, San Francisco salesman, goes to Salt Lake City as head of that office.

Those attending the meeting here are all from the midwest division with the exception of Mr. Scully, F. J. A. McCarthy, W. J. Heineman and J. J. Jordan.

Branch managers attending include M. M. Gottlieb, Chicago; Floyd Brown, Indianapolis; Jack Camp, Milwaukee; Frank Manske, Minneapolis; J. J. Spandau, Des Moines; Roy Palmquist, Omaha; L. J. Miller, Kansas City; E. Heiber, Detroit; J. Garrison, St. Louis, and E. T. Gomersall, midwest district manager with headquarters in Chicago.

Individual managers' conferences are scheduled for Friday. Mr. Scully and Mr. McCarthy will leave here on Saturday for New Orleans where the third meeting will be held Monday and Tuesday. The final regional session will be held in Washington, D. C., May 26 and 27.

Monogram Signs Nagel

Hollywood, May 19.—Anne Nagel has been signed by Monogram to appear in four features.

RELEASED NATIONALLY JUNE 17th
BLOCKADE

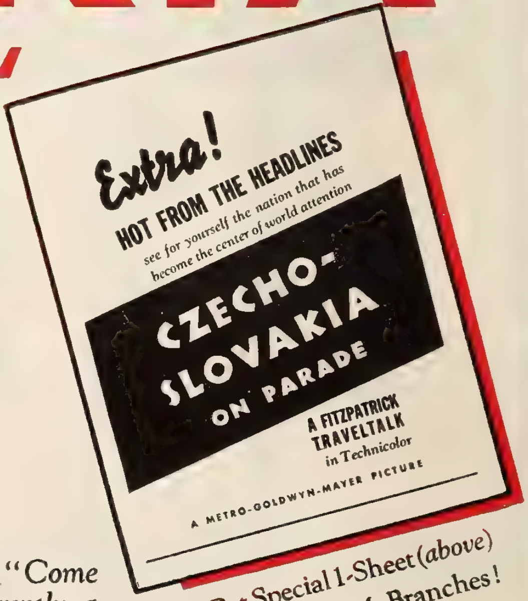
Hot From The Head-lines!

"CZECHO-SLOVAKIA ON PARADE"

M-G-M's FITZPATRICK TRAVEL-TALK IN TECHNICOLOR

Advertise it in the lobby, on the marquee, in the ads! Everybody wants to know the facts!

Talk about Timeliness! Another up-to-the-minute m-G-Man subject "Come Across," Crime Doesn't Pay Thriller about G-Man operations, currently a natural with the G-Man Appropriation discussions echoed in the press!



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A FITZPATRICK TRAVELTALK in Technicolor

A METRO-GOLDWYN-MAYER PICTURE

Get Special 1-Sheet (above) from M-G-M Branches!

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

OL. 43. NO. 118 NEW YORK, SATURDAY, MAY 21, 1938 TEN CENTS

Allied Stand Not to Deter Conciliation

Majors Will Push Moves Because of Regional Desire for Action

The major distributors will move forward with their plan to establish local conciliation boards despite the attitude of Allied as expressed at its national convention in Pittsburgh this week, it was said yesterday by a spokesman for the distributor group.

It was pointed out that a number of regional exhibitor organizations are on record as favoring the boards and that in the case of the M. P. T. O. A. unit in Oklahoma City, a petition is on file asking that the local branch managers cooperate in setting up boards for that territory.

Seven principal companies have made written commitments to the M. P. T. O. A. that they favor establishing local conciliation machinery under

(*Continued on page* 2)

File 11th Suit on Loew's Bonus Plan

Hanna Helfer, minority stockholder of Loew's, Inc., filed suit in the N. Y. Supreme Court yesterday against Nicholas Schenck, David Bernstein, Louis B. Mayer, J. Robert Rubin, Isidore Frey, Leopold Friedman, John R. Hazel, George M. Armsby, William A. Parker, Thomas Perkins, William A. Phillips, Charles C. Moskowitz, David Warfield and Loew's, Inc.

The action is the 11th stockholders' suit brought recently and asks for an account of $20,000,000 worth of assets

(*Continued on page* 3)

Canada Report Asks Short Wave Station

OTTAWA, May 20.—Early establishment of a high power short wave broadcasting station by Canadian Broadcasting Corp. was suggested in the report of the Radio Committee submitted to the House of Commons today by Chairman Arthur Beaubien.

The committee recommended that incidence of the application of the radio license fee recently raised from

(*Continued on page* 4)

More Radio—P. 4

Bird Animator

Bristow, Okla., May 20.—John Felactu, cafe owner, has stopped betting strangers that they can't make his canary sing. He confided to a customer the other day that the bird had gone into complete silence and there didn't seem to be anything he could do about it. The customer bet $2 he could make the bird sing. The bet was covered.

The customer began chirping. So did the bird. After he had collected he said he was Jack Reed, who furnishes the bird songs for Walt Disney films.

"Men" Take $33,000 In 2nd Roxy Stanza

"Four Men and a Prayer" garnered $33,000 in a second week at the Roxy, while "The First 100 Years" gave the Capitol $14,000.

The revival of "It Happened One Night" did $8,500 at the Rivoli. The Globe will do about $4,500 with "International Crime." "The Fight for Peace" netted $8,000 at the Criterion and will start a second Broadway engagement at the Gaiety today. A national release is being negotiated for the picture.

The Globe has booked "Lone Wolf in Paris," "Treasure Island" and "Swiss Miss" for coming weeks. The Criterion will play "Gangs of New York" following the current "Hunted Men."

ROGERS' CONTRACT SETTLEMENT MADE

Said to Call for Three Annual Payments; He Stays on Board

Charles R. Rogers' contract with Universal was settled yesterday on a "mutually satisfactory" basis, a joint statement issued by Nate J. Blumberg, Universal president, and Mr. Rogers, disclosed.

Mr. Rogers, under the agreement reached, will remain a member of the board of directors and will retain his present stockholdings in the company, the statement asserted. As a member of the board, it added, Mr. Rogers "will continue to lend the present management the benefits of his vast experience and practical knowledge of production and showmanship." It was ascertained officially that the former production head's sole association with the company in the future will be his board membership.

Mr. Rogers' employment contract had two years and 10 months to go at $2,000 weekly, representing a salary claim of approximately $290,000. It was reported, but not verified, that the settlement reached was for a sum

(*Continued on page* 3)

April Ticket Tax Figures Fall Off

WASHINGTON, May 20.—Admission tax collections in April amounted to but $1,541,518 as compared with $1,773,075 in March and $1,589,682 in April, 1936, according to the monthly report of the Bureau of Internal Revenue, issued here tonight.

The drop of $231,500 between March and April, it was pointed out, contrasted with an increase of $50,000 in those months last year.

For the first four months of the current year, the bureau reported, admission taxes amounted to $6,327,650 compared with $6,108,120 for the same period in 1937.

In the Broadway sector of New York, total collections dropped from $643,410 in March to $596,035 last

(*Continued on page* 4)

Circuit Will Appeal Labor Board Ruling

United Long Island Theatre Corp. will appeal from the decision of Supreme Court Justice Samuel I. Rosenman upholding the N. Y. State Labor Relations Board's order directing the company to reinstate six discharged projectionists and to refrain from in-

(*Continued on page* 4)

"Yellow Jack" Fine Film, New York Critics Declare

The reviewers of New York's daily papers found "Yellow Jack" a notable film, as indicated by the excerpts from their reviews, which follow:

Daily Mirror—"Yellow Jack" makes a stunning picture. Ably played . . . directed with potent punch, the Capitol's new hit is a stirring and impressive one.

Daily News— . . . The picture moves with a steadily dramatic tread and a mounting sense of suspense. Some of the power and sheer dramatic force of the original is missing, but enough is preserved to make it a fine, absorbing drama.

Herald-Tribune—The new offering . . . is no ordinary picture . . . the film has a moving, urgent quality that is too rarely found in photoplays.

Journal-American — M-G-M's picturization of "Yellow Jack" is a thoughtful and absorbing drama. . . . The picture creates and sustains a serious mood.

Post— . . . Despite flaws in scripting, direction and casting . . . the subject triumphs . . . the picturization of significant material that should interest adults.

Sun — "Yellow Jack," one of the finest pictures of the year, and right up to the standards of any other year, is a powerful and inspiring tale. This is excellent entertainment.

Times—It is a solid, dramatic tale. . . . There is an admirably sustained mood of suspense, uncertainty and fear. . . . A superior job of picture making.

World-Telegram— . . . Superbly acted, intelligently directed, thrilling and engrossing film. . . . Unlike most other films that emanate from Hollywood. . . . Forthright and well worth seeing.

Discuss Procedure On Lab Agreements

The procedure of negotiating agreements with the Motion Picture Laboratory Technicians Union, Local 702, was discussed at a meeting yesterday between union officials and representatives of seven laboratories.

Some of the companies favored negotiating individually, while others favored collective agreements. Another meeting is scheduled for next Friday.

Laboratories represented at the conference included De Luxe, Consolidated, Ace, Warners' Cellulose Products, Paramount News, H. E. R. and Du Art.

Plan to Boost Ohio Ticket Levy Fading

COLUMBUS, May 20.—The proposal to finance a portion of Ohio's huge relief burden by increasing the theatre admissions tax seemed to be losing ground here as the legislature went into special session to consider the relief question.

Bills now before both houses of the General Assembly call for extension of the present three per cent tax until

(*Continued on page* 3)

Allied Stand Not to Deter Conciliation

(Continued from page 1)

that organization's 10-point program, it was further indicated. The only holdout has been Warners.

Some of the Allied units want conciliation, it was said, but the extent to which they will support it may depend on Allied's national policy.

In any event, according to the distributor spokesman, the support of the M. P. T. O. A. units and of the I. T. O. A. in New York will be sufficient to get the boards under way. While it is planned to set them up in a few exchange cities this summer, delay may be occasioned by the legislative situation and other factors.

Where the initiative on establishing the local boards originates is immaterial, it is pointed out, and it could come from the branch managers or a group of exhibitors. Organizational affiliation will have no bearing on their makeup.

May Ignore Yamins Plea

It was indicated yesterday that the distributors have no intention of meeting the demand of Nathan Yamins, president of Allied, that before the latter organization will talk conciliation its must have a formal invitation from a committee representing all principal companies with the assurance that they are willing to solve problems which Allied considers fundamental, not only local disputes.

K. C. Awaits Col. Cole

KANSAS CITY, May 20.—Col. H. A. Cole, Dallas, a member of Allied, is expected to visit Kansas City shortly to sound out exhibitors on the possibility of establishing an Allied unit in the area. Col. Cole was here recently. He talked about the matter, but it was left for more definite action until he comes again.

McCarthy Going West

Charles E. McCarthy, advertising and publicity director for 20th Century-Fox, and Rodney Bush left last night for the coast to attend a preview of "Alexander's Ragtime Band" to be put on at the Carthay Circle May 24.

It will be a big time affair on the scale of a world premiere with the principal stars and executives of the business attending, and with a coast-to-coast Mutual broadcast on 74 stations, including KGNB, Honolulu, for the first time. About 400 newspaper correspondents also have been invited.

Plan Dinner for Reeve

HOLLYWOOD, May 20.—Local advertising and publicity men will honor Arch Reeve, advertising director for 20th Century-Fox, at a dinner, June 2, at a place yet to be selected. The committee on arrangements is composed of Howard Strickling, Tom Baily, Teet Carle, Oliver Garber, Johnny Miles and Paul Snell.

M-G-M Buys "Yearling"

HOLLYWOOD, May 20.—Film rights to Margaret K. Rawlings' novel, "The Yearling," have been purchased by M-G-M.

◂ Purely Personal ▸

FRED W. LANGE, Paramount general manager for continental Europe, is accompanying JOHN W. HICKS, JR., and CHARLES REAGAN to New York. The trio will arrive Monday on the *Queen Mary*. Mr. Lange will make his annual home office visit and return to Europe in about four weeks.

•

JOSEPH I. BREEN, Production Code Administrator, and MRS. BREEN, who will sail on the *Saturnia* today, will spend about six week vacationing in Italy, Switzerland and Paris.

•

LEON NETTER will return to the Paramount home office on Monday from a cross-country visit to the company's theatre associates.

•

MILTON FELD, former associate producer at 20th Century-Fox, will arrive in New York from the coast on Monday.

•

HERBERT KLIEGL is the father of a baby girl born to MRS. KLIEGL at the Norwegian Hospital on Wednesday.

•

OLIVIA DE HAVILLAND and her mother will leave Cleveland tonight by plane bound for Los Angeles.

•

S. R. KENT, president of 20th Century-Fox, and ROY DISNEY will arrive Monday on the *Queen Mary*.

•

A. A. SCHUBART and W. J. MCSHEA of RKO are due to leave by TWA for Kansas City tonight.

•

WILLIAM F. RODGERS, M-G-M general sales manager, will return Monday from Buffalo.

•

MAURICE BESSY of U. A. plans to fly to the coast tomorrow via the TWA Skychief.

•

HARRY DAVID is in New York from Salt Lake City for conferences with Y. FRANK FREEMAN.

•

SAM KATZ left for Hollywood yesterday after spending a week in New York.

•

JIMMY SAVO will sail today with MRS. SAVO on the *Saturnia*.

•

. . . Denver

A. M. SEAR of Civic Theatres has a new baby girl.

FRANK REYNOLDS is now in partnership with ROSS LABART in a film delivery service.

BILLY SHEFFIELD is back from a California vacation.

A. G. EDWARDS is now with the Mercury Film exchange as a salesman.

FRED ZEKMAN, booker for Black Hills Amusement Co., is happy over a new baby boy at his house.

ART O'CONNELL, EDDIE LOY and E. WARNER went to Salt Lake to attend the Universal sales convention.

WAYNE BALL and BARNEY SHOOKER and SAM DARE will go to San Francisco for the Columbia sales meet later in the month.

Tin Cans Do It

Caldwell, Ida., May 20.—The Fox American admitted 1,000 boys and girls to a "free movie" after they had gathered more than 12,000 tin cans in part of a cleanup drive to make this city spotless.

Ludwig and Friedl Leave After Talks

L. J. Ludwig and John J. Friedl, Minnesota Amusement Co. heads, left New York yesterday after conferring with Paramount attorneys on the impending trial at Fargo, on June 1, of the suit to test the constitutionality of North Dakota's affiliated theatre "divorcement" law.

Austin C. Keough, Louis Phillips and Sam Boverman of Paramount's home office legal staff, Thomas D. Thacher and A. C. Bickford of company counsel will leave for Fargo on Thursday to represent the company at the trial.

Christie Given Watch

Al Christie yesterday received a platinum wrist watch from Eastern Service Studios to commemorate the finish of the 126th Christie comedy, "Pardon My Accident," on the Long Island stages. President Frank Speidel of Audio Productions made the presentation with suitable "au 'voirs." Christie leaves for a European vacation next week.

N. Y. Allied to Meet

Allied Exhibitors of New York, recently organized, will hold another meeting Monday to discuss policies decided upon at the Pittsburgh convention.

Max A. Cohen will go to Albany following the meeting to discuss the formation of an upstate unit.

Minneapolis Theatre Permit Appeal Lost

MINNEAPOLIS, May 20.—District Judge E. A. Montgomery has denied the petition of Henry L. Griffith for a writ of mandamus compelling the City Council to issue a permit to him for the construction of a theatre at 2220 Hennepin Ave.

The court held that the council acted legally in rescinding a permit Jan. 12 by a vote of 13 to 12, which had previously been granted 13 to 10, with two members absent.

"U" to Let Out Eight

Through an inadvertence it was reported yesterday that all members of Universal's home office exploitation and art departments were among those being transferred to the studio with the centralization of the advertising, publicity and exploitation departments there next month. However, the following from the exploitation and art departments will be let out: Carl Karoly, David Sorocin, Harold Gutman, Benjamin LaPresti, Bernard McGuire, Sylvan Leff, Joseph Kramer and Mrs. Carrie F. Hall.

To Screen "Racketeer"

"Religious Racketeer," Fanchon Royer's film exposing fake mediums who pretend to communicate with the dead, will be screened for an invited audience at the World Theatre next Wednesday.

To Honor Rosenthal At Dinner Tonight

BRIDGEPORT, May 20.—A long list of acceptances has been received for the testimonial dinner to Morris Rosenthal, manager of Loew's Poli Majestic, to be held at the Stratfield here tomorrow night. The occassion will observe Mr. Rosenthal's 15 years as manager of the theatre.

Among film and theatre men pected are: From New York, Jos R. Vogel, Oscar A. Doob, Sam Rosen, of Loew's; New Haven, B. Simon, Sam Germain, Timothy O'Toole, Tom Donaldson, Barney Pitkin, Morris Joseph, Robert E. Russell, Sam Badamo, W. Elder; Waterbury, E. Fitzpatrick; Meriden, J. Samartano; Hartford, Jack Simons, Lou Cohen, James McCarthy; Bridgeport, Edgar Lynch, Harry Rose and representatives of the Charles Levine, Lou Anger and Fishman circuits in Connecticut.

A number of local officials will attend, including Sheriff Platt, Judge Sam Mellitz and Judge W. Bent.

RKO Travelers to Meet

RKO traveling representatives will meet Monday and Tuesday at the Muehlbach Hotel, Kansas City. A. A. Schubart, manager of exchange operations; William J. McShea, his assistant, and J. E. Cashman, eastern reprensentative, will leave by plane tonight for Kansas City. Elmer Sedin, Jack Schmeitzer, W. Burke, John Downing, Robert Helms and Ray O'Brien also will attend.

To Show New GB Film

A special screening of "Girl in the Street," G. B. film starring Anna Neagle and Tullio Carminati, will be held at the Continental next Tuesday night following the final showing of "To the Victor."

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; J. M. JERAULD, Managing Editor; JAMES A. CRON, Advertising Manager. EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone, Thomas Fitzsimmons, Sherwin A. Kane, Irene Kuhn, Joseph Priore.

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Rogers Agrees On Settlement For Contract

(*Continued from page 1*)

approximately one-half the total, pay[illegible] in equal installments over a three-[illegible] period.

Mr. Blumberg, accompanied by Mrs. Blumberg and Matthew J. Fox, Universal vice-president, left for the coast at midnight last night with plans for remaining at the studio for at least a month. During that time, Mr. Blumberg, Mr. Fox and Clifford Work, newly appointed general manager of the Universal studio, will work out a permanent executive production setup. It was stated officially last night that no action whatever looking to the appointment of an executive producer has been taken or will be for several weeks to come.

In the same westbound party last night was John J. O'Connor, RKO theatre head, who will select a successor to Mr. Work as western division manager of RKO Theatres on his arrival in California.

Two Statements Issued

The joint statement issued by Mr. Blumberg and Mr. Rogers concluded with this:

"Despite all rumors, statements and inferences to the contrary, the most cordial relationship exists between Mr. Rogers and all officials of Universal who will direct their efforts, in a complete unity of purpose, to maintain Universal's important position as one of the major companies in the motion picture industry."

Mr. Rogers, in a statement to the studio personnel, said:

"I want to take this opportunity to express to each one of you my sincerest and most heartfelt appreciation of the splendid cooperation you have accorded me in the past.

"As a member of the board of directors, I shall continue to lend every possible effort and support to further the best interests of our company.

"It is my greatest wish that the unfailing loyalty and devotion which characterized our relationship in the past will continue to serve those whom the company has designated to carry on the work of the studio."

Wall Street

Uneven Board Activity

	Open	High	Low	Close	Net Change
Col.	12¾	12¾	. 12¾	12¾	.....
E. K.	154	154⅝	154	154⅝	+ ⅝
Loew	41	41	41	41	— ⅛
Loew, pfd.	103⅜	103⅜	103⅜	103⅜	+ ⅜
Para.	7½	7⅝	7½	7⅝	+ ⅛
Para. 2 ...	8⅝	8⅝	8⅝	8⅝	— ⅛
RKO	2⅛	2¼	2⅛	2¼	+ ⅛
20th Fox ..	22⅛	22½	22⅛	22½	.....
Univ. pfd.	34	34	34	34	.....
W. B.	4⅞	4⅞	4⅞	4⅞	— ⅛

Small Curb Gains

	Open	High	Low	Close	Net Change
Sonotone ..	1⅝	1¾	1⅝	1¾	+ ¼
Tech.	23	23¾	22⅛	23¾	+ ½

Keith Bonds Gain 3 Pts.

	High	Low	Close	Net Change
Keith 6s '46......	85½	85½	85½	+3
Loew 3½s '46	100½	100½	100½	+ ¼
RKO 6s '41	71⅞	71⅞	71⅞	—1⅜
W. B. 6s '39	75	75	75	—1

(Quotations at close of May 20)

File 11th Suit on Loew's Bonus Plan

(*Continued from page 1*)

allegedly dissipated from 1925 through 1937. Plaintiff claims that in 1924 Irving Thalberg, Schenck, Mayer and Rubin conspired to get control of M-G-M and that last December they voted themselves 20 per cent of the annual net profit of the company.

From 1925 through 1937 she contended, over $16,000,000 was paid in bonuses to these four, in addition to their salaries. The complainant further alleges that nine others, not named in the complaint, received salaries during 1937 which totaled $1,900,000. The court is asked to annul the stockholders' option agreement whereby Schenck, Rubin and Mayer allegedly obtained the right to purchase 250,000 shares of stock. They have already exercised their option on 116,660 shares, she asserted. The plaintiff further asks for a court order restraining a resolution which will allegedly be passed at a meeting in the near future to ratify this agreement.

Para. Files Tilden Answer

Paramount Pictures, Inc., Cecil B. DeMille and Adolph Zukor filed an answer in Federal Court yesterday to the suit of Zelma B. Tilden in which she charged piracy of her play, "Captain What-the-Devil," in "The Buccaneer." The complaint had asked for an accounting and injunction.

Paramount admits the receipt on August 8, 1935, of the plaintiff's manuscript and claims it was returned Aug. 27, 1935. Paramount further asserts that long prior to 1935 Cecil B. DeMille had publicly stated that he was going to make a picture based on the life of Jean LaFitte. The defendants asked for a dismissal of the complaint on the ground that the plaintiff's play is part of the public domain.

Seek to Prevent Dismissal

An application was made yesterday by the American Feature Film Co., Inc., to the Federal Court to prevent dismissals of the suit against Universal Pictures, Inc., for lack of prosecution. The suit is for $1,350,000 and seeks to recover alleged overpayments made by American Feature to Universal for the years 1919 through 1929. On March 20, 1933, Federal Judge Robert P. Patterson appointed George Frankenthaler to audit the books of Universal. The application stated that the audit had not been completed.

Jewel Appeal Allowed

Federal Judge Robert P. Patterson yesterday allowed the appeal of Jewel Productions, Inc., to the Circuit Court of Appeals in the suit brought by Jewel Productions against Henry Morganthau, Jr., and Harry M. Durning as collector of the port of New York.

The suit had been brought charging that the Government was unwarrantedly interfering with the distribution of the American picture "Mysteries of Sex." Jewel sought an injunction against the Government which was denied in the lower court on motion of the defendants.

Dismisses Skouras Suits

Federal Judge John C. Knox yesterday dismissed three suits brought by M-G-M, Columbia and RKO against the Skouras Theatres Corp. in which the plaintiffs sought to recover damages for the unauthorized exhibition of their pictures at the Embassy and Capital Theatres, Port Chester, N. Y.

Fanchon Royer Here For New Film Deal

Fanchon Royer, Hollywood's only woman producer, specializing in he-man independents, is in town to close a deal for a New York showing of her latest film, "Religious Racketeers." She is departing from her usual practice with this picture and will roadshow it herself over the country.

In the seven years Miss Royer has been making independents (Fanchon Royer Features, Inc.) she has heretofore made the picture, delivered it to a distributor who guaranteed negative cost and gave her 50 per cent of the profits. When she decided to make "Religious Racketeers," an expose of clairvoyants, mediums and other professors of the supernatural, with Mrs. Harry Houdini playing herself in the film, she decided at the same time she'd do it all herself.

Spends Freely

"Of course I couldn't make more than two pictures a year if I went out on the road myself as I'm doing with this, nursing it along, handling the selling and exploitation myself. But in this experiment I have an exploitation picture and I'm going to try it.

Miss Royer sniffs at extravagance. She is the mistress of a big house on a hill in the San Francisco Valley which she runs with effortless dispatch, and in which she manages five children, from two and a half years of age to a college freshman. She plans her picture costs the way she runs her house, and she has a reputation in Hollywood for never going more than $500 beyond her budget on any picture. "Religious Racketeers" cost about $35,000 to make, a third more than her regular productions.—I. K.

Griffith Buys Out Duffy

Oklahoma City, May 20.—The Griffith Amusement Co. has purchased the equipment and leaseholds of Pat Duffy at Mangum, Okla., thereby gaining control of all three Mangum houses. The Greer, Griffith operated since it was built a year ago, the Temple and Rialto now constitute the circuit's holdings in Mangum. Clyde Young, manager of the Greer, has taken the two other houses under his wing.

Ringler Joins Monogram

Kansas City, May 20.—L. O. Ringler, formerly manager of the Monogram branch at Omaha, has been named salesman to cover Kansas by L. F. Durland, branch manager of the company here. M. G. Shackelford, salesman, will handle city business, take care of the office, and book.

Heads Branch of Regal

Toronto, May 20.—Joseph Myers has been named manager of the Calgary branch of Regal Films, Ltd., succeeding Wolfe Blankenstein, resigned. Myers, formerly of Winnipeg, has been a film salesman in the Canadian west for 17 years. George Cockels has joined the sales staff of the Montreal branch of Regal.

Louisiana Measure Would Tax Circuits

Baton Rouge, May 20.—A bill to levy a tax on circuit theatres of from $50 to $200 per theatre was introduced in the Louisiana House yesterday by Representative A. D. Flowers of La Salle.

The bill would place a $50 tax on each theatre in circuits comprising two to five houses, $75 each in circuits of from six to 10 houses and on a graduated scale to $200 per house in circuits of 200 or more theatres. The bill is not included among the so-called "administration" measures, and its passage is by no means certain. Nevertheless, theatre interests throughout the state immediately forwarded emphatic protests against the measure.

Boost N. C. Theatre Tax

High Point, N. C., May 20.—A maximum tax of $212.50 annually has been imposed on theatres here. It replaces the former annual levy of $175.

Plan to Boost Ohio Ticket Levy Fading

(*Continued from page 1*)

1940, while earlier proposals were designed to increase the admissions tax to at least 10 per cent. Theatre managers from all sections of the state, who obtained the present comparatively low rate after a bitter fight in the legislature, are on guard, however, and preparing to take action if any attempt to increase the tax is made.

Pathe, Du Pont List Profit for Quarter

Pathe Film Corp. and subsidiary companies report a net profit of $34,326.36 after all deductions, for the three months ended March 31 last.

Du Pont Film Manufacturing Corp., 35 per cent of the common stock of which is owned by Pathe, had a net profit after all charges of $329,000 for the same period.

Pathe Sets Dividend

The board of directors of Pathe Film Corp. has declared a quarterly dividend of $1.75 per share on the $7 convertible preferred stock, payable July 1 to stockholders of record June 22.

Consolidated Profit In Quarter $157,681

Consolidated Film Industries has reported a net profit of $157,681 after charges for the first quarter of 1938. This is equal to 39 cents a share on the $2 preferred stock, and compares with $229,704 for the same period last year, equal to five cents per share on the common stock after dividend requirements on the preferred.

R. L. Graham in L.A.

Los Angeles, May 20.—Robert L. Graham, who has spent a year as manager of the Paramount office in Tasmania, has arrived here aboard the *Mastonia*.

Prosser Joins Wanger

Hollywood, May 20.—Monte Prosser has joined Walter Wanger's staff for special exploitation work.

▸ Radio Personals ◂

TED HERBERT, WOR salesman, left for California yesterday to be gone two weeks on business. . . . George Jessel arrived in town yesterday from Baltimore. He will remain here for three New York broadcasts. . . . George McGarret of Lord & Thomas' radio department has been home ill for a few days. . . . Jack Miles of NBC's press deparment off to Atlantic City yesterday for the RCA Magic Key broadcast, which will originate there tomorrow.

+

C. H. Hackett has been added to the sales staff of WMCA. He was formerly with Eastman, Dillon, brokers. . . . The Charioteers have been booked into the Famous Door by Henry Frankel of the WOR artists bureau. . . . Willie Howard will be auditioned for a new radio series next week, through the offices of Curtis & Allen . . . Margaret Carlisle will join the colony of radio artists who will be starred at the St. Louis Municipal Operas this summer . . . Gene Arnold will join the Barn Dance Minstrels with next week's broadcast.

+

Chicago

Harold C. Hopper, Atlas Radio Distributing Corp., treasurer, is here for a series of conferences with Herbert R. Ebenstein, president of the company . . . WGN will have Quin Ryan and Bob Elson broadcast the Golden Gloves fights when the Chicago champions meet the foreign champs here . . . Four tobacco companies now have broadcasts of sports events over WJJD.

CSBS Publishes Paper

OMAHA, May 20.—Central States Broadcasting System has started a listener publication known as *Flash*. It is printed twice monthly and is sent to a selected list of listeners in Omaha and Lincoln, according to General Manager Don Searle. CSBS operates KOIL, Omaha, and KFOR and KFAB, Lincoln.

Bland on "Dawn Patrol"

CINCINNATI, May 20.—Lee Bland is the new announcer-straight man on "The Dawn Patrol," a full-hour morning commercial Mondays through Saturdays, sponsored by the Dow Drug Co. The program is conducted by Bland's brother, Al, who also writes the material.

Jim Ameche in New Serie

Jim Ameche, star of "Attorney at Law," NBC series, and brother of Don, has been signed to take Tyrone Power's Sunday night spot in a summer series from Chicago, the date of the first broadcast to be announced later. Betty Lou Gerson will appear opposite Ameche in the new series.

Gets Post at WKY

OKLAHOMA CITY, May 20.—R. E. Chapman, national advertising manager for the *Daily Oklahoman and Times*, has resigned to take over the duties of commercial manager of WKY, Oklahoma City.

Canada Report Asks Short Wave Station

(*Continued from page* 1)

$2 to $2.50 should be carefully reviewed in the light of this year's experience with a view to effecting a reduction.

A short wave station, the committee believes, would be of value in interpreting and advertising Canada abroad. It should be financed as a national project and be operated and controlled by the corporation. The report was signed by all members of the original committee except J. Earl Lawson, who withdrew from the group when it refused to hear others than corporation witnesses.

The report generally approved the policy followed by CBC in its business administration and a corporation setup which makes the board of governors responsible for policies and the management responsible for administration.

Radio Shows Gain in Cigarette Ad Budget

Radio received 18.9 per cent of advertising expenditures in the cigarette field last year, according to an analysis of the industry's advertising and sales by Media Records, Inc.. Newspapers received 61.7 per cent, while magazines obtained 19.4 per cent.

The percentages in 1936 were: radio, 12.6; newspapers, 71.8; magazines, 15.6, radio making the largest gain, chiefly as a result of the Lucky Strike emphasis on radio.

In 1937, Camel placed 61.4 per cent of its budget in, newspapers; Chesterfield, 67.2 per cent; and Lucky Strike, 38.2 per cent. The magazine percentages were 29.3, 18 and 22.4, respectively. In radio the percentages were 9.3, 14.8 and 39.4. "All other" brands divided their expenditures as follows: newspapers, 72.8 per cent; magazines, 7.7 per cent and radio, 19.5 per cent.

Lion Brewery Takes Series Over WNEW

Lion Brewery will sponsor eight quarter-hour programs per week for 13 weeks on WNEW starting Monday, the contract through Lennen & Mitchell.

Additional WNEW new business includes a 13-week contract for participation in the "Make Believe Ballroom," by Fred F. Lowenfels & Son, through Neff-Rogow; and three quarter-hours per week for 52 weeks for Policyholders Advisory Council, through Dillon & Maier.

Renew Series on KSO

DES MOINES, May 20. — KSO's weekly half-hour "inquiring mike" broadcasts on Thursdays from Perry, Ia., have been renewed by local merchants for an indefinite period. Two other weekly broadcasts from nearby towns have now been arranged, Mondays from Ames and Tuesdays from Indianola with similar cooperative merchant sponsorship.

In New KMBC Position

KANSAS CITY, May 20. — Carter Ringlep, regional sales director of KMBC since August, 1936, has been made manager of sales service for the CBS unit here.

Increases in Power Recommended to FCC

WASHINGTON, May 20.—Granting of the applications of KVOD, Denver, for change of frequency from 920 to 630 kilocycles and increase of power from 500 to 1,000 watts, and KFEL, Denver, for increase of power from 500 to 1,000 watts, was recommended by Melvin H. Dahlberg, examiner, in reports received by the Federal Communications Commission.

At the weekly meeting of the commission, examiner's hearings were ordered held on the application of the Fredericksburg Broadcasting Corp., for a 1,260-kilocycle, 250-watt daytime station at Fredericksburg, Va.; Utica WUTK, Inc., for a 1,420-kilocycle station at Utica, with 100 watts night, 250 watts day; Peter J. Caldarone for a 1,270-kilocycle, 250-watt daytime station at Providence; Larry Rhine for a 1,150-kilocycle, 250-watt daytime station at San Francisco; Edward J. Doyle for a 1,270-kilocycle, 500-watt daytime station at Rochester; Sweetwater Radio, Inc., for a 1,310-kilocycle, 100-watt daytime station at Sweetwater, Tex.; *Asheville Daily News* for a 1,370-kilocycle, 100-watt station at Asheville, N. C., and KLRA, Little Rock, Ark., for increase of night power from 1,000 to 5,000 watts.

Tobacco Firm Takes New Don Lee Series

HOLLYWOOD, May 20.—Following a test over KFRC, San Francisco, Lennen and Mitchell, agency for P. Lorillard and Co., makers of Sensation cigarettes, has taken 15 minutes weekly on the 26 Don Lee stations on the coast for "Don't You Believe It," commentary debunking popular fallacies and beliefs.

The program is being written by Cranston Chamberlain and Bob Benee of KRFC is master of ceremonies.

Halts Political Play

PHILADELPHIA, May · 20.—Leslie Joy, manager of KYW, has refused permission to John B. Kelly, Democratic leader, to broadcast a political program which included a playlet. Joy will not allow presentation of dramatized political programs. Instead, he offered Kelly air time to make any kind of speech he desired. Last season KYW became involved in a similar situation with Mayor S. Davis Wilson.

Kyser Program Renewed

The Kay Kyser program for Lucky Strike cigarettes, heard Wednesdays over the NBC-Red, has been renewed for 14 weeks, effective June 29. The program is scheduled to continue until the last Wednesday in September on the current contract renewal.

Heads Electrical Unit

C. W. Horn, director of research and development at NBC yesterday was elected president of the New York Electrical Society. He was unopposed for the office.

Himber on New Program

Richard Himber will be heard in a new half-hour program on the NBC-Red, starting June 4 at 8 P.M., the broadcasts to originate from the Essex House.

April Ticket Tax Figures Fall Off

(*Continued from page* 1)

month, where they were but little over $8,000 above the April, 1937, total.

Taxes collected at the box-office, it was reported, totaled $534,562 in April against $572,090 the preceding month; other revenues being: from free or reduced rate admissions, $8,345 against $6,351; tickets sold by brokers, $[illegible]603 against $13,193; tickets sold by proprietors in excess of established prices, $3,326 against $8,493; permanent use or lease of boxes and seats, $1.98 against nothing; and admissions to roof gardens and cabarets, $50,198 against $43,283.

Circuit Will Appeal Labor Board Ruling

(*Continued from page* 1)

terference with union activities of employes and discrimination against union members, Martin Alpert, attorney for the company, said yesterday.

The appeal will be filed as promptly as possible with the Appellate Division and will contest the lower court's order on the merits and on the grounds of lack of jurisdiction.

Court Sound Tests Are Sought in Bill

WASHINGTON, May 20.—Legislation providing for the taking of motion pictures of important parts of court trials may be sought if experiments in sound recording provided for in a bill sponsored by Representative Hobbs (Dem., Ala.), is adopted and proves successful.

The measure, which has passed the House, would equip one room of the District Court here with sound equipment, with reproducing equipment in the Court of Appeals and Supreme Court for use when cases are appealed.

The possibility of making motion pictures was raised by Senator Connally (Dem., Tex.) today during a hearing on the measure before a Senate sub-committee, and the Alabama Congressman said he would "never be satisfied until we get a talking picture" of trials.

RKO Pathe News

Vol. 9, No. 87

(*RKO*)

The content of this reel is interesting and varied. The news scenes of current interest are good and there are a few exclusives. The musical treatment of scenes of construction on the World's Fair is effective. The score is a humorous variation of the sound of a riveting hammer, with orchestral background.

The reel contains scenes of Capt. Maurice Rossi, French flyer, testing his plane in preparation for a Paris-New York flight. Flood scenes in the Midwest are shown. Cuba grants land to farmers as part of its three-year plan. The new directorate of the Stock Exchange is covered effectively. England's cable-balloons go aloft in air-raid maneuvers. Federal agents instruct cashiers on how to detect counterfeit money. Cleveland's unemployed stage a starvation strike and Czechoslovakian Nazis attend a fund-raising and speechmaking session with their leader, Konrad Heinlein. Running time, 11 mins. P.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 43. NO. 119 NEW YORK, MONDAY, MAY 23, 1938 TEN CENTS

Blumberg May Take Control Of Production

No Successor to Rogers Under Consideration

Nate J. Blumberg, Universal president, may take over active supervision of production for the time being, it was indicated in official quarters over the week-end. Mr. Blumberg's direction of production would obviate the necessity for immediate selection of an executive producer to succeed Charles R. Rogers.

Universal home office officials reiterated that no thought has been given yet to the selection of an executive producer and all reports suggesting the names of inactive production executives for the post were characterized as either "unsupported guessing" or "promotional gossip."

Official confirmation that a specific plan exists for Mr. Blumberg to take over production direction was not

(*Continued on page 9*)

Scully Reaches N. O. For "U" Sales Meet

New Orleans, May 22.—William A. Scully, Universal vice-president and general sales manager, arrived here today from Chicago to conduct the third of the company's four regional sales meetings. With him are F. J. A. McCarthy, assistant sales manager, and William Heineman, newly appointed western division manager.

The two-day meeting here will be followed by a final three-day session in Washington, D. C., from Thursday to Saturday. Representatives from the following branches are attending the sessions here.

Price Levels Hold in Spite Of Recession

Survey Uncovers But Few Cuts Across Country

Editor's Note: This is the first of two articles covering a nationwide survey on admission price levels. The second will appear shortly.

No general reduction of admission prices or tendency to reduce prevailing scales is apparent in key cities throughout the country despite the estimated 12 to 20 per cent slump in box-office grosses over the past six month, a nation survey condlucted by Motion Picture Daily discloses.

Reductions have been made but in fewer than a dozen key cities. Local operators of independent and affiliated circuits are seriously considering reductions in several localities, but the

(*Continued on page 9*)

Wolf-Laemmle Suit Dismissed by Court

A $275,000 breach of contract suit brought by Alfred M. Wolf against Carl Laemmle was dismissed in the U. S. District Court here on Saturday by Federal Judge John C. Knox because of the failure of Mr. Wolf to prosecute the action.

Mr. Wolf claimed that he was engaged by Laemmle in January, 1935, to obtain a purchaser for Mr. Laemmle's stock in Universal Pictures. Mr. Wolf alleges that he interested the Standard Capital Co., which purchased the stock for $5,500,000 in March, 1936. The plaintiff sought five per cent commission.

Writers and Broadcasters Squabble Over Ball Games

Albany, May 22.—Feeling between newspaper men and radio announcers on baseball broadcasts and re-creations broke out in the open last week in the Eastern League. Sam Nash, Binghamton sports writer and president of the Eastern League Baseball Writers' Association, wrote official scorers in the different loop cities asking them to refrain from giving out information from the press box to radio announcers or telegraph operators engaged by N. W. Ayer & Son, who handle the Atlantic Refining accounts. Atlantic has the contract in every city except Albany for both home and road games, splitting here with General Mills, which handles the contests away from home.

Additional developments in radio yesterday on page 10.

Trouble broke out in Binghamton when a Western Union telegrapher, engaged in transmitting a play-by-play account to Albany for broadcast here,

(*Continued on page 10*)

U. A. TO LEASE ON PERCENTAGE BASIS

Schenck Aims At "Crackpot" Commentary

By IRENE KUHN

Joseph M. Schenck, chairman of 20th Century-Fox, riding hard down the field of motion picture honor, tilted a lance intended to pierce the Goldwyn Goblin and the Brandt Banshee.

It will be remembered that Messrs. Goldwyn and Brandt recently collided in the press with similar expressions of anguish over the state of picture business.

Said Mr. Schenck:

"Regardless of what a few crackpots may say the majority of the world has endorsed motion picture business by their attendance at motion pictures."

Now Mr. Schenck is not calling Mr. Goldwyn and Mr. Brandt crackpots. In fact, he said of Mr. Goldwyn that "he has intense knowledge and appreciation of the picture business, but he is for Mr. Goldwyn first and picture business second." And he said he had told Mr. Brandt to his face that he thought the Brandt blasts

(*Continued on page 7*)

Warners' 26-Week Net Is $2,824,618

Warner Bros. Pictures, Inc., and subsidiary companies report a net operating profit for the 26 weeks ended Feb. 26, 1938, of $2,824,618.13, after deducting all charges, including amortization and depreciation and normal Federal income taxes, but without providing for Federal surtaxes on undistributed profits.

The figure compares with a net operating profit of $4,040,388.94 after

(*Continued on page 7*)

Movietone to Reopen Its Madrid Offices

Closed since shortly after the outbreak of the Spanish Civil War, in the summer of 1936, the Madrid headquarters of Movietone News are to be reopened, Truman H. Talley, head of the newsreel, has advised the home

(*Continued on page 7*)

Producers at a Meeting Call the System the "Only Fair Way"

Hollywood, May 22.—All United Artists pictures will be leased to exhibitors on a percentage basis only. That was the policy adopted and announced last night by United Artists producers who, in the first united front action of its kind, instructed George J. Schaefer, vice-president in charge of domestic distribution, to put the method into effect immediately.

At the meeting, held at the home of Samuel Goldwyn yesterday morning, were Mr. Goldwyn, David O. Selznick, Edward Small, Walter Wanger and Maurice Silverstone, representing Alexander Korda. The full expression of policy as announced follows:

"That in order to attract patrons to the box-office, the United Artists constant policy of producing motion pictures only of the highest entertainment quality is more important today than ever before and will be continued as inflexible. That since it is impossible in advance to correctly gauge the number of patrons who will see a motion picture, the only fair way to

(*Continued on page 3*)

Small to Produce 8 For United Artists

Hollywood, May 22. — Edward Small will produce eight films for release by United Artists during the 1938-39 season, it was revealed here yesterday by George J. Schaefer, U. A. vice-president in charge of distribution. The closing of the contract followed weekend conferences between the producer and Dr. A. H. Giannini, president of U. A.

Mr. Small's first film under the new pact will be "Duke of West Point," starring Jack Dunn, champion skater. Others will be: "Beach Boy," "The Man in the Iron Mask," "King of the

(*Continued on page 3*)

"Torchy" Principals Re-Signed by W. B.

Hollywood, May 22. — Warners yesterday re-signed Glenda Farrell, Barton Maclane and Tom Kennedy for the resumption of their characters in the Torchy Blane series. The trio had left the lot after a pay increase had been refused and have commit-

(*Continued on page 3*)

◀ Purely Personal ▶

JOHN E. OTTERSON plans to sail for France either this week or next for product conferences with CAPT. EDOUARD CORNIGLIONE MOLINIERE, his associate in a venture involving the importation and dubbing of French pictures for the American market.

•

WHITFORD DRAKE, Erpi president, is reported to be making continued progress in London in recovering from his recent illness. He may sail with MRS. DRAKE for New York within the next week or 10 days.

•

REWASHANKER PANCHOLI, owner of Empire Talkie Distributors, RKO distribution outlet in India, will arrive today on the *Queen Mary* for conferences with RKO officials. He will stay at the Waldorf.

•

BLAND JOHANESON, film critic for the *Daily Mirror* and wife of LEONARD GAYNOR of the 20th Century-Fox publicity department, is recovering from injuries sustained in an auto accident.

•

PEGGY FOLDES of the RKO Theatres publicity department, has been elected chairman of the associate members of the New York Newspaper Women's Club.

•

HAL WALLIS will leave today for Vancouver where he will vacation briefly before sailing for Honolulu. MRS. WALLIS is accompanying him.

•

RICK RICKETSON, Fox Intermountain division manager at Denver, has returned to Denver following a visit to the east with MRS. RICKETSON.

•

MARTIN WAGNER of the William Morris office is handling personal appearance tours of GENE AUTRY and BOB BAKER.

•

HENRY GINSBERG, Selznick International vice-president, plans to return to the coast within the next two or three days.

•

A. D. SKOURAS, RKO distributor in Greece, and nephew of SPYROS SKOURAS, is in New York for an indefinite stay.

•

LEO MCCAREY, GREGORY LACAVA and LEIGH JASON, RKO directors, are in town to look at the plays on Broadway.

•

LILLIAN BROWNE, secretary to CHARLES E. MCCARTHY at 20th Century-Fox, is in Mt. Vernon Hospital.

•

A. A. SHUBART, J. E. CASHMAN and W. J. MCSHEA left for Kansas City on Saturday by air.

•

BRODERICK CRAWFORD flew to the coast over the weekend via TWA.

Haines Gets on Job

Roy Haines, eastern division sales manager for Warners, lost no time in getting the new season selling under way in his territory. He dropped off the Warner special at Pittsburgh Friday night and started conferences with Bob Smeltzer, division sales manager, Saturday morning. He will return to New York Tuesday.

High Court to Get North Dakota Case

Regardless of the outcome of the North Dakota theatre "divorcement" case to be heard in Fargo, beginning June 1, the question of the constitutionality of the statute involved will go to the U. S. Supreme Court for a final decision.

The case will be appealed by the side that loses in the trial before the three-judge statutory court which will hear the distributors' attack on the law as presented by Paramount's legal battery headed by Thomas D. Thacher.

While the State of North Dakota is defending Paramount's action, Allied, which sponsored the legislation, is taking a leading part in the defense and plans to have a number of its stalwarts as witnesses at the trial. Abram F. Myers, Allied's general counsel, has been named a special deputy attorney general and will assist Attorney General Alvin C. Strutz.

The outcome will determine whether Allied will sponsor similar legislation in other states. Meanwhile, it has collected a fund to cover its expense in the trial, quotas having been allotted to the various units. The organization is paying for the services of Louis B. Schwartz, Minneapolis attorney, who also has been appointed a special assistant attorney general and will act as chief defense counsel.

Seven New Pictures Win Legion Approval

All seven of the new pictures reviewed and classified by the National Legion of Decency for the current week have been approved, four for general patronage and three for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage: "Cocoanut Grove," "The Devil's Party," "Extortion," "Yellow Jack." Class A-2, Unobjectionable for Adults: "Ayudame a Vivir" (Spanish), "Little Miss Thoroughbred," "Zandunga" (Spanish).

Cohen to Handle Tourney

BOSTON, May 22. — Joseph Cohen has been appointed director of the yearly film district golf tournament, sponsored by the Friars Club. Divots will fly June 14 at Pinebrook Country Club.

Blumenstock to 20th-Fox

Sid Blumenstock, publicity director of Warners' Atlantic City theatres for the past four years, has resigned to handle exploitation for 20th Century-Fox, working out of the home office.

Fringe of Nowhere

Calgary, May 22.—V. M. Skorey, 20th Century-Fox manager here, has secured a contract from the Lake Theatre, Yellow Knife, in the extreme Northwest territory. This theatre is way up beyond nowhere, the only means of transportation being by plane. It is 1,600 miles from Calgary. At present the exchange has been having difficulty getting prints back and forth as the ice is breaking and there is no place for the plane to land.

Big Gathering Pays Honor to Rosenthal

BRIDGEPORT, May 22.—Loew managers in New England, civic leaders and others turned out last night to honor Morris Rosenthal, for 15 years manager of the Majestic here, at a testimonial banquet at the Stratfield Hotel. Harry F. Shaw, division manager of Loew-Poli New England theatres, was toastmaster.

A dance and reception started the proceedings at 11 P.M., with the dinner beginning at midnight. A large number of industry representatives, including heads of other circuits, and civic officials attended.

Mr. Rosenthal became manager of Majestic when it was a Poli operation and was retained when Loew's purchased the Poli interests some years ago.

A committee of 50 sponsored the affair, the executive committee including Edward T. Buckingham, general chairman; Robert E. Munzner, Harry Aaronshon, James Leon, Frank Quinlan, Joseph Lopez, Abe Geduldig and Martin Rottman.

Pizor Ready for Call

PHILADELPHIA, May 22.—Lewen Pizor, president of the United M. P. T. O. of Eastern Pennsylvania, says he is ready to call a meeting for the establishing of a conciliation board for this territory as soon as definite word on a move in this direction comes from the distributors. Pizor has long been an advocate of such a setup.

New Hutchinson Title

The title of Walter J. Hutchinson, foreign manager of 20th Century-Fox, has been changed to director of foreign distribution.

"Monastery" Opening

"Monastery," released by World Pictures, will open today on the RKO Metropolitan circuit.

Need a Columnist?

When you pick up the newspaper some summer morning and turn to your favorite columnist's spot or the film page, don't gasp audibly when you find that Allen Jenkins, or even Kay Francis, is the new column concocter or film reviewer.

Give yourself a knowing wink, and understand that it is the latest dodge, gag or whatever those publicity persons call it, from Arthur Eddy of Robert S. Taplinger's staff at the Warner coast studio. A letter, plus return postcard, has gone to all the editors and columnists, urging them to take a vacation, offering to have any Warner player (check name on enclosed card) substitute on the columning.

Columbia's Third Starts in Dallas

DALLAS, May 22.—Columbia's third regional sales meeting will be held at the Baker Hotel here, Monday and Tuesday, with A. Montague, general sales manager, presiding. Sam Moscow, southern division manager, heads the group of delegates from the company's six southern exchanges who will attend the meeting here.

Rube Jackter, assistant sales manager, and Hank Kaufman, manager of exchange operations, are here from the home office and the following representatives from individual exchanges:

Dallas—Branch manager, J. B. Underwood; salesmen, H. Craver, W. L. Penn, J. L. McKinney and W. S. Hurst.

Oklahoma City—Branch manager, C. A. Gibbs; salesmen, J. A. Smith and S. Gibbs.

Memphis—Branch manager, J. J. Rogers; salesmen, H. Kohn and T. B. Haynes.

New Orleans—Branch manager, H. Duvall; salesmen, J. Winberry and J. J. Fabacher.

Charlotte—Branch manager, R. J. Ingram; salesmen, G. Roscoe and R. D. Williamson.

Atlanta—Branch manager, W. W. Anderson; salesmen, B. A. Wallace, U. T. Koch, E. B. Foster and J. S. Laird.

Columbia Outing June 11

The Columbian Club, organization of Columbia home office employes, will hold its annual outing on June 11 at the Pinebrook Country Club, Nichols, Conn. Finals of tennis, golf and handball tournaments, now in progress, will be played.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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UA Producers Plan to Lease On Percentage

(Continued from page 1)

both exhibitor and producer of determining the producer's return is the merit system — participation in gross receipts determined solely by attendance at the box-office. That the merit system, as stated above, will be the firm policy of distribution for United Artists pictures for the coming season."

Small to Produce 8 For United Artists

(Continued from page 1)

Turf," "The Two Orphans," "College Carnival," "Lost World" and "The Adventures of Beau Brummel."

Commenting on the development, Mr. Schaefer said, "Small has concentrated on getting the rights to stories of proven calibre worthy of the substantial production background with which he can endow them."

Church Bingo Target Of Toronto Campaign

TORONTO, May 22.—Nat A. Taylor, president of the Film Section of the Toronto Board of Trade and also head of the Exhibitors' Booking Association, has launched a drive against the holding of Bingo and other games in church and fraternal halls, which are largely tax-free. Action was taken by Taylor following protests of many independent exhibitors of the increasing competition from the games of chance.

Some weeks ago the authorities at Winnipeg placed a ban on Bingo throughout the city. A similar decision is sought here.

Says Films Are 100% Better in 15 Years

COLUMBUS, May 22.—"Motion pictures are 100 per cent better than they were 15 years ago," according to Mrs. Edward T. MacDonnell, film chairman of the Ohio Federation of Women's Clubs.

"There are few indecent pictures today," she says. "Ninety-six per cent of the films released in the past year have been placed on the approved lists of all groups crusading for higher film standards. Public demand has raised standards of film production."

"Torchy" Principals Re-Signed by W. B.

(Continued from page 1)

ments with other studios at present.

The first of the new Warner features will be "Torchy in Trouble." The studio had made one Torchy Blane feature since Miss Farrell and Mr. Maclane left the lot. This was "Torchy in Panama."

Return to G. N. Staff

BOSTON, May 22.—Thomas Jennings and James Kennedy have returned to the local Grand National sales department.

Hollywood Preview

"Three Comrades"

(M-G-M)

HOLLYWOOD, May 22.—Erich Remarque's story of post-war Germany comes to the screen as straight fiction with emphasis on the principal characters and no political connotations. Robert Taylor, Franchot Tone and Robert Young play the comrades of the title and Margaret Sullavan is the girl in their lives. Guy Kibbee, Lionel Atwill, Henry Hull, Charley Grapewin and Monty Wooley round out a cast rich in marquee value and admirably equipped for the acting in hand. The film is a carefully constructed, thoughtfully prepared item of highly vendible merchandise.

F. Scott FitzGerald and Edward E. Paramore put into their screenplay the dramatic essence of the novel and did some appropriate tinkering with certain details in the interest of the family trade. It is altogether clean.

Joseph L. Mankiewicz, producer, and Frank Borzage, director, gave the work distinguished treatment. To offset a probably inevitable talkiness they have distributed brief intervals of intense action throughout the film. The effect is unusual and potent.

Taylor, Tone and Young are trench buddies who preserve their palship after the war and sacrifice for each other as they struggle with more courage than hope against the economic rigors of the period. Taylor marries Miss Sullavan, an arrested tubercular case, whose affliction strikes her down during their honeymoon. Young is killed in a street riot and Tone avenges his murder. The wife learns of Young's death and Tone's and Taylor's sacrifices to pay for her hospitalization. Whereupon she disobeys doctors' order and thus hastens death. The picture ends with Tone and Taylor setting out for South America.

Running time, 100 minutes. "G."

New York Preview

"The Great John Ericsson"

(Scandinavian Talking Pictures)

An interesting story of the life of the Swedish inventor in this country during the period of the Civil War is told in this importation. Its logical audience, people of Swedish extraction, should find it interesting. Figures in American history are portrayed speaking in Swedish. The production and performances rank with the best to come from Sweden. Victor Seastrom has the name role. There are adequate English subtitles.

Count Folke Bernadotte appears at the beginning and delivers a talk on the 300th anniversary of good will between the U. S. and Sweden—the film is a sort of ambassador of good will—and briefly sketches Ericsson's life up to the time where the film begins.

The story tells of the inventor's domestic and business difficulties. His devotion to mechanical problems keeps him from his wife. At length she leaves him. He is upset but soon plunges again into work on his most important historical creation, the ironclad *Monitor*. His work is hampered by naval officials until Abraham Lincoln intervenes. The ship is completed, arrives at Hampton Roads where it engages the *Merrimac*. The battle scenes are done well. Following his triumph, Ericsson sets to work on a solar machine. His wife returns and is quite at a loss what to do seeing him again preoccupied. There is a light sub-plot which concerns the romance of a young Northern naval officer and the daughter of a Southern statesman.

Running time, 92 minutes. "G."

(Additional Reviews on Page 8.)

Purves Fully Recovered

TORONTO, May 22.—Jack Purves, formerly manager of Famous Players' theatres at Sudbury, Winnipeg and Hamilton, has recovered from a long illness and has been named as manager of the Village, a suburban house here.

Spokane Empress Is Sold

SPOKANE, May 22.—The Empress has been purchased by Ron Camp and Harry Speck from Cecil Miller of Peoples' Theatres, Inc. Camp and Speck have been associated with theatres here.

Winter Is Promoted

MONTREAL, May 22.—F. T. Winter has been appointed manager of the Maritime Division of the Canadian Marconi Co. Winter will be succeeded in his previous post as purchasing agent by E. P. Horsnell, formerly assistant purchasing agent.

To Use British Films

MONTREAL, May 22.—The Orpheum, first run outlet for United Artists during the past season, will turn to British pictures for the summer months. Eight features are listed as part of the booking contract.

"Rhythm" on Dual Is Best In Milwaukee

MILWAUKEE, May 22.—"Doctor Rhythm" and "A Trip to Paris," Tripoli Shriners' crippled children hospital benefit show at the Fox Palace, collected the week's high money with a $6,500 take, $1,500 above average.

"Test Pilot" and "Judge Hardy's Children" grossed $8,300 at the circuit's Wisconsin in its second week, $300 to the good. It has been shifted to the circuit's Strand on a dual bill with "Doctor Rhythm." "Mayerling" at the Pabst collected $4,500, while other business was off.

Total first run business was $35,000. Average is $26,500 for five houses.

Estimated takings:

Week Ending May 11:

"MAYERLING" (Pax)
PABST—(1,624), 35c-50c, 7 days. **Gross:** $4,500.

"DOCTOR RHYTHM" (Para.)
"A TRIP TO PARIS" (20th-Fox)
PALACE—(2,400), 35c-50c, 7 days. **Gross:** $6,500. (Average, $5,000)

"IN OLD CHICAGO" (20th-Fox)
"ISLAND IN THE SKY" (20th-Fox)
STRAND—(1,400), 35c-50c, 7 days, 2nd week. **Gross:** $3,000. (Average, $4,500)

"FOOLS FOR SCANDAL" (F.N.)
"BELOVED BRAT" (F.N.)
WARNER—(2,400), 35c-50c, 6 days. **Gross:** $4,600. (Average, $5,000)

"TEST PILOT" (M-G-M)
"JUDGE HARDY'S CHILDREN" (M-G-M)
WISCONSIN—(3,200), 35c-50c, 7 days, 2nd week. **Gross:** $8,300. (Average, $8,000)

Week Ending May 12:

"MICHAEL O'HALLORAN" (Rep.)
ALHAMBRA—(2,660), 15c-20c-25c, 7 days. Stage: Vaudeville. **Gross:** $3,300.

"RECKLESS LIVING" (Univ.)
RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: Vaudeville. **Gross:** $4,800. (Average, $5,000)

"Joy of Living" Is Best Montreal Bet

MONTREAL, May 22.—"Joy of Living," feature No. 1 at the Capitol, was box-office attraction No. 1, with a gross of $9,500, which equalled average.

"Judge Hardy's Children," doubling at the Princess, grossed $6,500 as compared with average here of $7,000, while "Stolen Heaven," on a double bill at Loew's, registered $7,500 compared with $8,000 average.

"Goldwyn Follies" earned $4,000 for its fourth week at the Orpheum and was held over for a fifth.

Total first run business was $35,000. Average is $40,500.

Estimated takings for the week ending May 14:

"JOY OF LIVING" (RKO)
"THE LOST GAME" (RKO)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9,500. (Average, $9,500)

"STOLEN HEAVEN" (Para.)
"THRILL OF A LIFETIME" (Para.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $7,500. (Average, $8,000)

"GOLDWYN FOLLIES" (U.A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 4th week. **Gross:** $4,000. (Average, $5,000) Held over.

"GIRL OF THE GOLDEN WEST" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $7,500. (Average, $11,000)

"JUDGE HARDY'S CHILDREN" (M-G-M)
"TROUBLE AT MIDNIGHT" (Univ.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $6,500. (Average, $7,000)

"Test Pilot" Twin Cities' Money-Maker

INDIANAPOLIS, May 22. — "Doctor Pilot," in its second week at the State, went 100 per cent over normal to $8,000. In its first week in St. Paul it also stole the show, drawing $5,100, where $4,400 is par.

Total first run business in Minneapolis was $24,300. Average is $22,400. Total first run business in St. Paul was $10,800. Average is $13,260.

Estimated takings:

Week Ending May 12:

Minneapolis:

"MERRILY WE LIVE" (M-G-M)
MINNESOTA—(4,000), 25c-55c, 7 days. **Gross:** $8,000. (Average, $8,000)

"COLLEGE SWING" (Para.)
ORPHEUM — (2,900), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,800)

"TEST PILOT" (M-G-M)
STATE—(2,400), 25c-55c, 2nd week, 7 days. **Gross:** $8,000. (Average, $4,000)

"BELOVED BRAT" (F. N.)
CENTURY — (1,600), 25c-40c, 7 days. **Gross:** 2,900. (Average, $4,000)

"MAYERLING" (Pax)
WORLD—(400), 25c-35c, 7 days, 4th week. **Gross:** $1,400. (Average, $1,600)

St. Paul:

Week Ending May 12:

"TEST PILOT" (M-G-M)
PARAMOUNT—(2,500), 25c-40c, 7 days. **Gross:** $5,100. (Average, $4,400)

"ADVENTURES OF TOM SAWYER" (U. A.)
ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $3,200)

"TIPOFF GIRL" (Para.)
"HEART OF ARIZONA" (Para.)
RIVIERA—(1,000), 25c-40c, 7 days. **Gross:** $1,300. Average, $2,460)

"INTERNATIONAL SETTLEMENT" (20th-Fox)
TOWER—(1,000), 25c-35c, 7 days. **Gross:** $1,000. (Average, $1,600)

"STORM IN A TEACUP" (U. A.)
WORLD—(400), 25c-35c, 7 days. **Gross:** $900. (Average, $1,600)

Cold Rain Hits All Buffalo First Runs

BUFFALO, May 22.—A week of cold, rainy weather wrecked business here, as all houses fell below par. "Dr. Rhythm", playing the Buffalo, was closest to the line with a gross of $11,800, missing normal by $200.

Total first run business was $34,500. Average is $38,400.

Estimated takings for the week ending May 14:

"DR. RHYTHM" (Para.)
BUFFALO — (3,000), 30c-55c, 7 days. **Gross:** $11,800. (Average, $12,000)

"BELOVED BRAT" (W.B.)
"THE PATIENT IN ROOM 18" (W.B.)
HIPPODROME—(2,500), 25c-40c, 8 days. **Gross:** $6,300. (Average, $6,800)

"KENTUCKY MOONSHINE" (20th-Fox)
GREAT LAKES—(3,000), 30c-50c, 7 days. **Gross:** $6,600. (Average, $7,500)

"BATTLE OF BROADWAY" (20th-Fox)
"RAWHIDE" (20th-Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $4,900. (Average, $6,000)

"A GIRL WITH IDEAS" (Univ.)
"THE BLACK DOLL" (Univ.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $4,900. (Average, $6,300)

Protest Competition

SEATTLE, May 22.—Protest against leasing the Seattle Civic Stadium for midget auto races, rodeos or similar entertainment has been registered with the City Council by James M. Hone, secretary, on behalf of the M.P.T.O. of Washington.

"Dr. Rhythm" Gets Indianapolis Lead

INDIANQPOLIS, May 22.—"Doctor Rhythm," paired with "Nurse from Brooklyn," was a powerful grosser in an otherwise light week. The bill gave the Circle $7,500, over normal by $3,000. It went to the Apollo for a second week.

All other business was sub-normal. Other competition was given by the Cole Brothers circus, which played a one-day stand.

Total first run business was $22,100. Average is $22,500.

Estimated takings for the week ending May 13:

"STOLEN HEAVEN" (Para.)
"A TRIP TO PARIS" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $2,500. (Average, $3,000)

"DOCTOR RHYTHM" (Para.)
"NURSE FROM BROOKLYN" (Univ.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $7,500. (Average, $4,500)

"DIVORCE OF LADY X" (U.A.)
"JUDGE HARDY'S CHILDREN" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $5,500. (Average, $7,000)

"BELOVED BRAT" (F.N.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Stardust Revue." **Gross:** $6,600. (Average, $8,000)

"Music" Best Bet In Oklahoma City

OKLAHOMA CITY, May 22.—"Mad About Music" was a bit of a sensation in the general dullness hereabouts. It grossed $6,500 at the Criterion, passing par by $1,300.

"Test Pilot," in its second week at the Tower where it was moved from the criterion, reached $3,200, up by $700.

Total first run business was $16,800. Average is $18,400.

Estimated takings:

Week Ending May 12:

"CONDEMNED WOMEN" (RKO)
"THIS MARRIAGE BUSINESS" (RKO)
LIBERTY—(1,200), 20c-25c, 7 days. **Gross:** $2,100. (Average, $2,500)

"FOOLS FOR SCANDAL" (W. B.)
MIDWEST—(1,500), 25c-35c-40c, 7 days. **Gross:** $3,000. (Average, $4,500)

"TO THE VICTOR" (G. B.)
STATE—(1,100), 25c-40c, 7 days. **Gross:** $2,000. (Average, $3,700)

Week Ending May 13:

"MAD ABOUT MUSIC" (Univ.)
CRITERION—(1,500), 25c-35c-40c, 7 days. **Gross:** $6,500. (Average, $5,200)

"TEST PILOT" (M-G-M)
TOWER—(1,000), 25c-35c-55c, 7 days, 2nd week. Moved from Criterion. **Gross:** $3,200. (Average, $2,500)

"Pilot" Gets Cleveland's Top 2d Week

CLEVELAND, May 22.—"Test Pilot" for the second consecutive week held top spot among local first runs. At Loew's Stillman where it moved after a big week at Loew's State, the take was $7,000. This comes within $1,000 of doubling the average. It was held a third week.

Guy Lombardo and His Canadians, headline stage attraction at the RKO Palace, and "The Lone Wolf Returns" grossed $16,500. Average is $15,000.

"Mad About Music" held to the $4,000 average at the Allen where it played a holdover from the Hippodrome.

Total first run business was $45,500. Average is $46,500.

Estimated takings for the week ending May 13:

"MAD ABOUT MUSIC" (Univ.)
ALLEN—(3,000), 30c-35c-42c, 7 days, 2nd week. **Gross:** $4,000. (Average, $4,000)

"JOY OF LIVING" (RKO)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $9,000. (Average, $10,000)

"THE LONE WOLF OF PARIS" (Col.)
RKO PALACE—(3,100), 30c-35c-55c, 7 days. Stage: Guy Lombardo and His Canadians. **Gross:** $16,500. (Average, $15,000)

"ADVENTURES OF MARCO POLO" (U. A.)
LOEW'S STATE—(3,500), 30c-35c-42c, 7 days. **Gross:** $9,000. (Average, $13,500)

"TEST PILOT" (M-G-M)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 2nd week. **Gross:** $7,000. (Average, $4,000)

Drops Theatre Measure

OMAHA, May 22. — Mayor Dan Butler has dropped his proposed ordinance which would give the city welfare board wide power over theatres and all other forms of entertainment.

"Test Pilot" 2d Week Hit In Pittsburgh

PITTSBURGH, May 22.—The second week of "Test Pilot" was practically the only bright spot among first runs. With the lifting of the parking lot strike, "Pilot" continued to zoom and passed a neat $7,000 figure in its second week at the Warner. It was held for a third.

At the Stanley "I Met My Love Again," with Wayne King and his orchestra on the stage, turned in $21,000, up by $3,000.

Total first run business was $49,000. Average is $45,000.

Estimated takings for the week ending April 28:

"BATTLE OF BROADWAY" (20th-Fox)
ALVIN—(1,750), 25c-50c, 7 days. **Gross:** $5,000. (Average, $6,500)

"FOUR MEN AND A PRAYER" (20th-Fox)
FULTON—(1,700), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,500)

"DR. RHYTHM" (Para.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $12,000. (Average, $11,000)

"I MET MY LOVE AGAIN" (U. A.)
STANLEY — (3,700), 25c-60c, 7 days. Stage: Wayne King and his orchestra. **Gross:** $21,000. (Average, $18,000)

"TEST PILOT" (M-G-M)
WARNER—(1,850), 25c-40c, 7 days, 2nd week. **Gross:** $7,000. (Average, $5,000)

Columbia Starts Serial

HOLLYWOOD, May 22.—Having suspended its contract for four serials from Louis Weiss, Columbia has started "Wild Bill Hickock," 15-episode serial, on its own production schedule for this season's release. A location company has gone to Utah where scenes using 5,000 cattle, 1,000 cowboys and 1,500 Indians will be taken.

"Dr. Rhythm," With $7,400, Denver Best

DENVER, May 22.—"Dr. Rhythm" started slowly at the Denham, but built daily until it reached $7,400, up by $1,900, and was given a second week.

"In Old Chicago" took $3,500 at the Broadway following a week each at the Denver, Aladdin and Paramount. "Test Pilot" and "The First 100 Years" were strong with $8,300 at the Orpheum in a second week.

Total first run business was $36,200. Average is $32,750.

Estimated takings for the week ending May 19:

"THERE'S ALWAYS A WOMAN" (Col.)
ALADDIN—(1,400), 25c-40c, 7 days, following a week at the Denver. **Gross:** $3,000. (Average, $3,500)

"IN OLD CHICAGO" (20th-Fox)
BROADWAY—(1,100), 25c-40c, 7 days, following a week each at the Denver, Aladdin and Paramount. **Gross:** $3,500. (Average, $2,500)

"DR. RHYTHM" (Para.)
DENHAM—(1,750), 25c-35c-40c, 7 days. **Gross:** $7,400. (Average, $5,500)

"ADVENTURES OF MARCO POLO" (U. A.)
DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $8,500. (Average, $8,500)

"TEST PILOT" (M-G-M)
"FIRST HUNDRED YEARS" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days, 2nd week for "Test Pilot." **Gross:** $8,300. (Average, $7,500)

"BATTLE OF BROADWAY" (20th-Fox)
"ADVENTUROUS BLONDE" (F. N.)
PARAMOUNT—(2,200), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,500)

"JEZEBEL" (W. B.)
"SHE LOVED A FIREMAN" (F. N.)
RIALTO—(878), 25c-40c, 7 days. "Jezebel" following a week each at the Denver and Aladdin. **Gross:** $2,000. (Average, $1,750)

"Chicago" $10,000 Hit at New Haven

NEW HAVEN, May 22.—"In Old Chicago" and "Mr. Moto's Gamble" took top honors at the Loew-Poli, grossing $10,000, over by $2,000. The bill was moved to the College for a second week.

The second week of "Test Pilot" and "Island in the Sky" tallied $3,800 at the College, after a first week of $11,500 at the Loew-Poli.

Total first run business was $19,000. Average is $20,100.

Estimated takings for the week ending May 13:

"TEST PILOT" (M-G-M)
"ISLAND IN THE SKY" (20th-Fox)
COLLEGE—(1,499), 35c-50c, 7 days, 2nd week. **Gross:** $3,800. (Average, $2,800)

"IN OLD CHICAGO" (20th-Fox)
"MR. MOTO'S GAMBLE" (20th-Fox)
LOEW-POLI—(3,040), 35c-50c, 7 days. **Gross:** $10,000. (Average, $8,000)

"STOLEN HEAVEN" (Para.)
"RECKLESS LIVING" (Univ.)
PARAMOUNT—(2,348), 35c-50c, 5 days. **Gross:** $2,500. (Average, $4,600)

"FOOLS FOR SCANDAL" (W.B.)
"WOMEN ARE LIKE THAT" (W.B.)
ROGER SHERMAN—(2,200), 35c-50c, 6 days. **Gross:** $2,700. (Average, $4,700)

Theatre Cuts Prices

SAN FRANCISCO, May 22.—A reduced price scale has been placed in effect at the Embassy here. Prices will range from 25 cents to a 40-cent top. The reduction is due to the great number of first run houses in the downtown area.

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M N O P Q R
S T U V W X
Y Z
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with

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Directed by HENRY KOSTER who made "3 Smart Girls"
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Original story and screen play by Bruce Manning and Felix Jackson

Produced by B. G. de SYLVA

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America hears the news in a nation-wide fan magazine campaign—on the stands June First.

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Modern Screen
movie MIRROR
Hollywood
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SCREENLAND
SCREEN BOOK
Silver Screen
Motion Picture
FILM FUN

"Robin Hood" Frisco Smash With $26,000

SAN FRANCISCO, May 22.—Breaking records for the past six months, [illegible] Fox counted $26,000 for the first week of "Adventures of Robin Hood." This was $9,000 over normal and was the third highest take this year.

"Adventures of Marco Polo" also was a hit with $12,000 at the United Artists. This was $5,000 to the good. None of the other first runs could stand up in the face of this competition.

Total first run business was $83,200. Average is $87,000.

Estimated takings:

Week Ending May 17:

"THIS MARRIAGE BUSINESS" (RKO)

GOLDEN GATE—(2,850), 35c-40c-55c, 7 days. Stage: vaudeville. **Gross:** $14,000. (Average, $16,000)

"SAILING ALONG" (G.B.)
"HOLLYWOOD STADIUM MYSTERY" (Republic)

EMBASSY—(1,400), 25c-30c-40c, 7 days. **Gross:** $4,000. (Average, $5,000)

Week Ending May 18:

"MARCO POLO" (U.A.)

UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days. **Gross:** $12,000. (Average, $7,000)

"ADVENTURES OF ROBIN HOOD" (W.B.)
"JUDGE HARDY'S CHILDREN" (M-G-M)

FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $26,000. (Average, $17,000)

"SINNERS IN PARADISE" (Univ.)
"NURSE FROM BROOKLYN" (Univ.)

ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days. **Gross:** $7,000. (Average, $8,500)

"DR. RHYTHM" (Para.)
"ACCIDENTS WILL HAPPEN "(W.B.)

ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 2nd week (moved over from Fox). **Gross:** $4,000. (Average, $7,000)

Week Ending May 19:

"TEST PILOT" (M-G-M)

WARFIELD — (2,680), 15c-35c-40c-55c-75c, 7 days, 4th week. **Gross:** $7,500. (Average, $13,000)

"CLUB DE FEMMES" (Pathe-Natan)

CLAY—(400), 15c-35c-40c, 6 days, 3rd week. **Gross:** $700. (Average, $1,300)

Week Ending May 20:

"KENTUCKY MOONSHINE" (20th-Fox)
"BATTLE OF BROADWAY" (20th-Fox)

PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $8,000. (Average, $13,000)

Wall Street

Pathe Only Board Gain

	Open	High	Low	Close	Net Change
Col.	12¼	12¼	12¼	12¼	— ½
Cons.	1⅛	1⅛	1⅛	1⅛	.....
E. K.	154	154	154	154	— ⅝
G. T. E.	11	11	11	11	— ½
Loew	40	40	39⅜	39⅜	—1⅝
Para.	7½	7½	7¼	7⅜	— ¼
Para. 1	76	76	76	76	— ½
Para. 2	8½	8½	8⅜	8⅜	— ¼
Pathe	5	5	5	5	+ ¼
R. K. O.	2⅛	2⅛	2⅛	2⅛	— ⅛
20th Fox	22½	22½	22½	22½	.....
W. B.	4⅞	4⅞	4⅞	4⅞	.....

Little Curb Activity

	Open	High	Low	Close	Net Change
Technicolor	24	24	23⅛	23½	— ¼

Bonds Decline

	High	Low	Close	Net Change
Paramount Broadway 3s '55	58½	58½	58½	.....
Paramount Pictures '47	71½	71½	71½	— ½
R. K. O. 6s '41	71⅞	70	70	—1⅞
W. B. 6s '39	75	75	75	.....

(Quotations at close of May 21.)

Schenck Aims His Lance At the "Crackpot" Armor

(Continued from page 1)

were good publicity for H. B., but bad for picture business.

Mr. Schenck made one thing clear, to wit:

"The only difference between good times and bad times in picture business is that in good times people attend the theatre four times a week, and in bad times they cut expenses and so naturally having less to spend in the theatres select the best picture in their neighborhood. There never have been bad times for a great picture. But nobody can expect every picture that comes out of Hollywood to be a great picture any more than you can expect the drama which has been functioning for hundreds of years to ring the bell with a four-star hit every time.

"Unless Mr. Goldwyn and Mr. Brandt had the intention of making the front pages I cannot figure out why they should have made such ridiculous statements," said Mr. Schenck closing that matter.

Defines Film Quality

Constructively, he added, the formula for a successful picture, reduced to its simplest terms, is a good story and proper casting. "Actors playing roles which the public can believe." That is the essence of the 20th Century-Fox formula, the chairman added.

"And reducing the yearly product won't make pictures better," he went on. "No studio overlooks a great story now merely because it's committed to, say, three pictures a month instead of one."

He scored the Neely bill, particularly Section 4, which he termed "preposterous and ridiculous." He added that it would be impossible to obey this section of the bill literally. To do so would mean that the required film synopsis, which would be part of the lease, could not be made until the film was in the can. Even then, if such a synopsis is to be completely accurate and fit all the requirements of the bill, there are difficulties which are practically insurmountable, for no two persons view the same thing in exactly the same way and the synopsis is intended to be a literal description of the business, action and dialogue.

"How is an exhibitor going to buy pictures like that?" he asked. "He's got to change his bill a couple of times a week. He's got to be ahead in his buying not neck and neck with each picture."

Mr. Schenck said that despite the current agitation over double bills it was his conviction that double features are definitely preferred in many sections of the country.

"Maybe not in New York, where there's a wide choice of entertainment. But if the double bill is so bad in New York that everybody wants to get rid of it, why don't they? It seems to me that the independent exhibitors and the circuit men could get together for a full and representative meeting. Let them pledge themselves beforehand to abide by the majority theatre vote and test the majority decision for a stipulated period. The vote should be by theatres, however. A circuit with 50 houses should have 50 votes, an exhibitor with 10 houses would have 10 votes."

Schenck's company, with its 52 pictres for the coming season, will have more "big" subjects than ever before. "If we have to meet bad times we'll meet them with good product, great entertainment, subjects which will leave an impression with the audience."

Likes True Adventure

Mr. Schenck said he saw tremendous popularity ahead for the adventure-biography type of story. "If you have an entertaining story—adventure—against a background of truth—biography—then truth is the plus quality which can make a picture great. It's like public speaking. I may be the poorest speaker in the world, but if I know what I'm talking about and talk honestly and sincerely, then I can be eloquent."

Finally, in deploring the small grudge fights and "getting even" tactics which pinprick the fabric of picture business, he said:

"The motion picture business belongs to everybody who is in it. The business is composed of the talents and industry of producers, directors, technicians, actors, writers, exhibitors, distributors. What is important to the business as a whole is important to every individual in it. If we had unity, everybody working constructively for the common good, which is his own good, picture business need never cry the blues."

Hornbeck Back on Job

SHAWNEE, OKLA., May 22.—Adam Hornbeck, Griffith circuit partner here, who has not been active in theatre operation for the past two years due to a leg injury, has returned to management of the Bison, Criterion and Avon here. Bob Browning, who has been managing Griffith's theatres, has been transferred to Ponca City. Herschell Burdick, assistant city manager in Shawnee, remains in that post.

Alliance House to Close

ALLIANCE, O., May 22.—The Columbia, which has been maintaining a first run policy, except Thursdays and Fridays when unit stage shows have been offered, with films, will close June 1 for improvements including an air conditioning system.

Nova Scotia Stops Portable Film Shows

TORONTO, May 22.—Itinerant film shows using standard film releases are now a thing of the past in Nova Scotia, legislation having been enacted which restricts the screening of standard-width films to structures having permanently-installed projection equipment in approved booths. There is no restriction on the use of 16mm. film of the safety type.

In the past traveling picture units have provided screen entertainment in halls and lodge rooms of small communities not served by theatres, but film shows, except those made possible by the use of narrow prints, are now restricted to recognized theatres.

Warners' 26-Week Net Is $2,824,618

(Continued from page 1)

similar charges for the corresponding period the previous year.

The net profit from operations for the 26 weeks, before charges for amortization and depreciation of properties, normal Federal income taxes, and Federal surtaxes on undistributed profits, was $6,393,096.44.

During the period there was a credit of $91,208.64 made directly to the deficit account. The 26-week net is equal to $27.39 per share on 103,107 shares of preferred stock. Dividends in arrears as of March 1, amounted to $23.10 a share.

The net is equal also to 70 cents per share on 3,701,090 shares outstanding (after deducting shares held in treasury) on Feb. 26, after allowance for current dividend requirements on the preferred stock. The per share earnings are figured without provision for Federal surtaxes on undistributed profits.

Movietone to Reopen Its Madrid Offices

(Continued from page 1)

office. Talley, who went abroad to attend Paris and London meetings, will visit Rome, Berlin and Vienna before returning here in June. He has informed his office here that he has expanded his European staff "to provide for any eventualities."

Ettore Villani, Italian editor of the newsreel, has been placed in charge of Spanish activities, succeeding Erich Stoll, who has been transferred to Berlin as assistant to Robert Hartmann, German editor. Frederic Fresnau has been promoted to head of the French edition.

All overseas editions of the newsreel are shortly to adopt the American policy of featuring commentators and departments, the French edition having already adopted the practice. Jean Toscane has been named chief commentator of the French edition and Leslie Mitchell of the British reel.

The newsreel's re-equipment program abroad under the direction of E. I. Sponable, technical director, has been completed.

Universal Testing Telco Color Films

HOLLYWOOD, May 22.—Another new color process, this one called Telco, is being pushed here. Universal has been making screen tests with it, using two contract players, Francis Robinson and Eleanor Hanson.

Under this process, its backers claim, the Telco print-processing machine can take any set of color separation negatives and apply color to the positive electrically. Speed without loss of quality and the use of a black and white sound track are cited as among its advantages. Production will be started June 15 at the company's plant, 1,257 North LaBrea Ave.

Stay Open at Columbus

COLUMBUS, May 22.—With a list of double bills signed up, the RKO Majestic will not close as previously indicated, according to C. Harry Schreiber, RKO city manager.

Kansas City Cinema Club Is Established

Kansas City, May 22.—The local Cinema Club started officially when R. R. Biechele, chief barker of the Variety Club, inducted officers and heard the pledge of members.

Officers of the new group are Stanley Goldberg, Monogram, president; Harry Wheeler, Paramount, first vice-president; George Friedel, 20th Century-Fox, second vice-president; John Scott, Republic-Midwest, treasurer, and Walter Kirkham, Commonwealth Amusement Corp., secretary.

Members are Luther Pritchett, Film Delivery; Al Adler, M-G-M; Charles Seibenthaler, Independent Poster Exchange; Nelson Burrus, Paramount; Charles Crawford, 20th Century-Fox; M. S. Anderson, Paramount; Dale C. Hevelone, Madrid Theatre; Harry Biederman, Isis Theatre; Chet Borg and Henry E. Vogelpohl, Warners; Harlan Everett, M-G-M; Charles Decker, 20th Century-Fox.

Remote Canada Area Will Get Film House

Toronto, May 22. — The North West Territories, remote section of Canada adjacent to Alaska, is to have its first film theatre at last. The frontier settlement of Yellowknife, 780 miles north of Edmonton, Alberta, will shortly have a theatre, which is being erected by Kinema Amusements, Ltd., with offices in Calgary. It will be the most northerly house in the Dominion and will serve the scattered residents of a wide mining area.

The new mining town of Cadillac in northern Quebec will also shortly boast a $40,000 theatre which is being erected by Bydzak Bros., who own and operate the Palace Theatre in Val d'Or, also a new settlement in the north country.

The new mining town of Geraldton in Northern Ontario will see the opening shortly of the Strand, which is being built by Theatre Holding Corp., Ltd., here.

Greenwich to Have Music-Film Series

Cinema-concerts—an hour of related music conducted by Quinto Maganini, and a foreign film—will be launched in the Pickwick, Greenwich, Conn., under the sponsorship of the Greenwich unit of the Junior League, beginning May 25 and continuing through Aug. 3.

The foreign films chosen are "Moonlight Sonata," "Pearls of the Crown," "Orphan Boy of Vienna," "La Bonheur," "The Adventures of Chico" and "Pagliacci." The hour of music, preceding the screening, will be chosen to set the mood for the film.

The Junior League's choice of an all-foreign picture program is due to the fact that American releases have mostly been viewed elsewhere.

The management has donated the Pickwick for the programs, and the proceeds will go toward children's concerts next winter.

Form Pyramid Films

Dover, Del., May 22.—Pyramid Pictures, Inc., has been formed here to deal in motion pictures, with a capital of $250,000. The incorporators are L. E. Gray, L. H. Herman and Walter Lenz of Wilmington.

New York Previews

"The Saint in New York"

(RKO)

Here is an unpretentious but extremely active picture which contrives to be excellent, although somewhat "murderous," entertainment, and which has the added value of an intriguing title.

The film lacks marquee names in the cast, but that did not prevent the players turning out a handful of neat performances. Louis Hayward is in the title role, and, as the "Saint," a notorious international criminal of the Robin Hood type whose victims are invariably people who should be disposed of, he turns the job smartly, despite a slight tendency to appear too suave at times. Kay Sutton, Sig Rumann and Jonathan Hale are the chief supporting players.

Ben Holmes, who directed from a screenplay by Charles Kaufman and Mortimer Offner, held out for speed and suspense, with the merest touch of occasional comedy, and was highly successful, thanks to Hayward's ability to carry the role.

From a novel by Leslie Charteris, the story recounts the protests to the police commissioner of what is represented to be New York by a group of prominent citizens, against the rule of gangs. What begins to appear like an indictment of crooked courts and freedom for criminals, rapidly turns to direct action as the notorious "Saint" is persuaded to undertake the cleanup of the "big shots." He does, with spectacular speed and plenty of suspense, falling in love on the way. Unusually, tragedy closes the film, as death beats the romance, and the "Saint" goes his way.

Running time, 72 minutes. "G."

"Gangs of New York"

(Republic)

The addition of "Gangs of New York" to the cycle of films dealing with the release of gangster leaders from prison and their subsequent return to their activities should give audiences an exciting hour's entertainment. This story's variation from the theme is the dual-role device. It aptly does the job of keeping interest keyed up to satisfying levels. The scene constantly changes and the action is cleverly spread out.

The police endeavor to clean up four New York gangs in one coup. Charles Bickford, a state trooper who resembles Gangster "Rocky Thorpe," is dispatched to take the gang leader's place when the latter is supposed to be released from prison. Bickford obtains the confidence of the mob to some extent and sells his philosophy of business to the other gang leaders. He convinces everyone but Alan Baxter and Wynne Gibson. There is also a budding romance when he meets Ann Dvorak, a singer, whose brother is one of the mob.

Bickford, in colorful style, gets the other leaders to make records of their "business" and arranges a conference. Meanwhile "Thorpe" breaks from jail and comes to the city. The climax arrives when Bickford is revealed as a copper and falls into the racketeers' hands. "Thorpe" arrives on the scene, having been tipped off by Miss Gibson. A shooting melee takes place with the police winning and "Thorpe" gets shot by Baxter, who mistakes him for Bickford. Later Bickford proposes to Miss Dvorak.

The performances by the principals are all that the story requires. James Cruze directed. Sam Fuller did the original story. The support offers Harold Huber, Maxie Rosenbloom, John Wray, Jonathan Hale and Fred Kohler.

Running time, 67 minutes. "G."

Buys Theatre Building

Seattle, May 22. — Harry Ulsh, operator of the Cle Elum Theatre at Cle Ulum, Wash., has purchased the two-story building in which his theatre is housed. The property was bought a few weeks ago from the former estate by the Junior Amusement Co., from which Ulsh acquired it.

Dissolve Theatre Firm

Seattle, May 22.—The Peoples' Amusement Co., operating the Post Street and the Ritz in Spokane, has dissolved partnership. Jack Evans henceforth will take over the Post Street Theatre and Cecil Miller will continue to operate the Ritz.

French Film to Heymann

Andre R. Heymann, director of the French Cinema Center, will distribute in the United States the French films "Regain" and "Schoupoun," produced by Marcel Pagnol, and "Durand-Bijoutier, made by Les Films de J. de Cavaignac. Mr. Heymann also will distribute all films produced by J. C. Bernard.

Cuts Price in Akron

Akron, May 22.—The Nixon, operated by Charles P. Stalder, is the first local film house to cut admissions. The price is 10 cents on Wednesday and Thursday with a 15-cent top the rest of the week. This is a five-cent cut.

Short Subjects

'The Fighting Devil Dogs'

(Republic)

If future installments of this serial hold to the promise of the first episode and advance synopsis then the exhibitor has something which his younger audiences should eagerly anticipate.

This is one of those mysterious, pseudo scientific yarns with all required angles to keep its clientele coming back. The Marine Corps figures heroically in it and there are assorted electrical gadgets and weird characters constantly on view. The story has to do with the pursuit and dodging of The Lightning, who masquerades in an outlandish costume and works his criminal way with the aid of a powerfully charged projectile.

The film offers Lee Powell, Herman Brix, Eleanor Stewart, Montagu Love and Sam Flint in the leading roles. The Lightning is unidentified. William Whitney and John English directed. The first chapter runs 30 mins. Additional installments run approximately 18 mins. "G."

"Pinehurst"

(RKO)

From all the sporting angles this short has what it takes. The theme is golfing and it seems everybody in Pinehurst "swats the pill." The photography is excellent. Various champions do their stuff, as well. Much color and atmosphere is worked into the narrative. The golfing fraternity must be made aware of its presentation. Running time, 9 mins. "G."

"The Problem Child"

(Universal)

An interestingly developed, and for the most part, an entertaining cartoon is offered here. The plot concerns "Wild Cat Willie," who gets into all sorts of scrapes, runs away from home, is frightened by a dog, returns, and finds that home is not at all bad. Running time, 7 mins. "G."

"Hold It"

(Fleischer-Paramount)

The popular tune that requires dancers to freeze in their steps when the phrase orders it makes an excellent cartoon theme. It has been treated here with much ingenious drawing and laughable sequences in which a chorus of cats annoy a dog to distraction. The Technicolor effects are good. Good. Running time, 7 mins. "G."

"Music and Flowers"

(Mentone-Universal)

Eve Sully and Jesse Block furnish their familiar brand of comedy in a fairly entertaining manner, and a group of acts ranging from singers to bell-ringers serve as background. It is fair stuff composed of typical variety material. Running time, 19 mins. "G."

"Community Sing 8-2"

(Columbia)

Songs of the west and pioneer days make up this number. "Sons of the Pioneers" handle the screen vocals in good style. Songs include "Oh Susanna," "Old Folks At Home," "The Last Round-up" and "Darling Nellie Gray." Fair. Running time, 11 mins. "G."

Price Levels Hold in Spite Of Recession

(Continued from page 1)

action and tendency in both instances [illegible] dictated by local circumstances [illegible]erning summer competition or a dearth of strong product requiring the use of either secondary bookings or the dating of reissues. In several instances, the decreases have occurred in localities where admission scales were increased last year and the markdown, as a result, brings the price level to that prevailing prior to 1937, rather than to a sub-par standard, as might be supposed.

Contrary to general belief, the industrial east and midwest, which were first to feel the recession, have not been the first to reduce admissions, nor is there evidence of any more numerous reductions in these areas than in the agricultural west and south. The price decreases and consideration of the move cannot be territorially defined. It occurs in widely separated areas and appears to be locally confined.

Localities Itemized

The following reports show reductions or tendencies to reduce admissions.

Spokane—Reductions of five cents to 15 and 25-cent scales have been made in several subsequent runs here. First runs have undergone no price changes yet.

Omaha — Tri-States Circuit has closed the Majestic, Grand Island, and lowered prices at the Grand, in the same city. Prices elsewhere have been maintained.

Miami—The Colony, Community and Plaza, at Miami Beach, have reduced admissions. All other houses in the greater Miami area have maintained their schedules up to now. Summer conditions may force the closing of some houses, although the outlook this season is better than it has been for several years. No attempts at double featuring have been made yet.

Lincoln—Prices here have fluctuated for several months past, due as much to competitive price cutting and restoration of scales as to business conditions. Indications are the reductions which stick will be confined to second runs.

Buffalo Normal

Buffalo—Seasonal reductions have been made by all first runs in anticipation of summer competition. The scales, however, had been advanced five and 10 cents about six months ago.

Salt Lake City—Houses throughout Utah and Idaho which raised admissions early in 1937 have returned to the 1936 scales. Fox West Coast Theatres in Idaho and Montana did not raise prices at that time and have not been forced to make reductions now.

Milwaukee — First run admission prices have held steady but neighborhood levels have been lowered five cents for matinees and, in a few places, are down to 10 cents general admission, nights.

San Francisco—Barring a business upturn in the near future, local houses may be forced to reduce prices but are maintaining the established scales as long as possible. The Embassy is the only house which has reduced prices up to now. It is down from a 55 to a 40-cent top, but eliminated its 15-cent admission in favor of a 25-cent minimum.

Des Moines—A 15 to 20 per cent decrease in prices is almost general throughout Iowa. Of the few operators who have managed to maintain established scales, several will make reductions soon to offset summer competition.

Reports from the following cities reveal no serious change or tendency to change prices.

Detroit—Only two houses in this territory, the United Artists and Madison, have dropped prices. A careful check reveals nothing to indicate any general decrease in scales at present.

Louisville Retains Scales

Louisville—Only one house, the Kentucky, has decreased its scale, going from a 25 to a 20-cent top. First runs are still at 40 cents, plus four cents state tax, top. Neighborhood and country theatres in the state and in southern Indiana have maintained their scales and with a good crop outlook see no likelihood of a change downward.

Albany—Spotty business prevailing for some time makes a prediction on the future price policy in this area difficult. First runs wiped off a 10-cent increase made last year when business slumped at the beginning of this year. Leading operators have maintained scales fairly evenly since, but a summer decline may force widespread reductions.

Denver—There is no apparent tendency—or need—of price reductions in this territory. Scales have been, and are remaining, at a popular level of 40 and 25 cents.

Boston—No reduction of admission scales is in sight in this territory. Increases were not made a year ago and houses now are in a position to take up the slack without resorting to price cuts. The only changes in recent months have resulted from the addition or elimination of vaudeville.

Kansas City—Exhibitors here are holding out against price reductions as stubbornly as possible. In many instances, increases in scales made a year ago are still being maintained. There is little likelihood of prices going below the 1936 levels.

No Minneapolis Reductions

Minneapolis—Circuits and independents alike have made no changes in admission prices. There is no authoritative information that any reductions are being considered.

Dallas—Although business reports are pessimistic throughout the territory no price reductions have been made or, so far as can be learned, are being contemplated. However, no increases were made here last year.

Oklahoma City—Admission prices in both circuit and independent houses throughout the state have undergone no change in more than a year and there are no indications that reductions are being contemplated now. The prevailing scales of 40 cents top for first runs and 25 for subsequents has encountered no resistance in this territory.

Chicago—Admission prices have not been lowered in this territory and indications are that prices will remain the same throughout the summer.

No 20th-Fox Reissues

There will be no re-issues by 20th Century-Fox this summer, the sales department has decided. With other companies announcing revivals of films of previous seasons, 20th Century-Fox polled its branches on whether it should have re-issues, and managers generally replied in the negative. Individual films of other years will continue to be booked to exhibitors on request.

Out Hollywood Way

HOLLYWOOD, May 22. — MELVYN DOUGLAS and FLORENCE RICE will be teamed for the first time in "Fast Company," M-G-M, a mystery story. EDDIE BUZZELL will direct and FREDERICK STEPHANI will produce. . . . Warners will make exteriors for "Wings of the Navy" at Pensacola, with the cooperation of the Navy. . . . MICHAEL CURTIZ is preparing for the Warner remake of "The Dawn Patrol," which will star ERROL FLYNN.

HARRY CHANDLEE has been signed by SOL LESSER as story supervisor. . . . "The Sisters," the picture which BETTE DAVIS will make next for Warners and thereby lift her suspension, will have ANITA LOUISE and JANE BRYAN in the cast. ANATOLE LITVAK will direct. . . . Supporting JOE E. BROWN in "The Gladiator" will be JUNE TRAVIS, ROBERT KENT, DICKIE MOORE, LUCIEN LITTLEFIELD, ETHEL WALES and DON DOUGLAS.

✚

Casting—HUGH HERBERT and MINNA GOMBELL in "The Great Waltz," M-G-M. . . . RICHARD LANE in "Carefree," RKO. . . . FRANCES GIFFORD in "Ground Crew," RKO. . . . DOROTHY PETERSON and LENITA LANE in "Girls on Probation," Warners. . . . SHIRLEY ROSS in "Paris Honeymoon," SIDNEY TOLER in "If I Were King," and JOYCE COMPTON in "Artists and Models Abroad," DONALD O'CONNOR, 13, in "Men with Wings," all Paramount. . . . BRANDON HURST in "Suez," 20th Century-Fox.

✚

Writers — ROBERT PIROSH and GEORGE SEATON will collaborate with IRV BRECHER on M-G-M's "The Wizard of Oz." . . . MICHAEL FESSIER has been assigned to write the script for Warners' "Wings of the Navy." . . . ROBERT NEVILLE draws "Peck's Bad Boy at the Circus," and EDWARD ELISCU, "Fisherman's Wharf," Principal. . . . BERTRAM MILLHAUSER is doing the screenplay for Paramount's "Royal Canadian Mounted Police," and DUKE ATTEBERRY is writing "Arkansas Traveler" at the same lot.

✚

Directors—EDWARD D. VENTURINI has been assigned by HARRY SHERMAN to direct "Return of the Fox," Hopalong Cassidy vehicle.

✚

Contract—RKO has signed JAMES ELLISON to a term contract.

Blumberg May Take Control Of Production

(Continued from page 1)

given, but it was stated that the Universal president plans to remain at the studio for an indefinite length of time and will have Matthew J. Fox, vice-president, with him as a studio assistant. Clifford Work, newly appointed studio general manager, will, of course, be in charge only of business administration at the studio. His duties are separated entirely from production.

It was definitely suggested that the selection of an executive producer is not expected for some time and that, with Mr. Blumberg and Mr. Fox in executive charge of production, individual producers on the lot would be given considerable added leeway in matters of individual authority and discretion wherever their records warranted it.

It was intimated, in addition, that under such an arrangement J. Cheever Cowdin, Universal board chairman, would take over additional administrative functions at the home office and greater executive authority would evolve upon such home office officials as William A. Scully, vice-president and general sales manager, and Joseph Seidelman, vice-president in charge of foreign distribution.

Named Jersey Salesman

John Wenisch, head booker of Columbia's New York exchange, has been named New Jersey salesman, covering Essex and Union counties.

LEGAL NOTICE

Notice is hereby given to all Motion Picture Producers, Exhibitors, Publications and all concerned, that the above picture of the National Capitol at Washington, D. C., is owned and Copyrighted by Edward Poland, 155 West 83rd Street, New York City, (formerly of San Francisco, California), Copyright No. 12577, Class J—297098, dated, April 17th, 1928. "All Rights Reserved," and that Edward Poland hereby serves notice to all concerned that I have not licensed any Vendor or Vendors to rent or lease the above picture to Motion Picture Producers, for reproduction purposes in any film, photoplay or publication, except that on the 28th day of January, 1938, I granted a license to use my copyrighted photograph to REPUBLIC PRODUCTIONS INC., and on the 28th day of February, 1938, I granted a license to COLUMBIA PICTURES CORPORATION, a New York Corporation and COLUMBIA PICTURES CORPORATION OF CALIFORNIA LTD., to use my copyrighted photograph in a motion picture photoplay entitled "ITS ALL YOURS." The undersigned is advised that certain motion picture producers claim to have rented and received a license to use my picture for a wall decoration Said vending, renting or licensing was done without my consent or authorization. Notice is hereby given that any infringement or unauthorized use by vendors, motion picture producers, exhibitors and others will be prosecuted and action instituted for damages, and court costs and attorneys fees will be sought. Notice is likewise given to all producers, exhibitors and others to immediately discontinue the illegal and unlawful exhibiting, distributing or exploiting my copyrighted photograph or any motion picture containing such copyrighted photograph.

Dated: May 23, 1938.

(Signed) EDWARD POLAND.

Banner LINES

THAT "poison" blast against certain film players did not contain the names of Deanna Durbin, Bonita Granville, Judy Garland, Tommy Kelly, and other up and coming youngsters, proving that youthful talent is box-office and that the patrons and producers of motion pictures are youth conscious.

But what chance has youth in radio? Don't ask us, ask the talent agents who keep butting their heads against the stone wall of radio indifference to youth. This is not a "poison" blast of our own directed against established radio players, but radio has bled itself dry of air talent and nothing is being done to fortify the industry against that near day when the dialers will not tune in as enthusiastically as they are now doing to Kate Smith, Jack Benny, Fred Allen and the other radio standpat acts.

Practically every radio agent in the business has on his representation list one or two youngsters worth listening to, but the youngsters might just as well have a contagious disease, the way the sponsors, agencies, and network artists heads run from them.

▼

Despite its humorous implications, this letter must be considered a tribute to the acting ability of Edward G. Robinson. It was written by a radio-screen fan of Branch, Ulster County, N. Y., to Ben Gross, radio editor of the Daily News, and Ben has turned it over to us. Here it is:

"I am a daily reader of your paper and enjoy it very much. In an earlier edition was an article about Edward G. Robinson, the famous movie gangland actor. My friends in this village have been arguing as to whether this actor ever was in jail or if he has been connected with one of the New York City gangs."

This seems to call for an answer, E. G. R.

▼

Indicative of the popularity of Hollywood information was the occurrence on Sam Taylor's weekly Hollywood quiz over WHN during a recent program. When Sam asked one of the participants "what is the Brown Derby?" the answer was "she's a horse race run in the mud at Santa Anita."

Continuing, Sam turned to another contestant and, with Edna May Oliver in mind, asked, "What star is famous for her sniff?" Without hesitation the reply was: "Pluto, who plays in Mickey Mouse."

—JACK BANNER

Shift Midwest Mike Men

LINCOLN, May 22.—John Mercier, moved to the studios of KFAB as an announcer from the same post at KOIL, Omaha, left within a week for KMBC, Kansas City. He was to replace Chet Gowan, but Ed Oliver has been brought in from WIBW, Topeka, to fill the hole.

Renew Show on WOR

"Vocal Varieties," transcribed musical show on WOR, has been renewed, beginning July 7, through the H. W. Kastor agency. Lewis-Howe Co., sponsors.

Four More May Dates Set on FCC Hearings

WASHINGTON, May 22.—Hearings on broadcasting applications for the current week have been scheduled by the Federal Communications Commission as follows:

May 24, before an examiner: Applications of F. W. Meyers for a 1,310-kilocycle station at Denver, with 100 watts power night, 250 watts day, and Kammeraad-Smith Broadcasting Co. for a 1,200-kilocycle, 100-watt daytime station at Holland, Mich.

May 25, before an examiner: Applications of Inland Empire Broadcasting Co. for a 1,310-kilocycle, 100-watt station at Pasco, Wash.; Emporia Broadcasting Co., Inc., for a 1,370-kilocycle, 100-watt daytime station at Emporia, Kan., and Roberts-McNab Co. for a 1,310-kilocycle station at Livingston, Mont., with 100 watts night, 250 watts day.

May 26, before the commission: Application of WMFR, High Point, N. Y., for increase of time from day to unlimited.

May 26, before an examiner: Television applications of General Electric Co. for stations at Albany and Schenectady, and Bridgeport, Conn.

KYA Drops 8 Shows

SAN FRANCISCO, May 22.—Making room on the schedule for a new lineup of radio programs, KYA has dropped eight programs—"Ask Mr. Jones," "Kismet," "Sunset Land," "Here Comes the Band," "The World in Music," "Trio Celeste," "Swing Time" and "Masters of Melody." New shows include "The Lady Next Door," "Of All Things," "Radio Bureau of Missing Persons," "House Not for Sale," "Ranch Boys," "Jam Session," "Exposition Hostess" and "Evening Meditations."

P.F. Morgan Joins WHBC

CANTON, O., May 22.—Paul F. Morgan, business manager of the Repository for more than 10 years, has been appointed manager of WHBC by executives of the Ohio Broadcasting Co., which is affiliated with Brush-Moore Newspapers, Inc. This group recently acquired the station from Rev. E. P. Graham, who established it several years ago.

Closes Deal at WHN

Quality Laundry Co. has entered into a contract with WHN for participation in the "Polly the Shopper" series. The contract was handled by Redfield-Johnson.

O'Keefe's Counter Suit Names Hawkins

Following the dismissal of the plagiarism suit of Maxwell Hawkins against Walter O'Keefe, the latter has entered an action against Hawkins, charging libel and slander.

In entering his claim against Hawkins, O'Keefe said he was representing the writing field as a whole and not acting as an individual.

The original suit was the outgrowth of a script prepared by O'Keefe titled "The Rolling Stones," which O'Keefe sold to RKO. Co-defendants with O'Keefe were his managers, Nelson Hesse and William McCaffery, and RKO. "Rolling Stones" was produced as a Joe Penner vehicle titled "Go Chase Yourself." The case was dismissed Friday by Supreme Court Justice William T. Collins, after Lou Richman, Chicago writer, testified that he wrote a similar script which was heard on a network at least one month before Hawkins claimed he wrote his script.

Renew "Editor" Show On NBC for 13 Weeks

SAN FRANCISCO, May 22.—Cardinet Candy Co., sponsoring "Night Editor," dramatic sketches on split NBC Red and Mountain networks, has renewed the series for 13 weeks. Tomaschke-Elliott is the agency.

Renewed also is "Good Morning Tonight," sponsored by the Albers Bros. Milling Co. The renewal is for 13 weeks, through the Erwin Wasey Co.

NBC to Air Ring Fight

Blow-by-blow descriptions of the Barney Ross-Henry Armstrong fight for the world's welterweight championship will be broadcast by NBC beginning at 10 P.M. May 26, over the Blue network.

Guenther to WSAI

CINCINNATI, May 22. — Wilfred Guenther has been appointed sales promotion manager for WSAI. Guenther has been associated with the radio department of the Fred W. Zif agency for the past year.

Wilson Is Media Head

E. F. Wilson has been named director of media plans at McCann-Erickson and will supervise radio buying, station relations and the outdoor department.

Writers and Broadcasters Squabble Over Ball Games

(*Continued from page* 1)

was ordered from the press box. The reason given was lack of room, but later the letter went forth. Some of the newspapermen are seeking $2 per game for giving information on lineups, rulings on base hits and errors and the like, to both the announcers and telegraphers.

League President Thomas H. Richardson has wired all official scorers, asking cooperation with both radio and telegraph workers. In Binghamton club officials constructed a new booth for the radio and telegraph men.

Currently, neither Ayer nor Western Union are paying the $2 fee. Newsmen originally figured the sponsor would pay the charge, contending the "cooperation" is not part of their duty. However, there has been no trouble locally since Charles Young, official scorer here, always helps the radio announcers and telegraphers alike. Young calls out his decisions on close plays in an audible tone and the utmost friendship exists in Albany—but not elsewhere.

Radio Personals

BILL GREEN, personal representative for Rubinoff, has developed a new audience participation show, "Movie Brain Teasers," which he is submitting to national advertisers for a summer spot . . . Rubinoff, [illegible]dentally, has suffered a relapse i[illegible]is illness . . . Professor Harry James Carman of the history department of Columbia University will act as the guest historian on the "Living History" programs on CBS . . . James McCormack, the WOR singer, has purchased a boat . . . The "Witches Tale" will celebrate its eighth year on WOR today.

+

Jimmy Jemail will celebrate his 15th anniversary in radio when he returns to the air next Monday over WHN with his "Inquiring Reporter" program.

+

Hollywood

W. C. Fields' return to the Chase and Sanborn program, long a subject of negotiations, may be settled shortly, now that the comedian and Paramount have parted company . . . "The Steinie Bottle Boys" are back on KFI, after an absence of several months . . . Buddy Harris has Hal Horton's "Old Timekeeper" spot on KFWB's "eye-opener" morning programs . . . 160 recordings of the broadcast recently of the Erich Wolfgang Korngold scoring for Warners' "The Adventures of Robin Hood" are being shipped to stations throughout the country for playing as part of exploitation campaigns for the picture . . . Bob Burns takes a two weeks' vacation from Kraft "Music Hall" . . . Jose Rodriguez, news editor and educational director of KFI-KECA, will present a special series of news broadcasts Mondays through Fridays on KECA at 1:30 P. M., P. S. T., for high school students.

Philco Officials Named

Two new members of the board of directors and a new vice-president have just been named by the Philco Radio & Television Corp. William H. Grimditch, who has been in charge of the engineering division, has been named vice-president in charge of engineering, and a member of the board of directors. Thomas A. Kennally, sales manager, also has been chosen a member of the board.

Named Promotion Head

CINCINNATI, May 22.—Robert E Dunville, manager of WSAI, has appointed Wilfred Guenther of the local Frederic W. Ziv advertising agency as promotion manager. Guenther previously was promotion manager and continuity director of WSAZ, Huntington, W. Va.

Two Resign from WOR

Harry Mack and Herb Morrison have resigned from WOR, Henry Morgan has joined the staff as an announcer, and Charles Godwin has been placed in charge of the station's Newark studios. Beginning tomorrow, Robert Louis Shayon will join the staff as an assistant producer.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 43. NO. 120 NEW YORK, TUESDAY, MAY 24, 1938 TEN CENTS

Difficulty of Raising Again Blocking Cuts

Most Exhibitors Learned This in 1931-'32

Editor's Note—This is the second and concluding article in a nationwide survey of admissions by Motion Picture Daily.

The primary lesson of the 1931-'32 depression—that it is easy to reduce admission prices but to recover the cut is a painful and arduous process—appears to have been well learned by American exhibitors. The 1937-'38 recession, now about six months old, finds but few theatre operators resorting to price cutting, or even contemplating the move, a national survey of key city operations just completed by Motion Picture Daily discloses.

The first article on the results of the survey, published yesterday, revealed that price cuts have been made

(*Continued on page 9*)

Hearst Scores Webs For Red Broadcasts

Hearst's *New York Journal and American* yesterday in an editorial titled "Broadcasting Treason," blasted NBC and CBS for giving time to the Communist Party, whose convention will be broadcast over those networks this Thursday.

The editorial said the networks were being "used" by the Communists in

(*Continued on page 10*)

Additional developments in radio yesterday on page 10.

Complications

"We in America are more fearful over war in Europe than the Europeans are," declared John W. Hicks, Jr., Paramount vice-president, on his return from abroad yesterday. He said, however, that while the conflict involving Czechoslovakia, has been composed, the Continental situation is still tense.

At this juncture, Mr. Hicks stopped short. "I'd prefer not to talk about such things," he informed the interviewer. "Get your information from Secretary Cordell Hull or Ambassador Bullitt."

Grainger Is Named Republic President

The election of James R. Grainger as president and general manager of Republic Pictures Corp. took place yesterday at a meeting of the board, presided over by Walter W. Vincent, chairman.

Mr. Grainger was also elected a member of the board. As general manager he will have charge of distribution. He started his duties yesterday.

Sam Hacker, in charge of the contract department, yesterday became assistant to Morris Goodman, vice-president in charge of foreign distribution. The post had been vacant for several weeks.

With the shift, approval of contracts has been discontinued at the home office and will be done by the five district managers in the field.

Briskin-Columbia Pact Unconfirmed

Hollywood, May 23.—Although it is believed here that Samuel J. Briskin will report to Columbia within a week to assume his former post as executive assistant to Harry Cohn, president and head of production, no confirmation of the association has as yet been issued. The studio continues to deny the report.

Tenure, terms, authority and other details are being withheld pending consummation of negotiations.

Pennsylvania Censor Gets Death Threats

Harrisburg, May 23.—Word was received in Harrisburg this afternoon that Gov. George H. Earle had revealed in Philadelphia today that threats of death had been made against Mrs. Margaret F. Palmer, widow of the former Attorney General of the United States, A. Mitchell Palmer, and chairman of the Pennsylvania Board of Motion Picture Censors. He also disclosed that a recent effort was made to do injury to Mrs. Palmer when acid was thrown

(*Continued on page 7*)

City Loses Censor Test Over "Birth"

Cincinnati, May 23.—The question of whether City Manager C. O. Sherrill had authority to prohibit or censor "The Birth of a Baby," rather than the propriety of the picture itself, was the legal issue on which Common Pleas Judge Charles E. Bell based his decision in the injunction suit of the American Committee on

(*Continued on page 7*)

Kennedy to Visit

It is learned here that Joseph P. Kennedy, American Ambassador to Great Britain, will return on a few days' visit at the early part of next month, during which he is to receive an honorary degree from Harvard University.

Studios' Activity Drops to 34 Films

Hollywood, May 23.—Production dropped to 34 features in work this week, as compared to 37 last week, when nine finished and six started. Eighteeen are in final stages of preparation and 56 are being edited.

Started were: an untitled Edward G. Robinson vehicle, Columbia; "Fast Company," M-G-M; "Artists and Models Abroad," Paramount; "Ellis Island," "Meridian 7-1212," 20th Century-Fox; "Danger on the Air," Universal.

In addition to these, shooting were: "You Can't Take It with You" and "The Gladiator" (Loew), Columbia; "The Crowd Roars," "Love Finds Andy Hardy," "The Great Waltz" and "Too Hot to Handle," M-G-M; "Spawn of the North," "Sing, You Sinners," "Give Me a Sailor," "Men With Wings," "If I Were King," Paramount; "Mother Carey's Chickens," "Ground Crew," "Carefree," RKO; "Army Girl," Republic; "The Young in Heart," Selznick International; "I'll Give a Million," "Lucky Penny," "Always Goodbye," "My Lucky Star," "Suez," "Passport Husband," 20th Century-Fox; "Letter of Introduction," Universal; "Garden of the Moon," "Valley of the Giants,"

(*Continued on page 4*)

Paramount Lawyers Delay Fargo Start

The departure of Paramount's legal staff for Fargo, N. D., where the constitutionality of the state's affiliated theatre "divorce" law is scheduled to be tested on June 1, has been postponed a day so that Austin C. Keough, a vice-president and director, may attend the company's board meeting Thursday. The company's legal representatives will leave here for Fargo on Friday.

Paramount is seeking to have the temporary injunction restraining the state from enforcing its theatre "divorce" law made permanent on the grounds that the statute is an unwarranted use of the police power of the state and is in violation of the Federal and state constitutions. The case will be heard by a three-judge Federal statutory court and is expected to consume about 10 days.

Kent Cheerful On Lookout in Great Britain

Quota Not Bad, He Says; Films Will Improve

While there is a difference of opinion among British heads of American companies on the new quota act, S. R. Kent, president of 20th Century-Fox, thinks "it didn't turn out so badly considering the difficulty of the job."

Mr. Kent returned yesterday with Mrs. Kent from Europe, where he went primarily to attend the company's sales conventions in Paris and London. They were passengers on the *Queen Mary*, which also brought John W. Hicks, Jr., Paramount foreign head; Roy Disney, business manager for Walt Disney; Fred W. Lange, Paramount general manager for Continental Europe; Charles Reagan, Paramount western division manager, and Rewashanker Pancholi of Calcutta, owner of Empire Talkie Distributors, RKO and RCA Photophone representative in India.

Mr. Kent said that most of the American companies are still deliberating the number of films they will make in England and whether they

(*Continued on page 7*)

CEA and KRS Joint Parley Opens Today

By **AUBREY FLANAGAN**

London, May 23.—The first joint meeting of representatives of the Cinematograph Exhibitors' Association and the Kinematograph Renters' Society (distributors) since the recent peace following the fight on grading, will be held tomorrow. The aim of the talks will be a solution of various

(*Continued on page 4*)

Herb Crooker Quits; At Warners 14 Years

Hollywood, May 23.—The resignation of Herbert Crooker as Warners' publicity manager in the east, effective immediately, was made known here today by S. Charles Einfeld, di-

(*Continued on page 2*)

David Rose Resigns

Hollywood, May 23.—David E. Rose today resigned, effective May 28, as vice-president of Samuel Goldwyn Productions.

Purely Personal

CHARLES R. ROGERS plans to leave for the coast today or tomorrow to wind up his affairs before leaving on an extended vacation. WILLIAM PIERCE, his assistant, is now en route to the coast.

•

BERNARD SOBEL will be the guest of the Ziegfeld Girls' Club, which he founded, at a party tomorrow in the Bacardi Room of the Empire State Building. He will sail for Europe on June 1.

•

ELANOR KING, actress who played the principal role in "The Birth of a Baby" and who in private life is Mrs. Lowell Birrell, became the mother of a boy at Doctors' Hospital Sunday.

•

BILL SAAL of Republic will arrive today in Memphis to prepare for a personal appearance tour of ROY ROGERS and SMILEY BURNETTE through the south.

•

RITA QUINN, of the Quigley Publications accounting department, today will part with her tonsils at the Victory Memorial Hospital, Brooklyn.

•

ETHELREDA LEOPOLD, who will make personal appearances for the "Golddiggers of Paris" openings, is scheduled to arrive in New York tomorrow.

•

LEON NETTER, vice-president of Paramount Theatres Service Corp., returned yesterday from a lengthy inspection trip.

•

GEORGE DEMBOW, general sales manager of National Screen, is expected back from the coast at the end of this week.

•

GEORGE J. SCHAEFER and JAMES MULVEY will leave the coast by train tonight on their return to New York.

•

JIMMY BOYLE of RUTGERS NEILSON's publicity staff at RKO returned from a Florida vacation yesterday.

•

PAT O'BRIEN will arrive on the Century this morning.

Exhibitors!
CASH IN ON
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REPRESENTATIVES IN EACH EXCHANGE TERRITORY.
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Columbia Executives Go to San Francisco

DALLAS, May 23.—A. Montague, Columbia general sales manager, accompanied by Rube Jackter, assistant sales manager, and Hank Kaufman, manager of exchange operations, left here for San Francisco tonight following the close of the company's third regional meeting at the Baker Hotel.

The west coast sessions will be held at the St. Francis Hotel on Saturday and Sunday. The meeting there will be the company's fourth and final regional sales session and will be attended by Jerome Safron, western division manager, and branch managers and salesmen from the Los Angeles, San Francisco, Seattle, Portland, Salt Lake City and Denver exchanges.

Larry Darmour Coming

HOLLYWOOD, May 23.—Larry Darmour left by plane last night for New York. He will confer with Columbia executives for two weeks.

Jersey Bank Night Cases Are Settled

Several exhibitors in New Jersey who have been notified of impending suit over Bank Night royalties have indicated that they will settle their bills out of court, it was said yesterday by Milton Unger, Newark attorney who has been retained by Edward Goldstein, local Bank Night distributor.

Suits will be brought if settlements are not made this week, according to Mr. Unger. Mr. Goldstein said that 20 exhibitors are involved, including an independent circuit. The impending actions, he said, will involve copyright infringement and royalties.

U. A. Directors Meet

HOLLYWOOD, May 23.—Directors of United Artists met today in a routine session and adjourned to convene again on Friday. No statement was issued concerning today's meeting.

Universal Board Convenes

HOLLYWOOD, May 23.—Executives of Universal met today in a session which was still in progress at a late hour tonight.

Cohen Due Thursday

Emanuel Cohen is due Thursday on the *Washington* to discuss a distribution deal for the new program of films which he is planning.

An Afterthought

Pitsburgh, May 23.—Mike Cullen, manager of Loew's Penn here, vacationing with his wife, Hazelle, at Daytona Beach, Fla., postcards Variety Club friends: "Having a fine time. Wish we could afford it."

Universal Southern Men at New Orleans

NEW ORLEANS, May 23.—Universal's third regional sales meeting was opened at the Roosevelt Hotel here today by William A. Scully, who outlined the company's new season program for the southern exchange managers at today's session. Sales policies for the coming year will be discussed at the final meetings here tomorrow.

Assisting Mr. Scully in conducting the meetings are F. J. A. McCarthy, assistant general sales manager; Harry Graham, Atlanta, southern district manager, and Paul Tessier, New Orleans branch manager. Those attending the meeting included the following branch managers, Claire Hilges, Oklahoma City; R. A. Oldsmith, Dallas; James Pritchard, Memphis; James Hobbs, Charlotte and John Ezell, Atlanta.

Mr. Scully and Mr. McCarthy will leave here Tuesday night for Washington, D. C., where the final regional meeting will be held for eastern branch managers beginning on Thursday.

Al Lichtman Arrives

Al Lichtman, executive assistant to Nicholas M. Schenck, president of M-G-M, arrived yesterday from the coast. He is scheduled to sail for England soon to look into the British studio situation.

"Xmas Carol" for M-G-M

HOLLYWOOD, May 23.—M-G-M will produce Charles Dickens' "Christmas Carol" with Lionel Barrymore in the role of Scrooge. It will be released during the coming Christmas holidays.

Herbel Takes New Post

SAN FRANCISCO, May 23.—Henry Herbel, former Universal branch manager in Chicago, has arrived in Dallas to take over his post as manager of Warners' exchange here. He succeeds Charles Muehlman, resigned.

In Swedish It's "Snovit"

"Snow White and the Seven Dwarfs" will be dubbed in seven foreign languages, the French and Spanish versions having already been completed, said Roy Disney, business manager for the Walt Disney interests, on his return from Europe yesterday.

Here's how the title sounds in 12 languages:

Swedish	**Snövit**
Italian	**Bianca Neve ed Siette Nani**
French	**Blanche Neige et les Sept Nains**
Danish	**Snehuide**
Spanish	**Blanca Nieve y los Siete Enanos**
Jugo-Slavian	**Snjeguljica**
Czechoslovakian	**O Snezence**
Polish	**Krolewna Sniezka I Sied Miukarzeekow**
Portugese	**Branca de Neve E Os Sete Anoes**
Dutch	**Sneeuwwitje en de Zeven Dwergen**
German	**Schneewittchen und die Sieben Zwerge**
Roumanian	**Alba Ca Zapada**

Warner Executives Return from Dallas

Warner executives yesterday returned by plane from Dallas where they had attended the western and southern sales convention of the company.

Among those returning were: Gradwell L. Sears, general sales manager; Carl Leserman, assistant general sales manager; Ben Kalmenson, western and southern sales manager; Clayton Bond, theatre executive; A. W Schwalberg supervisor of exchanges, and Arthur Sachson, head of the contract department.

The group had remained in Texas an extra day for a fishing excursion to Port Aransas.

Herb Crooker Quits; At Warners 14 Years

(*Continued from page* 1)

rector of advertising and publicity. Mr. Crooker was with the company 14 years.

While it has not been definitely decided, it is understood that Mitchell Rawson of the New York publicity staff will succeed Mr. Crooker, working under the supervision of Mort Blumenstock, eastern advertising and publicity director. Mr. Rawson came here with Mr. Einfeld from the company's regional convention in Dallas.

RKO Auditors Meet

KANSAS CITY, May 23.—A. A. Schubart and William McShea of the RKO home office met here today with seven traveling auditors to discuss procedure and system for the new selling season. Present were Elmer Sedin, W. A. Burke, Robert Helms, Emmett Cashman, Ray O'Brien, John Downing and Jack Schmitzer.

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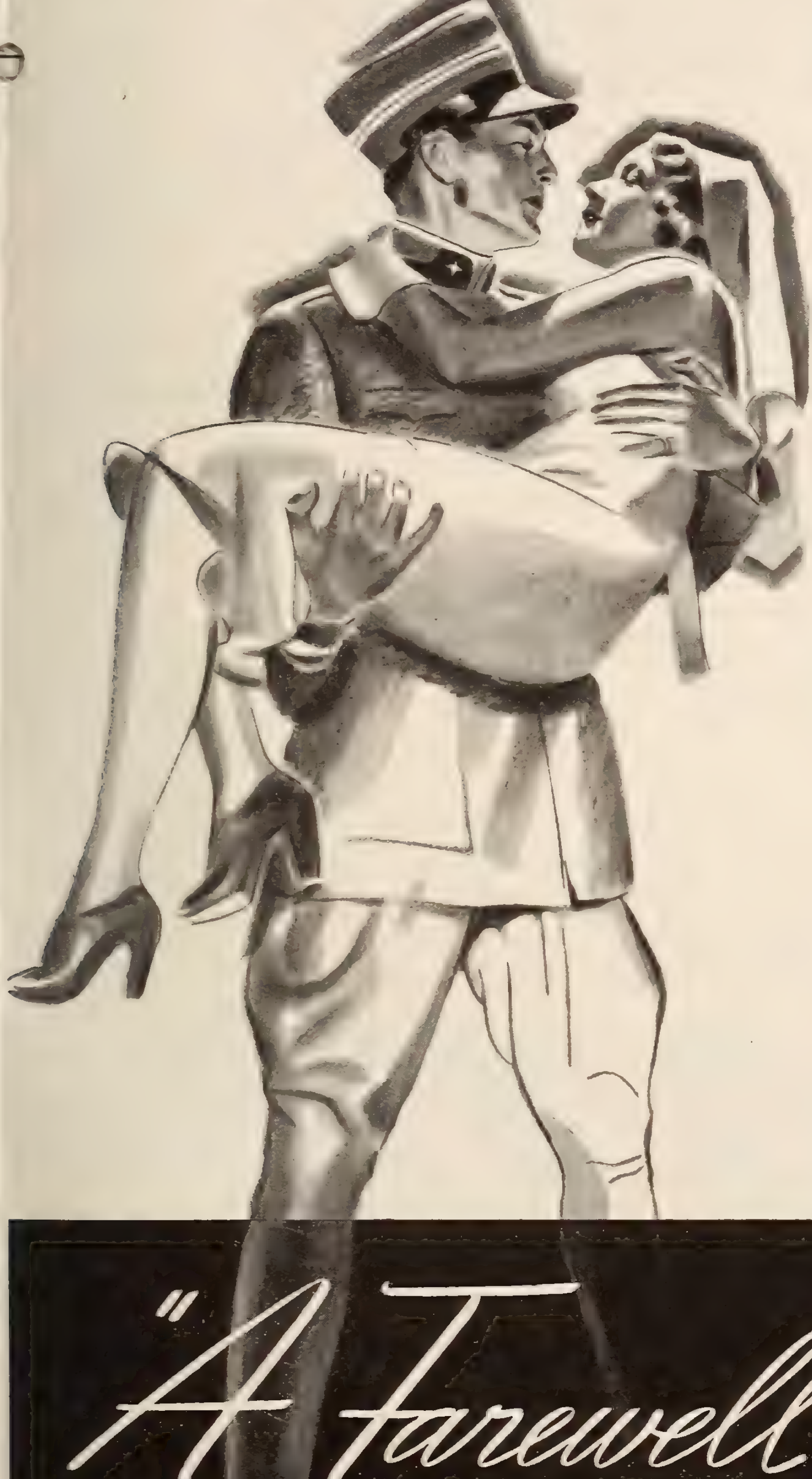
This picture has the priceless attribute of timeliness !



At this very moment Miss Helen Hayes is concluding a personal appearance tour of the key cities and towns of this country and Canada, packing them in with her triumphant portrayal of Queen Victoria. At this very moment Gary Cooper stands at the very summit of his career, a glorious box office name. At this very moment the ringing message of Ernest Hemingway's mighty story of a man and a woman who dare to face with their love the challenge of a world gone mad with war, finds a receptive audience of human hearts everywhere. Gentlemen, we give you . . .

HELEN HAYES and

GARY COOPER with

ADOLPHE MENJOU

in

"A Farewell to Arms"

A Frank Borzage Production

From the novel by Ernest Hemingway • A Paramount Picture

Screen play by Benjamin Glazer and Oliver H. P. Garrett

"Robin Hood" Hits $39,600 In the Loop

CHICAGO, May 23.—"Adventures of Robin Hood" hit the box-office bull's-eye in the Loop last week with a $39,600 gross at the Chicago. This was $7,600 above average. The picture was held.

"In Old Chicago" came back to the Apollo at popular prices and did a nice $7,000 for the week. "Kentucky Moonshine" at the Roosevelt was another strong attraction, getting $13,600, which was well above normal.

Other pictures found the going a bit difficult with the weather anything but favorable most of the week. Continual showers, usually in the early evening, hurt business generally in the Loop.

Total first run business was $115,000. Average is $121,000.

Estimated takings:

Week Ending May 19:

"IN OLD CHICAGO" (20th-Fox)

APOLLO — (1,400), 35c-55c-65c, 7 days. **Gross:** $7,000. (Average, $6,500)

"ADVENTURES OF ROBIN HOOD" (F.N.)

CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Rufe Davis and Revue. **Gross:** $39,600. (Average, $32,000)

"COCOANUT GROVE" (Para.)

GARRICK — (900), 35c-55c-75c, 7 days. **Gross:** $5,000. (Average, $6,500)

"FOUR MEN AND A PRAYER" (20th-Fox)

ORIENTAL—(3,490), 35c-55c-75c, 8 days. Stage: Cliff Edwards and Revue. **Gross:** $13,000. (Average, $18,000)

"GOOD-BYE BROADWAY" (Univ.)

PALACE—(2,509), 35c-55c-75c, 6 days. Stage: Cab Calloway and Band. **Gross:** $13,800. (Average, $19,000)

"LONE WOLF IN PARIS" (Col.)

STATE-LAKE — (2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $12,000. (Average, $13,000)

Week Ending May 20:

"KENTUCKY MOONSHINE" (20th-Fox)

ROOSEVELT — (1,300), 35c-55c-75c, 7 days. **Gross:** $13,600. (Average, $11,000)

"TEST PILOT" (M-G-M)

UNITED ARTISTS—(1,700), 35c-55c-75c, 4th week, 7 days. **Gross:** $10,000. (Average, $15,000)

Studios' Activity Drops to 34 Films

(*Continued from page* 1)

"Sister Act," "Racket Busters," "Girls on Probation," Warners.

Those finished were: "Singing Guns," Columbia; "Shopworn Angel," M-G-M; "Panamints' Bad Man," Principal; "Crime Ring" and "Border G-Man," RKO; "The Rage of Paris," "Afraid to Talk," "Pony Express Days," Universal; "Algiers," Wanger.

M-G-M started three short subjects, Columbia one and RKO one, making a total of five still shooting. Columbia, M-G-M and Roach each finished one. A total of seven is being prepared, and 15 are being edited.

Leeves Forms Company

KANSAS CITY, May 23. — E. C. Leeves, formerly district manager for Western Electric, has formed the Central Theatre Equipment Co., to take over distribution in the Kansas City area of Motiograph projectors, Mirrophonic sound equipment, Brenkert lamps and rectifiers.

Hollywood Previews

"Gold Diggers in Paris"

(*Warners*)

HOLLYWOOD, May 23.—Few "annuals" have accumulated with the years such commanding regard as the "Gold Diggers," cornerstone of the Warner reputation for dependability in the song-and-dance field. Sustained success has imparted to the series a certain vital momentum. Possibly a public thus educated to count each release a gay, happy step forward will take this one in stride. It is in the nature of mass adulation to forgive a champion once.

This year's edition has as many names and so on as its forerunners but lacks their speed and sparkle. Its basic idea is as good as any, but gets kicked around some in overlong and inadequately pointed narrative stretches separating too widely the comparatively few melodic and comedic high spots. The preview audience got a bit restive about it, which usually means that there will be a measure of shortening administered before the picture goes into exhibition.

Rudy Vallee and Rosemary Lane have the romantic assignment and sing a number of songs by Harry Warren, Al Dubin and Johnny Mercer which are rather more on the ballad side than is conducive to preservation of the "Gold Diggers" tradition. Perhaps with a view toward offsetting this, the Schnikelfritz Band, eccentric swing unit, loud, fast and determinedly comic, takes over at intervals. The gag department is tenanted by Hugh Herbert, Allen Jenkins, Fritz Feld, Curt Boris, Melville Cooper, Mabel Todd and bit players, all of whom could have used more and livelier material.

Sam Bischoff produced. Ray Enright directed. Earl Baldwin and Warren Duff wrote the screenplay from a story by Jerry Wald, Richard Macauley and Maurice Leo, based on an idea by Jerry Horwin and James Seymour. It's about a night club outfit mistaken for a famous American ballet by a Frenchman sent over to invite the latter to come to Paris for the international competitions. Busby Berkeley handled the dance numbers. Ray Heindorf made the orchestral arrangements. Leo F. Forbstein is musical director.

Running time, as previewed, 97 minutes. "G."

"The Devil's Party"

(*Universal*)

HOLLYWOOD, May 23.—First mentioned in production news as "Hell's Kitchen Has a Pantry," the name of Borden Chase's novel, this metropolitan melodrama moves away from the underprivileged New York area pertained to by the original title and transpires principally on Broadway and Columbus Circle. It contains two murders, two major robberies, considerable flashing of sidearms and quite a lot of plot. Victor McLaglen, William Gargan, Paul Kelly, Frank Jenks and Beatrice Roberts are top names and the screenplay by Roy Chanslor generates holding tension.

The story begins several years back with four little boys and a girl learning life the wrong way in Hell's Kitchen. When the leader goes to the reformatory the picture skips a decade or so and discovers him as McLaglen, gambler, owner of a night club, in love with the now grown girl, Miss Roberts, who sings in his night club, and still a pal of the other members of the boyhood gang, two of whom are now policemen; the fourth, Kelly, a priest. McLaglen's hired thugs overdo a dressing down of a wealthy welcher and make the death look accidental. McLaglen's policemen buddies, brothers, investigate the matter, one of them getting killed in doing so, the other vowing vengeance and winding up convinced McLaglen is responsible. The priest keeps him from murdering his friend, but McLaglen stops a bullet intended for the policeman and dies anyway.

Edmund Grainger, associate producer, and Ray McCarey, director, give adequate evidence of knowing their New York. Performances are uniformly satisfactory.

Running time, 70 minutes. "G."

Takes Over N.O. House

NEW ORLEANS, May 23. — R. J. Langridge, owner of the Avenue, neighborhood house, has taken over the theatre, following expiration of a lease on the property held by Ira Weingrum. Mr. Langridge plans to renovate the theatre.

Mr. Weingrum will continue operation of the Laurel, across town from the Avenue. He recently indicated his intention of constructing his own theatre near the Avenue.

Five Titles Changed

HOLLYWOOD, May 23.—An epidemic of title changes has hit various companies with the following effects:

Wanger's "The Rising Tide" is now "Blockade"; RKO's "The Muddled Deal" is now "Blonde Cheat"; Lesser's "The Vagabond Kid" is now "Breaking the Ice"; Warner's "In Every Woman's Life" becomes "My Bill" again; Universal's "Suspicion" is changed to "Wives Under Suspicion."

Variety Club

Washington

WASHINGTON, May 23.—Twenty-two foursomes teed off at the Congressional Country Club last Friday as the local Variety Club held its annual golf tournament. When all contestants had been heard from, divots replaced and tempers brought to an even keel again, HARRY BACHMAN, Washington manager of Monogram, had won f[illegible]is prize with a 79 total for the 18 hole. RAY BELL, publicity director for Loew's Washington theatres, had the dubious distinction of having the highest score, thereby winning the booby prize. The best he could do was to slash his way to a score of 158.

BARNEY KRUCOFF, Washington member, was given a prize for the longest hit of the day with a drive of 235 yards.

Review Granted in Texas Damage Case

WASHINGTON, May 23.—Review of a decision of the Fifth Circuit Court of Appeals holding the company liable for damages in the amount of $12,500 and costs for injuries sustained by a woman patron of its Abilene, Tex., theatre, was granted Texas Consolidated Theatres today by the U. S. Supreme Court.

The decision, it was contended by counsel for the exhibitor, was rendered despite the fact that a compromise had been reached under which a stipulation was filed that the District Court decision awarding damages was to be reversed and a judgment entered against the company for costs.

The case was appealed to secure a determination of the right of the Circuit Court to ignore the settlement and stipulation, the company contending that the court had lost its jurisdiction to decide the merits of the case and its order, accordingly, was void.

"The Circuit Court of Appeals has ignored the settlement of the cause of action made by the parties, pursuant to which petitioner paid $4,750 and waived its rights on appeal, although the fact of settlement was made known to the court in the manner approved by the Supreme Court before the Circuit Court had rendered any opinion or entered any judgment," the Texas Consolidated brief contended.

CEA and KRS Joint Parley Opens Today

(*Continued from page* 1)

important problems affecting the two branches of the industry, including grading.

Francis Harley, 20th Century-Fox chief in England, will attend the meeting tomorrow as an observer. His presence is taken as indicative of a potential settlement of the differences between the K.R.S. and 20th Century-Fox, which came to a head over the grading situation. When Sidney R. Kent, 20th Century-Fox president, was here, he was sharply critical of the K.R.S. policies.

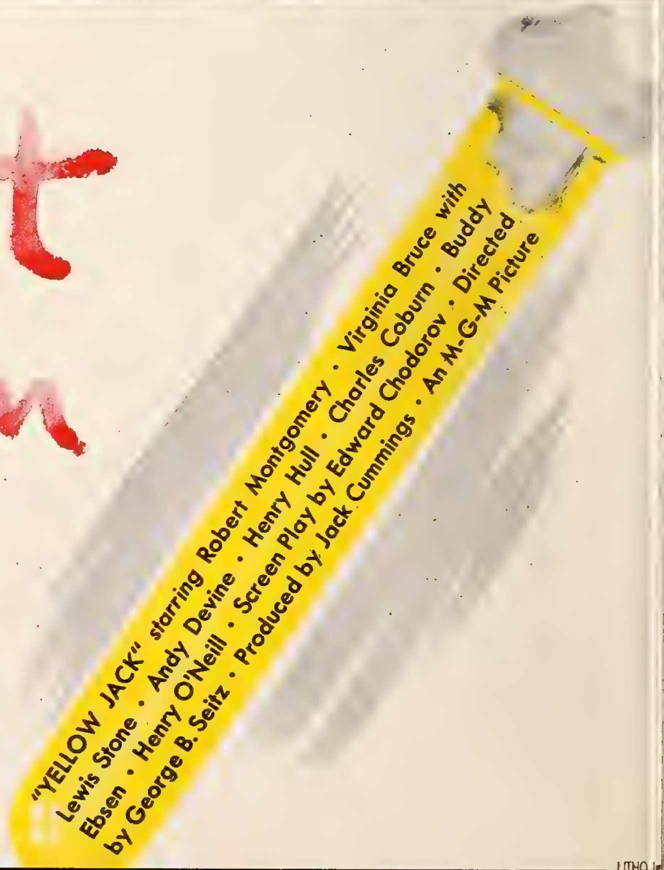
As yet no agenda has been worked out for the joint talks. It is anticipated by the exhibitors that the K. R. S. will present a new grading policy based on collaboration with the exhibitors. The C.E.A. is expected to ask for special rental terms for the small exhibitor.

You'll get Yellow Jack for

YELLOW JACK

Yellow Jack

The greatest Exploitation Picture of the year



"YELLOW JACK" starring Robert Montgomery · Virginia Bruce with Lewis Stone · Andy Devine · Henry Hull · Charles Coburn · Buddy Ebsen · Henry O'Neill · Screen Play by Edward Chodorov · Directed by George B. Seitz · Produced by Jack Cummings · An M-G-M Picture

Kent Cheerful On Lookout in Great Britain

(*Continued from page* 1)

are to be double or triple quota pictures. Twentieth Century-Fox, however, definitely will make five for the coming season, he said.

Darryl F. Zanuck, vice-president in charge of production, will discuss an interchange of talent with the British studio when he reaches the other side and confers with Robert T. Kane, head of British production, Mr. Kent declared. Mr. Zanuck will sail on June 1 with Joseph M. Schenck, chairman of the board. He will also set the English production schedule with Mr. Kane. Last year the company made three films in England.

Mr. Kent was of the opinion that despite the fact the majority of the companies haven't completed their production plans, the new quota provisions would contribute to a higher quality of product.

He said he found conditions abroad "not bad" and 20th Century-Fox is "doing quite well" overseas.

May Rejoin K. R. S.

The company "eventually" will rejoin the Kinematograph Renters' Society, Mr. Kent said, pointing out the withdrawal antedated the organization's fight with the Cinematograph Exhibitors' Association over the grading of films, which has been settled. While in London Mr. Kent declared that when the K. R. S. changed certain policies, 20th Century-Fox would rejoin.

Mr. Kent said that Walter J. Hutchinson, director of foreign distribution, who accompanied him to Europe, will sail tomorrow on the *Normandie,* arriving here on Monday, and that Truman H. Talley, producer of shorts and Movietone News, will return in about two weeks.

Mr. Hicks reported that there is considerable demand for re-issues in England, having noticed theatres playing "The Count of Monte Cristo," "Scarface" and other films of previous seasons. He described Paramount's business in Great Britain as "excellent" and on the Continent as "good." Among the company's pictures which are doing well abroad, he said, are "Bluebeard's Eighth Wife," "Buccaneer," "Her Jungle Love" and "Wells Fargo."

Lange with Hicks

Mr. Hicks was gone three months, first visiting Cuba, Panama and South American countries, and embarking from Rio de Janeiro for Italy, France and London. He was accompanied by Mr. Lange, who is here for periodic home office conferences.

Paramount has not as yet determined its production schedule in England, said Mr. Hicks, indicating that it will be set after conferences here. He made no changes in the foreign organization while abroad, he said.

Mr. Disney confirmed the purchase of the famous Tenniel drawings of "Alice in Wonderland," which are to be used as a guide in the production of a feature-length cartoon along the lines of "Snow White and the Seven Dwarfs." He also confirmed the selection of "Snow White" and two Disney shorts, "Ferdinand the Bull" and "Mother Goose Goes Hollywood," as well as "Vivacious Lady," RKO feature, as that company's entries in the Venice film exposition this summer.

While abroad Mr. Disney approved several deals closed by Reginald Armour, general European manager, for Disney shorts. Contracts were signed for Italy, Sweden, Egypt, Turkey, Bulgaria and Greece. In the latter country A. D. Skouras of Athens will be the distribtuor. He is a nephew of Spyros Skouras and now visiting in New York.

Ned Depinet Greets Disney

Mr. Disney, who was gone since March 11, was greeted at the pier by Mrs. Disney and their young son, who arrived yesterday from the coast, and Ned E. Depinet, president of RKO Distributing Corp.

This is Mr. Pancholi's first trip to the United States. Immediately upon arrival he went to Camden for conferences with Van Ness Philip, head of Photophone foreign sales. He expects to be in the east 10 days and then will go to the coast en route to his Calcutta headquarters. He is accompanied by RCA Photophone's chief engineer in India.

Mr. Pancholi is the proprietor of one of the largest distributing companies in India, handling physical release for RKO in Calcutta, Karachi, Delhi, Lahore, Bombay, Rangoon and Madrass. He will confer with Mr. Depinet later in the week.

Tax Row to High Court

CHARLESTON, W. Va., May 23—The question of whether or not the gross sales tax in this state should be paid by booking companies on their receipts from films shown in the state will be decided by the U. S. Supreme Court, it has been stated by the attorney general's office, which will institute the action in Washington. United Artists has obtained an injunction restraining collection of the impost.

Sidney Kent Returns

***The president of 20th Century-Fox caught by camera and pencil on the dock as the* Queen Mary *arrived yesterday, bringing the executive home after attendance at the company's Continental and English sales meetings. At the right is Al Finestone of* Motion Picture Daily.**

City Loses Censor Test Over "Birth"

(*Continued from page* 1)

Maternal Welfare, sponsors, and Special Pictures Corp., distributors. The city's ban on the film was overruled.

Attorneys Haveth E. Mau and Bert Long, for Plaintiffs, and Grauman Marks, representing Keith's, where the showing was stopped on opening day, May 13, unless the actual birth scenes were deleted, argued that the state had pre-empted the field of censorship and the ban was a violation of the Federal and State constitutions, citing that the section of the local code under which the City Manager acted expressly omitted pictures from the scope of the regulations.

City Solicitor John D. Ellis cited statutes giving municipalities right to completely prohibit showings if desired, declaring that only by implication could the state censorship act be held to have repealed the municipal power, and in the absence of such implication there was no conflict between the ordinance and the state law.

To Appeal Picket Ban

HARTFORD, May 23.—An appeal will be taken to the Connecticut Supreme Court by Local 486, I. A. T. S. E., from the Superior Court injunction granted E. M. Loew against picketing the E. M. Loew Theatre. Employes first went out on strike to unionize the theatre in Aug., 1937, being joined by ushers, cleaners and booth operators. Picketing has continued since, the county court having refused the theatre's request for an injunction.

Opens Union Offices

SAN FRANCISCO, May 23.—Joseph Marshall, vice-president of Studio Utility Employes' Local 724, has established international headquarters here for the Pacific coast. Marshall recently negotiated contracts for an 81 cents an hour minimum with Associated General Contractors.

Sue to Stop Showing Of "Birth" Picture

The American Committee on Maternal Welfare, Inc., sponsor of "The Birth of a Baby," filed suit yesterday in N. Y. Supreme Court to enjoin Jewel Productions, Inc., and Samuel Cummins and Burt Lewis, officers and directors of Jewel, from advertising, exhibiting and distributing of any motion or still pictures using the titles "Birth of a Child," "Child Birth" and "A Child is Born," or any other title similar to "The Birth of a Baby."

At the same time a show cause order issued by Justice Samuel I. Rosenman directed the defendants to appear today before Justice Bernard L. Shientag and to present their arguments why a temporary injunction should not be granted.

Dismisses Laemmle Suit

Federal Judge John C. Knox yesterday dismissed for lack of prosecution a suit brought by Edward R. Lavin in September, 1936, against Carl Laemmle and Willard S. McKay. Suit had asked for $275,000 damages on a claim of the plaintiff that he had been retained in February, 1935, by McKay, alleged agent of Laemmle, to secure a purchaser for Laemmle's stock in Universal. Plaintiff's compensation, according to his complaint, was to be five per cent of the purchase price. Mr. Lavin claims he secured the Standard Capital Co. which purchased Universal for $5,500,000 and that he had received no payment.

Dismiss Consolidated Suit

Suit was dismissed yesterday by Federal Judge John C. Knox for lack of prosecution in which Leo Freuder was plaintiff and the Consolidated Film Industries, Inc., Wyanoak Elco Publishing Corp., a subsidiary of Consolidated, and Herbert J. Yates were defendants.

The plaintiff in his action filed in August, 1933, had claimed the infringement of his patent issued March 26, 1913, covering improvements in lithograph printing. He had asked for an injunction, damages and accounting of profits.

Pennsylvania Censor Gets Death Threats

(*Continued from page* 1)

through the door of her hotel room. Mrs. Palmer escaped injury, but her clothing was burned by the fluid.

The Governor has ordered State Troopers to protect Mrs. Palmer and there are reports that the Federal Bureau of Investigation is at work on the case.

The Governor said the threats against Mrs. Palmer's life were made by mail and over the telephone, the first having been made three weeks ago.

The censorship board, of which Mrs. Palmer is head, placed a ban on the film, "The Baltic Deputy," last January. Mrs. Palmer is alleged to have described the picture as "rabble rousing." Judge Curtis Bok of Common Pleas Court of Philadelphia, one month ago reversed the board's ruling.

Barringer, Writer, Dead

HOLLYWOOD, May 23.—Barry Barringer, scenario writer, died here of a heart attack over the weekend. He was 49.

MOTION PICTURE DAILY'S HANDY BOOKING CHART

[*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	G. B.
April 29	Call of the Rockies (O) *Starrett*		Two Gun Justice (O) *McCoy*	College Swing (G) (C) *Burns & Allen* *Raye*			Four Men and A Prayer (G) (D) *Loretta Young*	Return of Scarlet Pimpernel (G) (D) *Barnes*		Beloved Brat (G) (D) *Granville* *Dolores Costello*	To the Victor (G) (D) *Will Fyffe* *Loder* (April 29)
May 6	The Main Event (D) *Paige* *Wells*			Doctor Rhythm (G) (C) *Crosby* *Carlisle* ***Lillie***	Romance on the Run (G) (D) *Donald Woods* *Patricia Ellis*	Law of the Underworld (A) (D) *Chester Morris* *Shirley*	A Trip To Paris (G) (D) Life Begins at 40 (G) (D) *Will Rogers*		Sinners in Paradise (G) (D) *Boles* *Evans*	Torchy Blane in Panama (G) (D) *Paul Kelly*	F P I Doesn't Answer (Reissue) (D) *Veidt* (May 6)
May 13	Law of the Plains (O) ***Starrett*** *Iris Meredith*	Hold That Kiss (G) (C) *O'Keefe* *O'Sullivan* ***Rooney***	Gunsmoke Trail (O) *Jack Randall*	Stolen Heaven (G) (D) *Raymond* *Bradna*	Gangs of New York (D) *Bickford* *Dvorak*	Vivacious Lady (A) (C) *Ginger Rogers* Gun Law (O) *O'Brien*	Kentucky Moonshine (G) (C) *Ritz Bros.* *Martin*		Air Devils (C) *Dick Purcell* *Beryl Wallace*	Adventures of Robin Hood (G) (D) *Flynn* *de Havilland*	The Show Goes On (D) *Neagle* *Carminati* (June 17)
May 20		Swiss Miss (G) (C) *Laurel and Hardy*	Numbered Woman (G) (D) *Sally Blane* *John Arledge*	Cocoanut Grove (G) (M) *MacMurray* *Hilliard*		Blind Alibi (G) (D) *Richard Dix* *Bourne*	Rascals (G) (D) *Jane Withers* *Robt. Wilcox*		The Devil's Party (D) *McLaglen* ***Roberts***	Mystery House (D) *Purcell* *Sheridan*	3 on a Week End (D) *Lockwood* *John Lodge* (July 1)
May 27		Yellow Jack (G) (D) *Montgomery* *Bruce*	Phantom Ranger (O) *McCoy*	Hunted Men (D) *Lloyd Nolan* *Carlisle*	Desert Patrol (O) *Bob Steele*		Kidnapped (D) *Warner Baxter* *Bartholomew*			Crime School (G) (D) *Gale Page* *Bogart*	
June 3		Three Comrades (D) *Robt. Taylor* *Sullavan*		You and Me (D) *Raft* ***Sidney***	Ladies in Distress (C) *Skipworth* *Polly Moran*	Saint in New York (G) (D) *Hayward* *Sutton*	Josette (C) *Simon* *Ameche*		Wives Under Suspicion (D) ***Warren William*** ***Gail Patrick***	Little Miss Thoroughbred (G) (D) ***Sheridan***	**G. N.** Six Shootin' Sheriff (O) *Maynard* (May 20)
June 10	City Streets (D) ***Fellows*** ***Carrillo***	The Toy Wife (D) *Rainer* *Douglas*	Marines Are Here (D) *June Travis* *Gordon Oliver*		Riders of the Black Hills (O) *3 Mesquiteers*		One Wild Night (G) (C) *June Lang* *Lyle Talbot*			Gold Diggers in Paris (M) *Rudy Vallee* *Rosemary Lane*	Held for Ransom (D) *Blanche Mehaffey* *Grant Withers* (June 7)
June 17	Holiday (G) (D) ***Hepburn*** ***Cary Grant***	Lord Jeff (D) ***Bartholomew*** ***Rooney***		Prison Farm (D) ***Lloyd Nolan*** ***Carlisle***		Blond Cheat ***Fontaine*** ***DeMarney***	Three Blind Mice (C) ***Loretta Young*** ***Joel McCrea***	Blockade (D) ***Madeleine Carroll*** ***Fonda***	Afraid to Talk (D) *Robt. Wilcox* *Dorothea Kent*	· When Were You Born? ***Anna Wong***	
June 24	Stagecoach Days (O) *Luden*	One Woman's Answer *Bruce* *Marshall*	Romance of the Limberlost (D) *Jean Parker* *Eric Linden*	Bar 20 Justice (G) (O) *Boyd*		Border G-Man (O) *O'Brien*	Mr. Moto Takes a Chance (G) (D) *Lorre* *Rochelle Hudson*			White Banners (D) *Raine* *Bainter*	
July 1	Highway Patrol *Wells* *Paige*	Shopworn Angel (D) *Sullavan* *Stewart*		Tropic Holiday (C) *Bob Burns* *Martha Raye* *Dorothy Lamour*		Having Wonderful Time (C) *Rogers* *Fairbanks, Jr.*	Always Goodbye (D) *Stanwyck* *Marshall*		Danger on the Air (D) *Donald Woods* *Nan Grey*		

Difficulty of Raising Again Blocking Cuts

(*Continued from page* 1)

or are contemplated in fewer than a dozen key cities. The complete survey [illegible]s that there is no geographical [illegible]dary within which cuts either are or are not confined, that the reductions are localized but occur in widely separated centers. Moreover, it was shown, reductions which have been made in many instances represent a return to 1936 admission levels after increases in prices last year, but do not mean that scales now have gone below long established levels. Also, reductions which are being considered now, frequently are in anticipation of summer competition and of a dearth of outstanding releases for the next few months.

However, by far the greater number of operations covered by the survey have not made price reductions and are not contemplating any. The final results of the study, presented herewith, continue to show that prevailing admissions are still well stabilized and that no widespread reductions are likely to occur in the immediate future.

Omaha Stands Pat

Omaha—Theatres in this territory have maintained fairly stable price levels for the past three years and despite smaller grosses none of the leading operators sees any change in view at this time.

Cleveland—Admission prices here have remained practically unchanged since 1929. No increases were made last year and leading independent and affiliated operators appear determined to maintain the present scales for as long as possible.

Cincinnati—Local first runs on straight film policy are maintaining their established admission scales of 35 cents for matinees and 42 cents for evenings. The RKO Shubert came down to this scale recently, after eliminating its stage show. Several suburban subsequent runs came down five cents, but there is no general move in this direction apparent now.

Birmingham—While attendance is off about 10 to 15 per cent here there has been no change in established admission scales nor is any contemplated. Rural business in many localities throughout the state has not been affected yet.

Prices Hold in N. O.

New Orleans — Admission scales have remained at established levels and there is no apparent inclination to lower them.

Portland—Price levels here were increased from 40 cents to 55 cents top by the first runs last July and no decrease has occurred yet. Leading operators, however, are considering a decrease but may be able to hold off until fall. Any improvement in business by then undoubtedly would eliminate the possibility of a decrease.

Atlanta — There have been no changes in admission prices here in more than five years with the single exception of the Rialto, a downtown second run, which made a very small change two years ago.

Baltimore—There have been no changes in admission scales here for some time, but reduced attendance makes any forecast of future policy uncertain.

Indianapolis—Admission prices have been at their present level here for the past six years and there is no apparent inclination to reduce prices now. A slight change occurred several months ago when first runs opened balconies at 30 cents as compared with the former 40 cents for the entire house.

St. Louis Won't Cut

St. Louis—There has been no change in admission prices by either circuits or independents here since the prevailing rates went into effect in September, 1936. No decreases appear to be imminent despite declining grosses.

Washington, D. C.—No decreases in admission prices have been made here recently and so far as could be learned none is contemplated.

Columbus—No decreases in admission prices have been made here by either circuits or independents.

Seattle—There have been no reductions in admission prices by either affiliated or independent circuits here.

New Haven—No changes in admission prices have occurred here for some time past. A move to agree on general increases was under consideration for some time, but business fell off before action was taken. No decreases are contemplated now, but the use of games and giveaways is on the increase.

B'way Duals, Games Jump

Wilmington—There is no evidence of any move to decrease admissions in this territory. Established scales have been in effect for a year and range from 55 cents in downtown first runs to 15 cents in third runs.

New York—Broadway and neighborhood first runs have maintained their present price levels virtually without change for several years. There is little indication of a move of any significant proportions to reduce prices now. Houses using reissues frequently cut temporarily, but return to established price levels following such runs. Giveaways, games and double featuring are on the increase in the neighborhoods and suburbs, but price levels appear to be fairly stable.

Studios Bar Shrine

Hollywood, May 23.—When the Shrine convention meets here next month, there will be no "welcome" mats in front of film studios.

The publicity directors, meeting with Tom S. Pettey, have decided to discourage visits to studios, inasmuch as the general convention committee has made no such request. Various patrols, however, have written.

The film industry participation in the conclave will be confined to entries in an electrical pageant.

E. E. Bair to Alliance

Cleveland, May 23.—E. E. Bair has resigned as manager of the Wind-A-Meer to become city manager of the Strand and Valentine, Defiance. The houses are owned by Peter Mallers.

Court Gets Revised K. C. Midland Plan

Kansas City, May 23.—A revised plan of reorganization of Midland Investment Co., owner of Loew's Midland, has been approved by Federal Judge Albert L. Reeves. The plan was submitted by the Securities Service Corp., which filed the original plan. Bondholders objected to that plan.

According to Charles M. Blackmar, one of the attorneys for the bondholders, the latter consider the new plan the best under the circumstances. It provides for two directors from among bondholders, which was a bondholder demand; it provides that nothing be paid on common stock for 15 years, which was a substantial concession to bondholders; and it provides that Loew Theatre & Realty Co. sign a 10-year lease instead of the present five-year instrument. The lease calls for 15 per cent of the gross with a minimum of $90,000 a year.

There were several other minor points in the revision which favor bondholders.

June 24 has been set by Judge Reeves as the date for final hearing of the reorganization.

Racine Casts Heavy Anti-Duals Ballot

Racine, Wis., May 23.—A preliminary report by the Better Films League here on its survey concerning double features shows 414 voting against twin bills, 168 for and 40 conditional votes.

According to Mrs. A. B. Arnold, president of the league, early results show that newsreels are always popular, that short comedy is liked "if good and not asinine." Also that there is considerable demand for more travel pictures, history, biography, fairy tales, more pictures for children like "Snow White."

Other suggestions were for more animated cartoons, less crime, not so much advertising and shorter announcements on the screen of coming attractions.

Allied to Discuss Membership Drives

Plans to increase the membership of the recently formed Allied of N. Y. unit will be discussed at its next meeting on June 1.

Max A. Cohen, state chairman, will visit Albany early in June to consolidate the membership there. He said the upstate organization will function separately from the New York City unit, with William Smalley of Cooperstown, state vice-chairman, directing its affairs.

'Blockade' Dates at 200

United Artists has obtained more than 200 day and date bookings for "Blockade" and hopes for 300 by June 17, the national release date, it was stated yesterday by George J. Schaefer, vice-president in charge of distribution.

Advitagraph Renamed

Advitagraph Corp., producers of promotional films and projectors, has changed its name, effective immediately, to Flo-Lite Motion Picture Corp.

Wilmer & Vincent to Begin Meeting Today

Harrisburg, May 23.—Managers of Wilmer & Vincent theatres in the east will convene at the Harrisburger Hotel here tomorrow for their annual meeting. Their host will be C. Floyd Hopkins, Harrisburg representative of the circuit. About 27 delegates are expected, from the home office in New York, and from theatres in Easton, Allentown, Reading, Altoona, Johnstown, Harrisburg, Pa., and Norfolk and Richmond, Va.

Tomorrow afternoon the wives of the Harrisburg managers will entertain the group at the home of the Hopkins, after which the men will go by car to the Hershey Hotel for dinner. Circuit officials who will attend, include: Walter Vincent, Sidney Wilmer, J. D. Eagan, general manager; Frank Fowler and Franklin Maury.

Mr. Hopkins said that work on the remodelled Majestic, which probably will be renamed the Rio, will be completed late next month. He denied the report that the Victoria will be closed.

Ohio Move on Bingo Worries Exhibitors

Cincinnati, May 23.—The possibility that the legalizing of Bingo by the Town Council at Richmond, O., may establish a precedent is causing considerable apprehension among exhibitors in certain Ohio situations where the game, sponsored by various societies and organizations, is making inroads on theatre attendance.

The ordinance, one of the first of its kind to be passed by an Ohio municipality, provides that five per cent of the proceeds of each game be diverted to the local relief fund; three per cent to state tax, and 12 per cent to the owner or sponsor of the game. The remaining 80 per cent goes to the players.

Fabian Leases Theatres

The Strand and Ritz, Port Jervis, N. Y., have been leased to Si Fabian for an aggregate rental of $600,000 by Berk and Krumgold, theatre real estate brokers, for the Sol Brill estate.

Wall Street

Small Changes on Board

	Open	High	Low	Close	Net Change
Col.	12⅛	12⅛	12⅛	12⅛	— ⅛
Loew	39¼	39¾	39¼	39½	+ ⅛
Para.	7¼	7⅜	7⅛	7⅜	.....
Para. 2	8⅜	8⅜	8⅜	8⅜	.....
Pathe	4¾	4¾	4⅝	4⅝	— ⅜
RKO	2⅛	2⅛	2	2	— ⅛
20th Fox ..	21⅞	22	21¾	21¾	— ¾
W. B.	4⅞	4⅞	4¾	4¾	.....

Curb Issues Hold Levels

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	+1/16
Monogram	1⅝	1⅝	1⅝	1⅝	.....
Sonotone ..	1¾	1¾	1¾	1¾	.....
Tech.	23½	23⅝	23½	23½	.....
Univ. Corp.	2	2	2	2	.....

RKO Bonds in Decline

	High	Low	Close	Net Change
Loew 3½s '46.....	100½	100½	100½	.....
Para. Pict. 6s '55	91	90⅞	90⅞	— ⅝
RKO 6s '41........	71	69½	69½	—2⅜
W. B. 6s '39......	75	75	75	.....

(Quotations at close of May 23)

Radio Personals

MARGARET SPEAKS will return from a European vacation today aboard the *Paris*. . . . Dan Thompson, head of special events for NBC on the coast, is a New York visitor. . . . Tom Manning, announcer, and Hal Metzger, program director of WTAM, Cleveland, are in New York for a stay. . . . Janes West's show, "The O'Neills" broke all existing records for daytime script shows by jumping from 4.8 to 6.4 in the ratings, a gain of 1.6 points. . . . C. L. Menser and Bill Hodapp of Chicago are visiting at Radio City headquarters.

+

Morton Downey will essay his first role as "em cee" on the RCA "Magic Key" program June 5. There is a likelihood that Downey may remain on the show for the summer months. The booking was through Jerry Mason. . . . Al Bernard and his "Minstrels" have been signed to a CBS artists' bureau contract and will be heard Fridays as soon as a schedule is arranged.

+

Chicago

Hal Burnett, WBBM executive, is back from Washington after conferring with Postmaster-General Farley regarding a forthcoming broadcast. . . . Ken Fry will broadcast the Indianapolis race and then leave for a vacation. . . . Other NBC men to go on vacation soon are J. W. Conn, T. H. Paelig and A. R. Johnson. . . . Irna Phillips will use film technique in producing the Memorial Day show for "The Guiding Light," with no commercials. . . . Morton Downey is slated to take Winchell's place on the four broadcasts the columnist will miss in July. Downey is also expected to go on "The Magic Key" program starting in June.

+

Oklahoma City

Neal Barrett, southwestern director of Hearst Radio, Inc., was a member of the 34th annual goodwill tour of the Oklahoma City Chamber of Commerce. . . . Sue Anne Fris, two-months-old daughter of R. David Fris of the KOMA sales staff passed away in a local hospital. . . . John Shafer, WKY sports announcer on the Stag Beer sports review has been transferred to the production department at WKY. Joe O'Neil, assistant director and arranger for the WKY studio orchestra, has resigned.

+

Pittsburgh

Buddy Maidson, singer with Ray Pearl's orchestra, and Peggy Lynch were married in Maryland. . . . WCAE's newscaster, Norman Twigger, has moved from the Beechview district into the South Hills sector. . . . Bernie Armstrong has started a new half-hour show on KDKA which he writes and directs. . . . The *Bulletin-Index,* a local magazine, is putting on a 15-minute program patterned loosely after the "March of Time" on KDKA every Wednesday evening. . . . Walt Framer has already given away more than $1,000 in silver dollars on his "Radio Swaps" program on WWSW . . . . Joe Villella is out of the hospital after an appendicitis operation and has resumed his "Club Oldsmobile" on KQV.

Colgate Program to Shift Day and Time

Colgate-Palmolive-Peet's program, featuring Dale Carnegie in "How to Win Friends and Influence People," will shift from Tuesday to Saturday nights and from 10:45 P. M. to 8:30 P. M., effective June 4. It will remain on the Red network. Benton & Bowles is the agency.

Also, "Death Valley Days," sponsored by the Pacific Borax Co. over NBC, will be broadcast over a larger network at a new time starting June 10. Previously heard as two shows, in the east over the Blue Fridays and in the far west on Tuesdays, the program now will be broadcast over the Red on Fridays and the eastern half of the country at 9:30 P. M., one hour later than formerly, and in the Mountain states and the Pacific Coast at 12:30 P. M., eastern time. McCann-Erickson is the agency.

The same agency, McCann-Erickson, is returning the "Mystery Chef" to the Red network for 26 weeks, starting May 31. Gas Service & Equipment is the sponsor.

Four Tie in Air Contest

SAN FRANCISCO, May 23.—The annual contest staged by the Garfinkel Agency to determine the city's best announcer, ended in a four-way tie among Toby Reed, KFRC; Larry Keating, KPO; Abbott Tessman, KGO, and Joe Walters, KSFO. A jury of radio editors and program producers will listen again to pick the winner. Tessman won last year.

To Air Film's Score

Werner Janssen will conduct his original score from the picture, "Blockade," and Madeleine Carroll and Henry Fonda of that picture will narrate explanatory background on a broadcast from Hollywood June 8 from 11:30 to 12 midnight over the NBC-Blue.

James Tyler Joins CBS

James Tyler, formerly of the editorial staff of *Advertising and Selling,* has joined CBS as trade news editor. He succeeds Maurice Gaffney, who will devote full time to sales promotion work.

KGKO Has Office Here

KGKO, Fort Worth, a new NBC affiliate, has opened a sales office at 630 Fifth Ave. here. In charge of the office is John I. Prosser, formerly with N. W. Ayer & Son and WLW.

Start Safety Programs

OKLAHOMA CITY, May 23.—A new series of police safety broadcasts has started here, heard at 6 P. M. over KOCY.

Decade Statistics

Milwaukee, May 23.—Russ Winnie, assistant manager of WTMJ, marks his 10th anniversary this month with the local station. During his 10 years on the staff, he has described 3,772 sports events, including more than 2,400 nightly "Sport Flash" programs; 65 basketball games, 1,077 baseball games, 106 Green Bay Packer football games, 70 Wisconsin and four Marquette grid games, 40 six-day bicycle races, two bowling matches and eight golf tournaments.

Mr. Winnie is heard Mondays through Saturdays at 12:45 P.M. on the "Sidewalk Reporter" and at 5:45 P.M. daily except Sundays, on the "Sport Flash" program.

Hearst Scores Webs For Red Broadcasts

(*Continued from page 1*)

a "disgraceful and subversive enterprise," and went on to state the result of this kind of "subversive propaganda" is that "radio networks of this country will be and should be taken over by a patriotic United States government—if we ever should have one."

"Buy Now" Gets Results

CINCINNATI, May 23.—More than $250,000 in new business resulted from the WLW and WSAI "Buy Now" contest, it was revealed by approximately 5,000 letters received on "Why I Bought Now." The two local Crosley units used the slogan as a tag line with station identifications, and employed occasional dramatic interludes to emphasize the financial and labor return that would accrue to manufacturers, dealers and others with every purchase in various lines.

Will Air Operetta

ST. LOUIS, May 23.—KMOX will feed a 30-minute preview of the new Jerome Kern operetta, "Gentlemen Unafraid" to the CBS network on June 1—three days before the world premiere of the play at the opening of the Municipal Theatre in Forrest Park. The occasion is the 20th anniversary dinner of the Municipal Opera Association Guarantors.

To Be Kate Smith Guest

DES MOINES, May 23.—Gwen McCleary, KSO-KRNT player, will go to New York for a special guest appearance on Kate Smith's program June 9, and will be accompanied by Mary Little, the station's publicity director.

Broadcasts from Bed

San Francisco, May 23.—Something new in "remote control" broadcasting was tried by KFRC, when Bill Davidson, "em cee" of early "Rise 'n' Shine" hour was in the hospital, recovering from an appendicitis operation.

A portable recording outfit was taken to his bedside, Davidson tried a few gags, thanked listeners for the many letters of encouragement he had received, and the disc was played on the program the following morning.

Fourth of Programs Of WLW Educational

CINCINNATI, May 23.—A recent survey of WLW programs reveals that 24.19 per cent of all that station's broadcast are educational in content. The percentage, computed by Joseph Ries, educational director, and Meredith Runck, head of the research department, includes religious, civic, news, market and weather, farm, serious music and children's programs.

Among the sources which pr[illegible] the educational department with program material are governmental agencies, public and private educational agencies, universities, colleges and parochial and public school systems, professional associations and branches of scientific societies, women's clubs, conventions and labor organizations.

Gleason Joins Western

SAN FRANCISCO, May 23.—William J. Gleason, former KYA manager in Oakland, is contacting small coast radio stations for Western Radio Union, new network subsidiary of Western Newspaper Union. The ownership of stations is not involved. The plan is to service members with programs and ads, on a basis similar to the "boilerplate" which the parent concern now services to 3,700 weekly newspapers.

KHJ Re-Signs Townsend

HOLLYWOOD, May 23.—Dr. Francis Townsend, founder of the old age pension plan bearing his name, and KHJ have made up their quarrel of several months ago when Dr. Townsend resented censorship of his script. He walked out of his time contract with the station, but this week signed a new pact, under which each Monday he will speak for 15 minutes. The contract is for a year.

Lyster Joins KSFO

SAN FRANCISCO, May 23.—Philip G. Lasky, general manager of KSFO, CBS outlet here, has appointed Herbert Lyster to the station's merchandising department, where he will assist Robert W. Dumm, merchandising manager. Mr. Lyster formerly was associate editor of *Western Advertising,* magazine.

Adds 4 Musical Units

SAN FRANCISCO, May 23. — Four new musical groups have been added to KYA's staff, under direction of Walter Rudolph. Each will be heard four times weekly. They are the Six Ranch Boys, a group from New Mexico; a swing quartet; two-piano team of Rudolph and Jack Seltenrich, and an eight piece band.

Dismiss Power Appeal

WASHINGTON, May 23.—The U. S. Circuit Court of Appeals here today dismissed an appeal filed by WJAS, Pittsburgh; KBYL, Salt Lake City, and WEBC, Duluth, against an action of the F. C. C. in granting increased power to WATR, Waterbury, Conn.

Joins Program Service

Ralph Sayres, formerly sales manager of KYW, Philadelphia, has joined the sales staff of the Associated Recorded Program Service.

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 121 NEW YORK, WEDNESDAY, MAY 25, 1938 TEN CENTS

Hearing Upon New RKO Plan Is Challenged

Special Master Refuses To Stop Proceedings

The jurisdiction of Special Master eorge W. Alger to hold hearings on e proposed amended plan of reorgan- ation for RKO was challenged by pponents of the plan at the first hearg held at the Bar Association Bldg. esterday. The opposition contended at the proposed changes constituted completely new plan and were not erely revisions of the original plan, hich won Special Master Alger's ap- roval last November.

Oliver R. McMahon, RKO control- r, took the stand to explain why the ange in RKO earnings precipitated teration of the plan. His testimony as principally concerned with iden- fication of earnings statements and scal reports. A statement of RKO's arnings for the first quarter of 1938 as admitted into evidence, but later as withdrawn when Special Master lger suggested that testimony about 938 earnings be reserved for a later earing.

June 8 was set as the next hearing ate, with June 3 as the last day for e filing of written objections to the

(*Continued on page 4*)

Woodbury Signs New Pact with Winchell

The Woodbury Co., for Jergens, has gned Walter Winchell for another ear of broadcasting, it became known esterday. The contract provides for new salary, said to be $5,000 a week, nd for four weeks' summer vacation ith pay.

Winchell has been on the air for the ne sponsor for a number of years, and is program is consistently the high- st 15-minute news and commentary eriod in the agency ratings. Lennen Mitchell handles the account.

Seeks Amendment on State Radio Control

ALBANY, May 24.—Senator John T. IcCall has introduced into the Con- titutional Convention a proposed mendment to the state constitution hat would place radio as well as ther forms of communication under ontrol of the Public Service Com-

(*Continued on page 8*)

More Radio—P. 8

Salmon Next?

In connection with the recent premiere of "Cocoanut Grove" Paramount sent the trade paper editors real cocoanuts. Now some of the trade paper boys are wondering if they'll get salmon when Paramount puts out "Spawn of the North."

Kalmus Predicts Simplified Color With New Process

The launching of Technicolor's simplified Monopak process, which will not be ready "before another year and a half," will make it "relatively easy" to establish Technicolor laboratories throughout the world, it was said yesterday by Dr. Herbert T. Kalmus, president of Technicolor, Inc.

He also said that, as a phase of new developments by Technicolor engineers, in about a year a process will be put on the market for the reduction of 35mm. color prints to 16mm. This has not been feasible heretofore.

Dr. Kalmus made it clear that Eastman Kodak Co. is collaborating with Technicolor and that he did not presume to speak for that company. His statements, he said, are based on the

(*Continued on page 6*)

Louisiana Committee Approves Chain Tax

BATON ROUGE, La., May 24.—The House Education Committee tonight approved a bill by Representative Flowers of LaSalle Parish levying a tax of from $50 to $200 on chain theatres in this state.

The revenue to be derived would be used to increase the salaries of school teachers as well as those of school bus drivers.

COURT CONTROL OF DISPUTES SOUGHT

Name Jack Gross To Succeed Work

LOS ANGELES, May 24.—Jack Gross, for the past four years supervisor of RKO Theatres operations in the Los Angeles area, last night was named west coast division manager of the circuit, succeeding Cliff Work, who resigned last week to join Universal as vice-president and studio executive.

The appointment was made here by John O'Connor, RKO Theatres head, who came west from New York to make the replacement.

Assuming his new post immediately, Mr. Gross will transfer his headquarters from San Francisco to this city.

M. A. Anderson, former house manager at the RKO Hillstreet in Los Angeles, has been named to succeed Mr Gross, while George Boles former assistant to Mr. Work in the northern part of his territory has taken over control of the San Francisco area theatres.

Skouras Management Personnel Realigned

Realignment of manager personnel in the Skouras circuit has been completed, chiefly in the Jersey area, with Jules Laurent, district supervisor, resigning. The circuit has taken over the Beacon, 2,700-seat house at Broadway and 74th St., Manhattan.

The Beacon will be managed by Monty Salmon, manager of the State in Jersey City. Ben Catts goes from the Academy of Music to the State;

(*Continued on page 6*)

Novel Proposal Aims at Special Master for Coast Problems

An industry proposal that the U. S. Attorney General's office recommend appointment of a permanent special master to act as arbiter with full authority to settle all complaints on clearance and zoning which may be brought against Fox West Coast Theatres is scheduled to be approved by attorneys for major companies in the near future, it was learned yesterday.

The implications of the proposal are new to the industry in that the major distributors and a leading exhibition branch of the business voluntarily place their future relations in the hands of a representative of the Government. Supervision and ultimate control of the large circuit's film buys and playing provisions thus will rest with a Federal agent under the plan.

The move is said to have been projected in order to avoid future legal actions and Federal investigations involving Fox West Coast and major

(*Continued on page 4*)

Rivoli Closes Until Early in September

The Rivoli, which turned to reissues recently because of lack of suitable product, closed last night and is scheduled to reopen early in September.

William Philips, executive of the United Artists Theatre Circuit, which owns the house, said there is a general lack of first run pictures for Broadway houses. The Rivoli was closed a few weeks earlier than usual for the summer, he said, rather than operate

(*Continued on page 7*)

Board Rejects Three N. Y. Censor Appeals

The Board of Regents, which met in the State Office Building here, has rejected three new appeals on pictures denied licenses by Irwin Esmond, chief censor, MOTION PICTURE DAILY learns. In every instance, films were screened by the Regents' sub-committee, which consists of Susan Brandeis, Gordon Knox Bell and George J. Ryan.

"Souls for Sale," "The Pace That Kills" and "Assassin of Youth" were the pictures denied a license. The-

(*Continued on page 4*)

KRS Drops Grading; Held To Be Conciliation Move

By AUBREY FLANAGAN

LONDON, May 24.—The Kinematograph Renters' Society (distributors) has abandoned entirely the plan to grade pictures, which recently was suspended after a vigorous fight by the Cinematograph Exhibitors' Association, thus making the expected arbitration of the controversy unnecessary.

The abandonment of the plan was disclosed today following the first joint meeting since the grading truce of representatives of the two major trade bodies.

The action was taken in many quarters as clearly indicative of the disposition on the part of conferees to approach their industry problems in a spirit of compromise and conciliation, and tends to bear out the impression created after the grading fight, that a

(*Continued on page 6*)

◂ Purely Personal ▸

LILLIAN FISCHER, formerly Paris representative for *Vogue*, will arrive Monday on the *Normandie* en route to the Paramount studio, where she will be a fashion consultant on the forthcoming "Artists and Models Abroad."

•

Frank Bruner, publicity director of the Rivoli, will leave Saturday for the coast. He is also New York representative for Mary Pickford and will make his headquarters at the Pickford office in Hollywood.

•

Al Lackay, husband of Sophie Tucker, went into the Hospital for Ruptured & Crippled in East 42nd St. yesterday for a few days' treatment. Soph's wowing them nightly at Ben Marden's Riviera.

•

Van Ness Philip, manager of Photophone sales, International Division, will sail Saturday on the *Georgic* for England, Australia, India and South Africa.

•

John A. Groves, Paramount managing director in Singapore, is now visiting his family in Scotland and is due here in about two weeks en route to the Orient.

•

William Steiner, cameraman, has been hired by Eastern Service Studios to operate the Technicolor camera which is part of the new studio equipment.

•

Murray Silverstone will attend United Artists executive meetings on the coast late this week and is not expected back in New York before next Tuesday.

•

Max Roth, Republic district manager, with headquarters in Chicago, arrived yesterday for conferences with James R. Grainger, president.

•

Henri Elman is in New York from Chicago for conferences with W. Ray Johnston and to attend the Ross-Armstrong fight.

•

B. F. Zeidman, independent producer, is in town to see some plays and to confer with Fitelson & Mayers, his attorneys.

•

Murray Gottesman, Republic distributor in Poland, is here for conferences with Morris Goodman.

•

Jesse L. Lasky is in New York from the coast to discuss new producing and releasing arrangements.

•

Irene Thirer, film critic of the *Evening Post*, will leave Friday night for a three-week stay on the coast.

•

Julius Tannen, screen writer, is in town on a visit and staying at the Hotel McAlpin.

•

Larry Darmour arrived from the coast by plane yesterday.

AMERICAN FLAGSHIPS
TO LOS ANGELES

MERCURY SKYSLEEPER
OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
SOUTHERN ALL-YEAR ROUTE
MERCURY—Lv. 5:10 pm ; SOUTHERNER—Lv. 9:00 pm.
Call your Travel Agent, or VAnderbilt 3-2580
Ticket Offices: 45 Vanderbilt Ave. and
Rockefeller Center, 18 W. 49th St.
AMERICAN
AIRLINES INC.

Convention by Telephone

National Theatres held a "convention" last night over the transcontinental telephone wires. In a 10-way hookup, Spyros Skouras, head of the circuit, addressed division managers and staffs in nine cities and seven division managers spoke, the telephone broadcast linking all division offices into one unit.

The network was so arranged that a talk emanating from one of the cities was heard in all the others and a conversation could be held between any of the points.

The "rally," lasting from 7 to 8 o'clock, was in behalf of National Theatres' second national theatre drive, which is now under way and will end July 4. Prizes totaling $10,000 are to be awarded at the circuit's convention at Del Monte, Cal., Aug. 1-5.

Following Mr. Skouras, division managers who spoke were: Rick Ricketson, Denver; H. J. Fitzgerald, Milwaukee; E. C. Rhoden, Kansas City; Frank L. Newman, Seattle; Arch Bowles, San Francisco; Al Finkelstein, Portland, and Charles P. Skouras, Los Angeles. Salt Lake City and Wichita also were hooked in.

About 200, including district managers, managers, bookers and others of the local staffs participated in the "rally," amplifiers in the divisional offices carrying the voices. The telephone company said that it was the first coast-to-coast hookup of its kind.

Paramount to Make "Josephine" Abroad

London, May 24. — Paramount's first picture to be produced here under its new quota requirements will be "Josephine," with Ruth Chatterton as the Empress in the title role and Pierre Blanchar as Napoleon, it was learned today.

John W. Hicks, Jr., who is understood to have completed Paramount's British production plans in London last week, could not be reached for comment yesterday. Mr. Hicks said on his arrival in New York on Monday that the company's plans would be made known in about a week.

Producer Labor Unit Confers with Studios

Hollywood, May 24.—Adjustments in the bargaining contract of the Screen Actors Guild with the studios for extra bit players and stars today moved a step nearer to realization when the producers' negotiating committee met with representatives of 18 production companies—both major and independent—for discussion of policy. No statement concerning results of the meeting was made.

The producer commitee consists of E. J. Mannix, Scott R. Dunlap, Herbert Freston, Henry Herzbrun, B. B. Kahane, Daniel T. O'Shea and Hal Roach.

Universal Southern Sales Meeting Ends

New Orleans, May 24.—Universal's program for 1938-'39 was presented to exchange managers for the southern region at the conclusion of a two-day meeting here today.

William A. Scully, general sales manager, told the exchange heads, "We are coming down to earth and are giving the people pictures of everyday happenings that they can comprehend and enjoy."

Mr. Scully will leave New Orleans tomorrow for New York.

Universal Suit Dropped

Federal Judge John C. Knox yesterday dismissed a suit of Universal Pictures Corp. and Big U Film Exchange, Inc., against R. T. Amusement Corp., Irving Fineman and Paul Meltzer for lack of prosecution.

Plaintiff had brought suit to recover approximately $13,250, claiming the unauthorized playing of Universal newsreels and "Jungle Mystery" at the Rex, 205 East 67th St.

B. & D. Drops Damage Suit

British & Dominion Film Corp., Ltd., yesterday discontinued its $19,410 damage suit against Wilson Collison and Hopwood Plays, Inc., in the N. Y. Supreme Court. Plaintiff had claimed that the defendants breached a contract selling the film rights to the play, "Getting Gertie's Garter" by a previous sale of the dramatic rights to Frank Neil.

Dismiss Suit Against NSS

The suit of Trimble de Roode against National Screen Service, Inc., was dismissed yesterday by Federal Judge John C. Knox for lack of prosecution.

The suit claimed the infringement of a sound device patented on Nov. 12, 1915, by the plaintiff. An injunction and accounting of profits had been asked.

Clergymen to See Film

A private screening for clergymen of Greater New York of "Religious Racketeers" will be given at the World Theatre at 9 a. m. today. The Fanchon Royer production has Mrs. Harry Houdini, widow of the celebrated magician, in the cast playing herself in this expose of charlatans.

Wilmer, Vincent in Meet at Harrisburg

Harrisburg, May 24.—Executives from the home office of Wilmer & Vincent, New York, and theatre managers from cities included in the company's circuit met in annual convention here today. Morning and afternoon sessions in the Harrisburger Hotel were devoted to discussion of exhibition problems and cash prizes [illegible] awarded house managers whose work during a 12-week drive merited special recognition. Among the recipients were John Rogers, State, Harrisburg; Charles Bierbauer, State, Allentown; Alvin Hostler, State, Reading, and David Murphy, Rialto, Allentown.

The guests were entertained by C. Floyd Hopkins, Harrisburg district manager, followed by dinner.

Attending the convention were Sidney Wilmer, president; Walter Vincent, vice-president; Joseph Eagan, general manager; F. L. Fowler, Franklin Maury, of the New York office staff; Charles Bierbauer, David Murphy, Allentown; Paul Glase, Alvin Hostler, Reading; J. F. Osterstock, E. Rudlin, James Maury, Easton; Lee Conrad, Johnstown; J. D. O'Rear, Altoona; P. Boulogne, Lee Trainor, Norfolk; A. F. O'Brien, A. Nowitsky, Charles Hulbert, N. Manwaring, Robert Eagan, Richmond; C. Floyd Hopkins, J. F. Rogers, Francis Deverter, E. G. Wollaston, A. W. Church, Harrisburg, and Herman Nowitsky, circuit maintenance chief.

'Farewell' Publicity Set

Advertising and publicity material for simultaneous day and date engagements in the reissue of "A Farewell to Arms" has been prepared by Robert Gillham, Paramount director of advertising and publicity. The film is dated in 200 key cities for June 3.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; J. M. JERAULD, Managing Editor JAMES A. CRON, Advertising Manager. EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone, Thomas Fitzsimmons, Sherwi A. Kane, Irene Kuhn, Joseph Priore.

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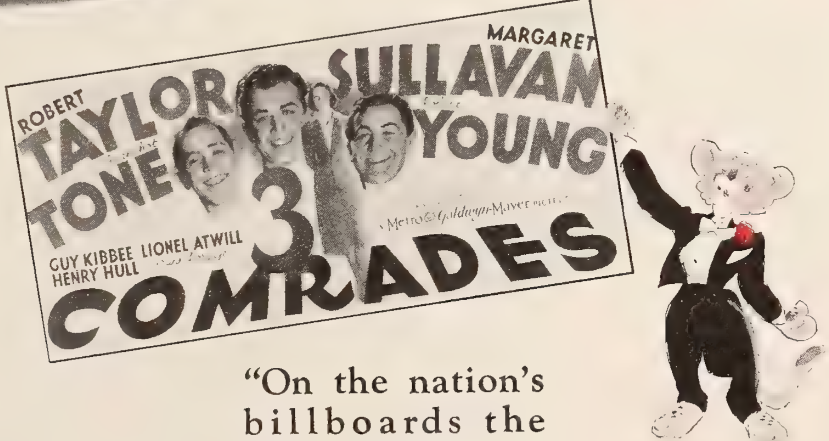
COMING TO BOWL YOU OVER!

THREE COMRADES


ROBERT TAYLOR
TONE
MARGARET SULLAVAN
YOUNG
3 COMRADES
GUY KIBBEE LIONEL ATWILL
HENRY HULL
Metro-Goldwyn-Mayer

"On the nation's billboards the entire month of May!"

Hearing Upon New RKO Plan Is Challenged

(*Continued from page* 1)

plan. The special master stressed the necessity of a quick determination of the proposed plan and promised "to go ahead as rapidly as possible." H. C. Rickaby, attorney for the Atlas Corp., proponent of the plan, stated that the testimony of Mr. McMahon and Anthony A. Belser of Price, Waterhouse & Co., accountants, who was the only other witness, completed the proponent's case. The fairness and feasibility of the plan would then be a matter of argument and reasoning, according to Rickaby. He pointed to the fact that under the amendments there would be no fixed charges for outstanding debt for the company and urged therefore that the plan could not be attacked as unfeasible.

Abraham K. Weber, attorney for a small group of stockholders, attacked the jurisdiction of the court to appoint a Special Master to hold hearings on the grounds that new consents to the plan had not been obtained. He contended that the amendments were so drastic they were, in effect, a new plan. Special Master Alger, however, refused a ruling on the subject on the grounds that he could not overrule Federal Judge William Bondy, who had ordered that hearings be held.

Constitution Cited

The first written objections were filed by Nathan Rosenberg, counsel for holders of $175,000 in debentures. Rosenberg charged that the plan would "perpetuate control of the corporation in the hands of the proponents of the plan." He stated that Atlas Corp. had "interests adverse to those of the independent debenture holders" and that the plan violated the fifth amendment to the United States Constitution. He asked the special master to recommend rejection of the proposed plan.

Carlos Israel of White & Case, attorneys for the unsecured creditors committee, indicated a willingness to accept the plan with a few minor modifications. He pleaded for a speedy ruling to help protect his clients' interests. Joseph M. Cohen, attorney for the independent stockholders' protective committee, who provided the principal opposition at the last hearing, promised to prepare his objections with "the same thoroughness that characterized our previous testimony."

Fire Fatal to Buckley

Detroit, May 24.—Edward C. Buckley, operator, was burned to death and seven other persons, all patrons, were injured by a projection room fire last night in Wade Allen's Fine Arts Theatre, all-night Woodward Ave. house.

Before he died, Buckley said the film buckled in the machine and burst into flame about 9:30 P.M. He died at 5:30 this morning.

Buckley, who was 49 years old, was a member of the Detroit Variety Club and had served as projectionist for the club at all of its free picture shows put on for inmates of various institutions.

The Newsreel Parade

Movietone News

Vol. 20, No. 73

(*20th Century-Fox*)

The stately ritual of the baptism of the new Dutch princess leads off the issue and is well handled, containing some footage not seen in the other newsreels. For royal panoply, it is the most distinguished story since the British Coronation. The photography may be condoned, considering the circumstances.

Other good clips are those of the wrecked transport plane in the Sierras, in which nine passengers perished, and four-year-old George Lovett, Jr., displaying an amazing intelligence in an interview by Lowell Thomas. This appears too well rehearsed, however.

"Names in the News" includes former Emperor Selassie at Geneva, the Spanish Ambassador returning from Europe, the Greek Ambassador paying something on that country's debt to Uncle Sam, and Lord Robert Crichton-Stuart, the fabulously wealthy Englishman who arrived this week. There are also a parking station for 1,000 bicycles in Chicago; "fold-boating" in the Berkshires; autogiro flying in formation; and, in the sports division, President Roosevelt watching a rowing regatta on the Severn, the International Golden Gloves tournament, Belmont Park racing, and diving exhibitions. Running time, 9½ mins. F.

News of the Day

Vol. 9, No. 271

(*M-G-M*)

Seven of the 10 subjects in this release are similar to, if not identical with, the coverage by Movietone News. But they have touches of their own, of course.

The exceptions are a fine shot of Il Duce haranguing a crowd in Genoa on the invincibility of Italy; the dedication of a $100,000 shrine to Benjamin Franklin in Philadelphia; and a bicycle "festival" in Paris with the Arc de Triomphe as a backdrop.

The duplications include the Christening of the newly born Dutch princess at the Hague; Selassie at the League of Nations; the twisted fuselage of the wrecked transport liner in California, as well as sports shots of the International Golden Gloves bouts, the sculling regatta, New Yorkers "foldboating" in Massachusetts and the Los Angeles diving exhibition. Running time, 8½ mins. F.

Paramount News

No. 84

(*Paramount*)

Mildly interesting news material leaves much to be desired in this release. The outstanding subjects are Haile Selassie's plea to the League of Nations for the restoration of his country, and shots of last week's fatal airplane crash in Mint Canyon, Cal.

The balance of the reel consists of fancy diving exhibitions, the unveiling of a Benjamin Franklin monument, shots of the christening of Princess Beatrix of The Netherlands, President Roosevelt at an intercollegiate boat race at Annapolis, a group of autogyros in Army tests and shots of War Admiral and Seabiscuit preparing for their coming race. Running time, 8½ mins. K.

RKO Pathe News

Vol. 9, No. 88

(*RKO*)

Bright and newsy, this number of the reel covers 10 events and does it competently and in interesting fashion. The Czech ambassador in Washington voices his country's defiance of Hitler, Greece's ambassador voices his country's gratitude for America's acceptance of a part-payment check on the war debt, the colorful spectacle which surrounds the christening of Holland's royal heiress is fully caught.

Mexican Government troops are seen entraining to put down rebellious forces, a statue of Benjamin Franklin is unveiled in Philadelphia, President Roosevelt watches the Harvard crew row to victory, the wreckage of the fatal air liner crash in California is shown, Army fliers train with autogiros, swimming stars hold a benefit show for Georgia Coleman, recovering from paralysis, and the camera catches real action during the Golden Glove amateur bouts with European fighters in Chicago. Running time, 9 mins. A.

Universal Newsreel

Vol. 10, No. 669

(*Universal*)

There's plenty of assortment but not much excitement in this issue until the final two numbers are reached. These are both humorous and stimulating. Passengers on the folding boat train that took a flock of enthusiasts and their equipment to the Housatonic River are shown, with shots following as the paddlers go down the swift current of the river. The other shot is of the International Golden Gloves contest at Chicago. Views of spectators' facial reactions are cut into the boxing with excellent effect.

The reel opens with the unveiling of a Benjamin Franklin statue at Philadelphia and continues with a parade of Czechoslovak tanks at Prague, a speech by Mussolini, British veterans marching to Westminster Abbey, the Greek ambassador with a check in payment of the war debt, the wrecked airplane at Mint Canyon, Cal., tandem bicycles in France and a deep sea dredge designed to find gold off the coast of Alaska.

Army autogyros in formation and landing are interesting, and a variety of shots is introduced to show President Roosevelt at the Adams Cup crew boat race. Running time, 9 mins. J.

Dog Bites Ian Hunter

Hollywood, May 24.—Ian Hunter is under treatment here for hydrophobia as a result of being severely bitten by his pet dog which went suddenly mad and had to be destroyed.

No Albany Lottery Vote

Albany, May 24.—The expected vote on lotteries by the "bill of rights" group in the Constitutional Convention here failed to materialize at this week's meeting.

Court Control Is Sought for Coast Problem

(*Continued from page* 1)

distributors such as that which ended in the Government-West Coast [illegible]sent decree of August, 1930. Clearance and zoning complaints from California independent exhibitors involving alleged violations of the 1930 consent decree by the circuit have been filed with the Department of Justice during the past few years and last year led to a Federal investigation of the Southern California exhibition situation. That investigation is still under way, but, presumably, would be discontinued if and when a special master was named to hear and settle the existing or new complaints against the circuit.

Would Handle Trust Actions

Under the proposal which is scheduled to be acted on soon, decisions of the special master would be final and binding on both parties to a dispute without appeal, it was said. On the other hand, the proposal contemplates that no new anti-trust actions would be instituted by the Government on matters involving the circuit and distributors which could properly be heard and settled by the special master.

Attorneys for the major companies now are preparing the papers embodying definitions of complaints which would be submitted to the special master and delineating his specific authority. Indications are that the agreement will be completed within the next few weeks.

Board Rejects Three N. Y. Censor Appeals

(*Continued from page* 1)

first two were screened in New York during April while "Assassin of Youth" was viewed last Thursday.

Originally submitted for licensing on Oct. 28, 1937, by International Road Shows, Inc., "Souls for Sale" was refused a license on Nov. 3, Mr. Esmond holding that it was "immoral and would tend to corrupt morals." Revised three times, "The Pace That Kills" was appealed by Bernard Kulick, secretary of Syndicate Exchanges, Inc., which holds distributing rights. Application for license was made on March 24, 1938. "Assassin of Youth" was screened by the three members of the Board of Regents May 19. Distribution rights are held by Leo J. McCarthy. The picture, or substantial parts, also is known in some states as "Marijuana." Senator John J. McNaboe was the attorney for Mr. McCarthy.

Lehr's First Is Titled

"What Every Boy Should Know" will be the first of Lew Lehr's series of Kindergarten Comedies. It will be written and directed by Mr. Lehr.

Reissue 'Kong,' 'Women'

RKO will revive "King Kong" and "Little Women," two of the most successful films produced by the company.

"The Saint" . . and the girl with the cold, clear eyes! . . .

Meet 'The Saint' . . .

the most debonair daredevil who ever stepped out of fiction to give the screen a thrill! . . . "The Thin Man" . . . "Bulldog Drummond" . . . "Sherlock Holmes" . . . "Alias Jimmy Valentine" . . . all these and others had something in common with 'The Saint' . . . But only 'The Saint' has all it takes—and more! . . . "Danger for the love of it . . . love for the fun of it"—that was his motto! . . A modern Robin Hood with a smile and a shot to help clear the world of villainy!

See him at war with the overlords of New York's gangland! . . . An amazing melodrama with a new kind of thrill!

The 'SAINT' IN NEW YORK

with

LOUIS HAYWARD

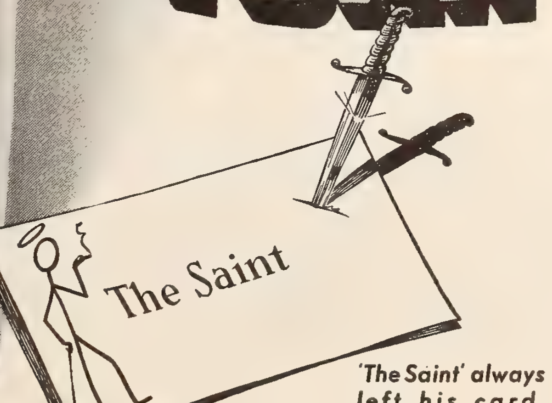
KAY SUTTON • SIG RUMANN

JONATHAN HALE

Directed by Ben Holmes • Produced by William Sistrom
Screen Play by Charles Kaufman and Mortimer Offner

RKO RADIO PICTURES

From the novel by
LESLIE CHARTERIS, ***author of the series of smash-selling "Saint" books***



'The Saint' always left his card.

Kalmus Predicts Simplified Color With New Process

(*Continued from page 1*)

progress made in the Technicolor laboratories.

Dr. Kalmus will sail today on the *Queen Mary* for a two-month stay in Europe. While he has been contemplating establishing plants in Paris, Berlin and Rome for several years, he indicated that negotiations based on tangible offers may be furthered on his present trip. Japan, also, is "most eager," he said, to establish a Technicolor plant.

The forthcoming Monopak process, he declared, is an extension of the Kodachrome method marketed by Eastman for amateur films, and Technicolor will not enter that field.

For the present, Dr. Kalmus continued, his company is interested in a moderate volume of business on "fine pictures," pending the elimination of the special cameras required. But when the new process is ready, bringing with it the requirement of only black-and-white cameras and a single print. Technicolor will seek volume. Monopak is expected to reduce the cost of color substantially, but Dr. Kalmus claimed that volume will also have a bearing on the reduction.

Pact with Fox Is Near

He said that a contract with 20th Century-Fox for six Technicolor films is to be signed momentarily, the first two to be "Kentucky" and "Jesse James."

All companies using Technicolor receive options on Technicolor stock, exercisable upon completion of contracts, he said, but the only company which has exercised an option is Pioneer Pictures, identified with the Selznick International interests which include John Hay Whitney. In this connection, he said that Mr. Whitney's interest "has been a minority one, never more than 10 to 20 per cent," in Technicolor.

Wall Street

Fractional Declines on Board

	Open	High	Low	Close	Net Change
Col.	12	12	12	12	— 1/8
Col. pfd. ..	33½	33½	33½	33½	.....
Cons. pfd. ..	5⅝	5⅝	5⅝	5⅝	— ⅝
E. K.	154	155	153	153	—1
G. T. E....	10⅞	10⅞	10⅞	10⅞	— ⅛
Loew	39⅝	39¾	39	39	— ½
Para.	7¼	7½	7⅛	7⅛	— ¼
Para. 2.....	8½	8½	8⅜	8½	+ ⅛
Pathe	4½	4½	4½	4½	— ⅛
RKO	2⅛	2⅛	2⅛	2⅛	+ ⅛
20th Fox ..	21½	21⅝	21½	21½	— ¼
20th pfd. ..	30	30	30	30	— ¼
W. B.	4⅞	4⅞	4⅝	4⅝	— ¼

Curb Issues Off Slightly

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	—1/16
Monogram	1⅝	1⅝	1⅝	1⅝	.....
Sentry	¼	¼	3/16	3/16	— ⅛
Sonotone ..	1⅝	1⅝	1½	1½	— ¼
Tech.	23¾	24½	23½	23½	.....
Trans-Lux	2⅛	2⅛	2⅛	2⅛	— ¼

Bonds Have Fair Gains

	High	Low	Close	Net Change
Para. B'way 3s '55	59	59	59	+ ½
Para. Pict. 6s '55	91¼	90¾	91½	+ ⅜
Para. Pict. '47...	73	71½	73	+1½
RKO 6s '41.......	72	72	72	+2½
W. B. 6s '39......	75	74½	74½	— ½

(Quotations at close of May 24)

KRS Drops Grading; Held To Be Conciliation Move

(*Continued from page 1*)

lasting peace in the industry might result.

Today's three-hour discussion covered the whole field of trade policies. Francis Harley, English head of 20th Century-Fox, sat in as an observer under instructions of Sidney R. Kent, president, who indicated that his company would return to the K.R.S. if certain policies were altered.

A great part of the discussion centered about the serious problem of the small exhibitor. The C.E.A. presented a plan which the K.R.S. promised would be considered immediately. In its turn, the C.E.A. promised to consider the problem of long programs if the consideration could be kept apart from the question of film prices.

The K.R.S. will meet on May 31, with additional joint talks to be held later. Future discussions will consider overbuilding and, following the suggestion of Ken Nyman, C.E.A. president, the relation between the screen and the public.

Hold "Hood" for Third

"The Adventures of Robin Hood" will be held for a third week at the Music Hall.

Get Sympathy

Philadelphia, May 24.—To exhibitors who visited his office yesterday to ask the lifting of a chance games ban until a State Supreme Court hearing in November, Mayor Wilson stated he "sympathized with" them. So far no official action has been taken.

Exhibitors are circulating a petition which, they claim, has many thousand signators.

Celler Asks Repeal Of Fight Film Law

Washington, May 24.—Repeal of the fight film law today was urged by Representative Emanuel Celler (Dem.) of New York.

Pointing out that films are the only media from which fights are barred, Mr. Celler said bouts can be broadcast or televised, newspapers can print fight pictures and the Government is a "partner" in the fight business through its collection of admission taxes. Bootlegging of fight films is rampant, he said, and the law serves no useful purpose.

Hollywood Preview

"White Banners"

(*Cosmopolitan-Warners*)

Hollywood, May 24.—Here is told with much distinction the story of an unwed mother's devotion to and protection of a son who knows her only as a domestic servant and friend. This is, however a very different treatment than has been given the idea in previous handlings. The scene is mid-America, the time 1919, and the picture is an hour old and has the audience well in hand before anybody is let in on the secret of the by then beloved domestic's interest in the now adolescent boy. From this point on the distaff side of the congregation is weeping happily and the suspense attending the decision of the mother and newly found father as to whether to tell the boy. All is sufficient to convince the mature that they have been present at the unreeling of some pretty intense drama.

Fay Bainter, Claude Rains, Jackie Cooper, Bonita Granville, Kay Johnson and competent supporting players add splendid performances to Producer Henry Blanke's and Director Edmund Goulding's consummate interpretation of small town modes and manners. Screen playwrights Lenore Coffee, Cameron Rogers and Aben Finkel have adopted Lloyd C. Douglas' *Cosmopolitan Magazine* story with rarely equalled and unblinking adroitness. If there is to be a cycle of what used to be called homespun American folk films, this one will have the unquestioned rank among the leaders.

Miss Bainter drifts into the family circle of a chemistry professor busy with unsuccessful inventions and introduces a stern philosophy of unresistance which brings happiness into the home. The professor, Rains, and his best student, Cooper, invent an electric refrigerator and Miss Bainter sustains them through their disappointment when the invention is stolen. Then they invent a gas refrigerator, but the success of this brings to the house, as a financier interested in backing the invention, Cooper's real father, a bachelor who has just learned that the boy is his and wants to claim him for his own. Miss Bainter argues that he shouldn't do this and, ultimately, he doesn't, whereupon she walks away into a snowy horizon.

Banal as it may sound in synopsis, the story is so freshly and earnestly told that it impresses as new, vital and important.

Running time, 90 minutes. "A."

Variety Club

Detroit

Detroit, May 24. — Variety Club will hold its final Saturday night family party in the clubrooms on the eighth floor of the Book-Cadillac May 28.

Mayor and Mrs. Richard W. Reading (associate barker) will officiate as host and hostess, as [illegible] as supervise a drawing.

Members of the city administration and their wives and friends will attend in addition to Detroiters of prominence.

An elaborate program of entertainment has been arranged.

Skouras Management Personnel Realigned

(*Continued from page 1*)

Jack Bokser from the Tivoli, Jersey City, to the Fulton, same town; Peter Mann, from the Fulton to the Grand, Astoria, L. I., and Lou Hart from the Grand to the Tivoli, Jersey City.

Maury Stahl, Long Island division manager, is taking over three theatres in the Rutherford, N. J., area, beginning June 1, and will operate them on his own. He has been succeeded by Herman Starr.

Sparks Asks Tax Review

Washington, May 24.—A plea for a review of income tax deficiencies imposed against him and his wife by the Commissioner of Internal Revenue was filed with the Board of Tax Appeals today by Ned Sparks, film actor.

The petition protested deficiencies allegedly in returns for 1934, 1935 and 1936, amounting to $14,113, as well as the refusal of the bureau to allow a deduction of $3,000 from 1935 income for dental work claimed necessary for pursuit of his profession.

"Dr. Rhythm" Is Held

"Dr Rhythm" is being held a second week at the Paramount, following a first week's gross of $42,000. The stage show is headed by Hal Kemp and his band and the Borrah Minnevitch group. "You and Me" will open on June 1, with a stage bill headed by Sammy Kaye and his band and Ethel Shutta.

Join Broadway Drive

Various film and legitimate stage organizations in New York have joined the Broadway Association and the Outdoor Cleanliness Association in a campaign designed to bring about improvements in the appearance of Broadway, in anticipation of the World's Fair.

Tryout for Crooker Play

Herb Crooker's three-act comedy, "Made in Heaven," will be produced shortly at the Paint Box Theatre in Somerset, Pa., as a tryout for Broadway production. Mr. Crooker on Monday resigned as eastern publicity manager of Warner Bros.

Report on Convention

A report on the national Allied convention in Pittsburgh last week was given to members of the New Jersey unit at a meeting at the Lincoln yesterday. The speakers were Irving Dollinger and J. Unger.

IT ACTUALLY HAPPENED TO THIS EXHIBITOR!

RUE STORIES FROM ALTEC FILES

HARRY A. KARESH,
owner of the
Park West Theatre,
New York City

Manager Finds Way to Play New Hi-Range Prints

EW YORK—"Like many other exhibitors, have recently faced the problem of playng the new low-level sound prints and ave often been forced to choose between nferior sound as reproduced from the ld-style recordings, or attempt to play ew prints with the sound so low that atrons complained they could not hear," eclared Harry Karesh, owner of the Park Vest Theatre here.

"I asked my Altec Inspector, W. B. ssex, if anything could be done about it. Ie examined my sound system, and inormed me he could make the needed nodifications as a part of my regular serice policy without additional cost.

"I now play the new prints perfectly. figure my Altec service, in this instance lone, has more than paid for itself for nonths to come."

• • •

Let the Altec Service Inspector explain how ie sets up a Performance Standard for your ndividual equipment (an exclusive Altec Service agreement feature), and how that gives you greater protection.

ALTEC
SERVICE CORPORATION

LTEC SERVICE CORPORATION
50 West 57th St., New York City.

Gentlemen: I believe in getting facts, if they nean something to my business. I will give our Altec Inspector in my locality an interiew, without obligation to me.

NAME ________________________

THEATRE ________________________

ADDRESS ________________________

CITY ________________________ 11

"...THAT YOUR THEATRE MAY NEVER BE DARK."

Out Hollywood Way

Hollywood, May 24.—Warners, by means of a special trailer, will ask patrons to suggest material for the next vehicle of Janet Kay Chapman, five-year-old who made her film debut in "Little Miss Thoroughbred." The trailer will be distributed just prior to June 4.

The Pacific Writers Yacht Club, membership of which is confined to sailors of the film colony, will inaugurate its 1938 season on the Memorial Day weekend with a cruise to Catalina . . . **Dorothy Lamour** draws the feminine lead of "St. Louis Blues," Paramount, with **Tito Guizar**, **Elizabeth Patterson**, **Maxine Sullivan**, **William Frawley** and "**Punkins" Parker** in the supporting cast . . . **Olivia de Havilland** will play the feminine lead in "For Lovers Only," opposite **Dick Powell**, at Warners.

+

Casting—**Dolores Costello Barrymore**, **Charles Ruggles**, **Dorothy Peterson** and **Robert Barrat** in "Breaking the Ice," Principal . . . **Kay Sutton** draws the feminine lead in "I'm from the City," **Joe Penner** vehicle at RKO . . . RKO has borrowed **Virginia Weidler** from M-G-M for "Mother Carey's Chickens" . . . **Donald Woods** has the lead in Universal's "Danger in the Air" . . . **Minnie Dupree**, veteran stage actress, in Selznick International's "The Young in Heart" . . . **Porter Hall** and **Lynne Overman** to "Men With Wings," and **Charles Grapewin** to "Artists and Models Abroad," Paramount . . . Warner assignments: **Alan Hale**, **Donald Crisp**, **Dick Foran** and **Ian Hunter** to "The Sisters," **Allen Jenkins** and **Melville Cooper** to "For Lovers Only," **Humphrey Bogart** and **John Eldredge** to "Lady Doctor," **Margaret Lindsay**, **Marie Wilson** and **Ann Sheridan** to "Three Girls on Broadway."

+

Writers and Story Buys—**W. H. Moran**, former chief of the Secret Service, is working with **Albert DeMond** on the first of the series of Secret Service stories Warners will make . . . **I. A. R. Wylie** has arrived here to begin work on the screenplay of Goldwyn's "The Exiles" . . RKO has purchased "Bat Out of Hell," **Crane Wilbur** original, and "Picardy Max," by **Harold Shumate** . . . **Stuart Palmer** has been assigned to the script of Paramount's "Scotland Yard Against Bulldog Drummond" . . . **John McClain**, New York newspaperman, has arrived here to start his term writing contract at Selznick International.

+

Directors—**Michael Curtiz** has been assigned to direct "Angels with Dirty Faces," **James Cagney** vehicle at Warners.

+

Music—**Paul Webster** and **Frank Churchill** are working on the score of Principal's "Breaking the Ice."

Rockettes Beat Line Of Military Academy

The Rockettes certainly keep a better line than the boys from military school. Or perhaps it's because the 36 members of the crack drill squad of the Morgan Park, Ill., military academy were drawn up on the Music Hall roof to within blushing distance of the 36 Rockettes and had their minds more on Rockettes form than on formation.

The boys made a good will flight from their school near Chicago to Washington to present a petition to the President for the establishment of a crime prevention week. They were received by Homer C. Cummings. They flew to New York for a look-see at the Music Hall (and the Rockettes) and after a day's sightseeing will return to left-righting at school again.

Consolidated Profit Up

Toronto, May 24.—Consolidated Theatres, Ltd., had a net profit for 1937 of $16,092, as compared with $2,663 for the previous year, a feature of the balance sheet being the sharp increase in cash on hand from $8,515 at the end of 1936 to $69,153 at the close of last year.

With total revenue entered at $115,312, net earnings are given as $39,912, as compared with net earnings of $14,711 for the previous period. Current assets on Dec. 31 last were $73,697 and $19,270 at the end of the previous year. Outstanding stock, mortgages payable and general expenditures were all reduced during the 12 months.

Rivoli Closes Until Early in September

(*Continued from page* 1)

at a loss. The theatre is operated by the Skouras circuit.

Recently the Rivoli did fairly well with a revival of "The Count of Monte Cristo." This was followed by a revival of "It Happened One Night," and in the 11 days ending last night the film did $9,500.

This is the fifth time the Rivoli has been closed in the last six years, but this will be the longest period.

The United Artists Theatre Circuit directors have declared a quarterly dividend of $1.25 on the preferred stock, payable June 15 to stockholders of record June 1.

IATSE Convenes June 6

Cleveland, May 24.—The 34th annual convention of the I.A.T.S.E. will get under way here June 6. More than 900 delegates are expected and 706 locals will be represented. President George E. Browne will preside at the daily sessions and convention headquarters will be in the Hollenden Hotel.

Halt "Nation" Showing

Hartford, May 24.—Two colored ministers, the Rev. C. A. Moody and the Rev. J. C. Jackson, representing two small churches in this city of 175,000 have stopped the projected showing of D. W. Griffith's "The Birth of a Nation" which was to have been revived, beginning May 27, at the 4,000 seat State.

Only RCA Photophone does Everything in Movie Sound! Has developed the Industry's outstanding 'firsts'!

Photophone research...manufacturing facilities...engineering...experience . . . development—all are responsible for the creation of Photophone's great "firsts" in the field of motion picture sound. They are all responsible for the successful development of RCA Ultra-Violet Recording . . . RCA Push-Pull Recording...RCA non-slip Printer . . . RCA Rotary Stabilizer Sound Head...RCA High Fidelity Amplifiers...RCA Cellular Speakers—and many other advancements in the art of motion picture sound.

And because of all this—because only Photophone covers the entire movie sound field—Photophone will continue in the future to produce equally great "firsts". And this vast background of experience is why Photophone offers *you* more for your money.

The RCA Photophone Magic Voice of the Screen is now being used in more than 5,000 theatres because exhibitors know that better sound means better box office—and that the Magic Voice of the Screen means better sound.

. . .

Better sound means better box office—and RCA tubes mean better sound.

RCA presents the Magic Key every Sunday, 2 to 3 P.M., E. D. S. T., on the NBC Blue Network.

RCA MAGIC VOICE OF THE SCREEN
Photophone
THE MAGIC VOICE OF THE SCREEN
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A Service of the Radio Corp. of America

Radio Personals

JACK SALTER, of Evans & Salter, will leave for Hollywood on business shortly. . . . Stevens Jackson, formerly of Benton & Bowles has joined the sales department of WHN. . . . Prizes of $150 in cash are being offered for a suitable song title to Raymond Scott's latest composition on the "New York On Parade" show. . . . Tyrone Power will play the role of his own grandfather on next Sunday's Woodbury broadcast. . . . Richard Himber will return soon to the "Hit Parade" on CBS. . . . Benny Goodman will vacation in Europe this summer. . . . Miriam Hopkins and Edward Everett Horton will be the guests on the Kraft "Music Hall" tonight. . . . Barbara Stanwyck will make her third appearance on the Chase & Sanborn show, May 29.

✚

Ed Wood, sales manager of WGN, Chicago, is here on station business. . . . Fred Coll has been signed by Stack-Goble to handle the publicity for the agency on the forthcoming Fred Waring show for Grove Laboratories. . . . The N. Y. District Attorney's office has issued a subpoena for Hubbell Robinson, producer of the "We, the People" program in connection with the murder on Long Island of the Matthiessen girl. Robinson presumably has been subpoenaed because on a recent program he presented the father of the murdered girl in a plea for leniency for the murderer. . . . The Gulf Gas show, featuring Phil Baker, will complete its fifth year on the air Sunday. . . . The Bill Meloneys are the parents of a first-born, a boy.

✚

Russell Richmond, program director of WHK, is in town on a visit. . . . Freddie Weber, general manager of Mutual, is Chicago-bound on network affairs. . . . . Ted Van Cott, assistant to O. B. Hanson at NBC, is the father of a second baby, this one a boy, who has been named Jr.

✚

Oklahoma City

Ken Wright, WKY staff organist, already has five solo hours to his credit towards a private flier's license . . . John Shafer, WKY sports announcer, has been transferred to the production department at WKY . . . Since the resignation of Joe O'Neil as director and arranger for the WKY studio orchestra, Allen Clark has resumed direction of the band . . . Daryl McAllister is soloing on traffic at WKY since the resignation of Amanda Prochnau to join KOCY . . . Drake Bingham, WKY news editor, is spending two weeks vacationing in New Mexico, Colorado and his ranch in western Oklahoma.

"Grouch" Put on Here

A special broadcast of "The Grouch Club," a KFWB, Hollywood, program, was put on the air last night over WMCA. The show's talent is currently engaged in making a short at the Vitaphone studios in Brooklyn. Arthur Bryan was master of ceremonies. He was assisted by Jack Lescouli. An informal party was held following the broadcast which went on at 9:30 P.M., EDST.

Bernard Hits German Short Wave Program

WASHINGTON, May 24.—Representative John T. Bernard, (Farmer-Labor) of Minnesota, today asked the Federal Communications Commission to investigate how the German Government selected short-wave frequencies that are most effective in this country, and asked also for an investigation of the Short Wave Institute of America, represented at the 1936 F.C.C. conference by Oswald Schuette, to determine whether its membership included representatives of foreign government or policies.

Mr. Bernard, in a letter to Chairman Frank R. McNinch, attacked the German programs sent to this country as highly undesirable. He asked for a complete investigation of the Short Wave Institute, and also for a report as to whether the F.C.C. had anything to do with the fixing of frequencies for short-wave broadcasts, whether the radio manufacturers association is in favor of short wave installations, and whether the networks like short-waving "in the view of the fact it takes listeners away."

It was explained by Mr. Schuette tonight, that the Short Wave Institute was an all-American association formed by RCA, General Electric, Sears Roebuck, Sparks-Worthington and others. He pointed out that the short wave frequencies were assigned by international agreement, and also that RCA and other organizations are seeking to develop short-wave broadcasting without fear of listener loss.

Waring Will Return On New Grove Series

Fred Waring, after an absence of two years from radio, has been signed for a new air series by Grove Laboratories. The series is to start sometime in October and will be presented over the NBC-Red network. Stack-Goble is the agency. The contract was handled by John O'Connor, Waring's manager, and Harold Kemp of the agency.

The show, a half-hour, will be offered on Saturdays from 8:30 to 9 P. M. The presentation will be a typical Waring variety show, with the same gang of Pennsylvanians as heretofore, with the exception of the Lane sisters, who are now in pictures.

The contract is for one year, and it is understood that Waring will receive $10,000 a week for the series. Waring has been off the air since 1936, when he finished a three-year run for the Ford Motor Co. In the interim he has been making personal appearances in key cities, and last year he made a picture for Warners, "Varsity Show."

To Air Ohio Grid Battles

CINCINNATI, May 24.—WKRC, local CBS outlet, will carry all of the Ohio State University football games this season, except the one with New York University, which will be handled by direct wire. Bill Ware, sportscaster, will announce the games.

Signed for Canada Discs

Peg La Centra and the Jesters have been engaged to make a series of 15-minute recordings for the Imperial Tobacco Co. of Canada. The transcriptions, to be distributed among Canadian stations, are being made by NBC.

No Consideration

Horses are inconsiderate beasts. CBS had obtained the exclusive rights to a broadcast of the match race between War Admiral and Seabiscuit and after a long and apparently futile attempt to find a sponsor, only yesterday succeeded in signing the American Oil Co. to buy the sports event.

Yesterday Seabiscuit came down with a "Charley Horse," the race is off, and CBS has ceased counting the amount it mentally had deposited in the bank.

Seeks Amendment on State Radio Control

(*Continued from page* 1)

mission. This proposal was presented to the Legislature at the last session and the bill died.

His purpose is to impose a utility tax on radio, as he estimates $8,500,000 could be raised annually in this way for the state.

The Empire State Broadcasters Association, headed by Harold Smith, chairman of the legislative committee, intends to oppose the proposal, on the theory that radio is interstate commerce and already has enough regulation from the Federal Communications Commission.

Radio Guild Decides To Stay Independent

The referendum taken recently by the American Guild of Radio Announcers and Producers, to determine whether the union should remain independent or join the A. F. of L. or the C. I. O. was completed yesterday with the vote overwhelmingly in favor of remaining independent.

With this issue out of the way, the A. G. R. A. P. executive committee will become active again. The union has contracts with WABC and several of the independent stations in the metropolitan area, as well as with a number of stations throughout the country.

Hoffman Sets Deal For Series on WHN

Hoffman Beverage Co. has entered into a contract with WHN for spot announcements for 16 weeks starting at once. Batten, Barton, Durstine & Osborn is the agency.

Madison Personal Loan Co. has taken over sponsorship of the "Early Bird" program, Mondays through Saturdays, over WHN. Klinger advertising agency placed the account.

Open "School" of Radio

SAN FRANCISCO, May 24.—An experimental radio theatre, teaching "all phases" of the radio industry, has been established here by WPA. Free classes are held each Tuesday and Thursday nights at the Museum of Art. The faculty will include representatives of local stations.

Benrus Renews on WJZ

Benrus Watch Co., sponsoring evening time signals on WJZ, has renewed the announcements for another year, through Brown & Tarcher.

Seven New Contracts Closed for KNX Time

HOLLYWOOD, May 24.—KNX has closed seven new contracts recently. The Axton-Fisher Tobacco Co. has purchased thrice-weekly daytime signals over a period of eight weeks, through the Lawrence B. Gumbinner agency; Sears, Roebuck has arranged for a time signal schedule through the Mayers Co.; Bekins Van and St[illegible] has purchased five daytime signa[illegible] one year through the Brooks advertising agency; International Harvester has extended its participation covering two additional broadcasts of the "Hollywood Barn Dance," through Aubrey, Moore & Wallace; Bullock's, Inc., has purchased daytime signals through the Dana Jones Co.; the Los Angeles Baseball Club has contracted for special announcements, the contract to run to the end of the baseball season, through the Neisser-Meyerhoff agency.

Predict Television Will Be Help to Art

WASHINGTON, May 24. — Films, radio and television will play an important part in making America "art conscious," delegates to the annual convention of the American Federation of Arts were told today by Dr. Bernard Myers of New York University.

Broadcasts on art, however, must be made more national in scope than they have been up to the present time, he said. The advent of television will bring about great changes in conceptions of art, it was said by C. W. Farrier, television co-ordinator of NBC. However, he warned, no prediction can be made as to when commercial television will become generally available.

The convention tomorrow will take up the controversial question of an "ideal" Federal arts bill, several forms of which are now pending in Congress.

To Air Park Concerts

The four summer concerts of the Naumberg Symphony Orchestra from the Mall in Central Park will be broadcast again this year by WQXR. The conductors will be Rosario Bourdon, Jeffrey Harris, Eugene Fuerst and Joseph Littau, who will lead the orchestra, May 30, July 4, July 31 and Sept. 5, respectively.

Start New WCKY Show

CINCINNATI, May 24.—"Apples With Salt" is the title of a new local program on WCKY, NBC basic Blue, at 7:45 A.M., Tuesdays, Thursdays and Saturdays, featuring the homespun philosophy of Milton Bacon, retired insurance salesman, who formerly conducted "The Garden Philosophy" program over a Florida network.

Orowitz Back on Air

PHILADELPHIA, May 24.—E. M. Orowitz has returned to WIP here with a film broadcast five times a week. He inaugurated his return with a one-hour broadcast from the Variety Club.

WIL Adds 2 Salesmen

ST. LOUIS, May 24. — WIL has added two men to the sales department, Paul Buck and Lloyd Swank. Both come from the St. Louis Fanchon & Marco office.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

[illegible]L. 43. NO. 122 NEW YORK, THURSDAY, MAY 26, 1938 TEN CENTS

"Alexander's Ragtime Band"

[20th Century-Fox]

HOLLYWOOD, May 25.—It's true what they say about Darryl Zanuck. He recognizes a good picture when there's till time enough to do something about it and pours it on. This one was his idea. He thought there was a big film in Irving Berlin's quarter-century of hit song production and the thing grew from here. It turned out to be the greatest musical of all time by so great a margin that the second best doesn't even rate place money.

+ +

The Berlin score is, of course, without previous or subsequent parallel. It took the Shakespeare of syncopation 27 years to write it and every one of the 29 songs used wholly or partially in the film topped the hit parade of its era. They are the mileposts along rhythm's conquest of mankind from Nigger Mike's Place on Pell St., to Carnegie Hall, the folk tunes of

(Continued on page 2)

Brother of Wm. Fox Sets Producing Firm

Hollywood, May 25.—Aaron Fox, brother of William Fox, today announced the formation of Aaron Fox Productions, with Tom Moore, exhibitor-distributor of Washington, D. C., and R. A. Burns, production engineer.

Mr. Fox stated that plans for a film program are being mapped and that a production and advisory board consisting of an equal number of producers and exhibitors will be formed to select suitable stories.

Cooperation

Jack Benny wired Fred Allen for permission to use his name in a line of dialogue in Paramount's "Artists and Models."

He received this reply:

"Jack Benny has my permission to use my name, my jokes or my toothbrush if such will advance Jack or the motion picture industry."

Broadway Holds Over 201 Of 321 in 2-Year Period

The six leading theatres on Broadway played a total of 101 pictures which were held over one or more weeks beyond the standard single stanza, during the year from May 1, 1937, to May 1, 1938. The total compares with a similar aggregate of 100 pictures for the same six theatres during the year from May 1, 1936 to May 1, 1937. The totals are the result of a check of box-office records compiled by Motion Picture Daily.

A total of 321 pictures were shown at the six theatres during the two years. In the year ended May 1, 1937, the total was 158, while in the following year the aggregate was 153.

The significant fact which emerges from a study of the compilation is that despite cries of "Record!" Record!" which perennially resound throughout the world of exhibition, especially with respect to picture performance at the Broadway houses, the "average" is still lurking around the corner of the box-office to prove that when the bets are all in, the payoff is about the same every show year.

The six theatres involved in the checkup are the Capitol, Music Hall, Paramount, Rivoli, Roxy and Strand. The Criterion, which had 10 holdover

(Continued on page 7)

The Leaders

Only six pictures were held for five consecutive weeks at Broadway's continuous theatres during the two-year period from May 1, 1936, to May 1, 1938.

The six: "Snow White and the Seven Dwarfs," "Hurricane," "Damsel in Distress," "Dead End," "Dodsworth" and "Anthony Adverse."

RKO Branch Heads To Be Transferred

RKO will complete a re-shuffling of a number of its branch managers throughout the country today. The changes, to be announced by Jules Levy, sales manager, will include a number of promotions as well as the transfer of several branch managers to new exchanges.

Omaha, May 25.—A. M. Avery, RKO exchange manager here, will be transferred to a southern branch this week. C. J. Dressell, a former salesman at the Minneapolis exchange, has been promoted to branch manager here.

Charlotte, May 25.—Cresson E. Smith, southern and midwestern division manager for RKO, will leave here today for the home office after completing arrangements for changes in the local sales force.

WPA Film Project Urged in Congress

Washington, May•25.—The establishment of a WPA project for the making of educational films was urged today by Representative H. Jerry Voorhis (Dem.) of California, to take care of the unemployment situation in

(Continued on page 7)

Object to Details Of "Lynton" Award

Objections were filed yesterday by Edward Sheldon and Margaret Ayer Barnes to the report of Special Master Gordon Auchincloss filed May 9, which assessed damages of over half a million dollars against M-G-M Pictures Corp., M-G-M Distributing Corp., Loew's, Inc. and Culver Export. Damages were based on a decision that the defendants had plagiarized the play, "Damaged Lady," written by Mr. Sheldon and Miss Barnes, in their picture "Letty Lynton."

The plaintiffs in their filed objection claimed that distribution expenses charged to M-G-M Pictures should be charged to M-G-M Distributing Corp. They also objected to allowing Joan Crawford and Robert Montgomery salaries for idle time. Plaintiffs

(Continued from page 6)

Court Expected to Approve G.N. Deal

The Federal Court in Los Angeles is expected to approve Grand National's purchase of a controlling interest in Grand National Films, Ltd., of Canada. The deal was consummated here yesterday by Edward Pes-

(Continued from page 6)

Yesterday's Radio Developments on Page 8

U. S. Majors Plan 41 to 47 English Films

Half Are Designed for World Release

With Paramount and Columbia British production plans nearing completion, indications are that the major American companies will produce a total of 41 to 47 features in England during the 1938-'39 season, the first on which the new British quota requirements will apply. Approximately half of these will be major productions planned for the American and international markets.

Paramount's British production plans are fast nearing completion and will be ready for announcement some time next week. The company will make five features, probably at Denham. Of these, three will be on major budgets, and will be designed for worldwide distribution, and two will be of minor importance. Herbert Wilcox may produce "The Royal Divorce," with Ruth Chatterton, as part of Paramount's commitment. Alexander Korda will not produce for the com-

(Continued on page 7)

Schenck Drops Plan To Sail with Zanuck

Joseph M. Schenck, chairman of the board of 20th Century-Fox, has canceled his scheduled trip to Europe with Darryl F. Zanuck, production chief, who will sail next Wednesday on the *Normandie*. The unsettled European situation and business matters requiring Mr. Schenck's presence in

(Continued on page 7)

Theatre Ads Improve

Theatres in the Times Square area have become more conservative of late, both in the type of pictures they are booking and the manner of exploitation, License Commissioner Paul Moss indicated yesterday.

He said his department has had no trouble lately with the grind houses along West 42nd St., and the only instance of an off-color advertising display was at the Globe, where it was suggested that the "son of a witch" lettering on the marquee be changed in connection with the exhibition of "Wajan."

'Alexander's Ragtime Band'

(*Continued from page 1*)

a swinging civilization. The picture makes them integral story material as well as adornment by casting the principal characters as members of a fictitious Alexander's Ragtime Band and letting them do just about what the members of a real one would have done.

+ +

This framework is novel and brilliant enough to suggest that Mr. Zanuck could have put a lot of unknowns into the parts and come up with a pretty sure-fire piece of merchandise. Instead, he sent in Tyrone Power, Alice Faye, Don Ameche, Ethel Merman, Jack Haley, Jean Hersholt, Helen Westley, John Carradine, Wally Vernon, Ruth Terry and a dozen others of like caliber. When people like that get an assignment like this to go to work on, $2,000,000 is what picture bankers regard as a conservative capital investment when computing against box-office expectancy.

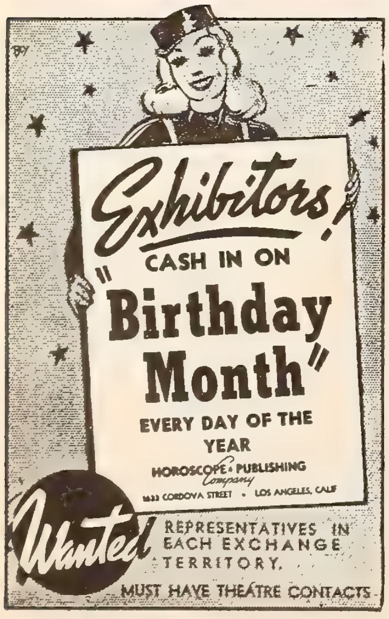
With this music score and this cast in hand, another man than Mr. Zanuck might have figured he was safe in taking time off for a spot of polo. Mr. Zanuck didn't. He looked around for the director who has turned in the best job lately and there was Henry King, fresh from "In Old Chicago" and coming up to bat again with that trusty bludgeon of his cocked for a fast one over the heart of the plate. Mr. Zanuck pitched him "Alexander" and he clouted a homer. Add experienced Harry Joe Brown as associate producer, Kathryn Scola and Lamar Trotti as screen playwrights and Richard Sherman as adaptor and you have an idea of the thorough, rounded, gold-plated and pre-insured kind of goods that customers get when Mr. Zanuck really shoots the works.

+ +

Musical direction by the gifted Alfred Newman is something for folks who go in for that sort of thing to take lessons from. He had a thousand chances to overdo one kind of a thing or another. He didn't miss a beat. Neither did Seymour Felix in his staging of dances that cover the successive terpsichorean obsessions spanning three decades. Neither, for that matter, did any of the many of the set experts who had a hand in the technical preparation.

It is superfluous to add that the picture is certain to do tremendous business. The race has been buying what's in it with steadily mounting eagerness since the tune it's named for was written. Of course, the population could go deaf en bloc overnight. Or all the theatres could burn down. If neither of these things happen, "Alexander" will be a champion of box-office champions.

Running time, 105 minutes. "G."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CHARLES E. McCARTHY, 20th Century-Fox advertising and publicity director, is due Saturday from the coast with RODNEY BUSH of the publicity staff.

•

DAVE LIPTON, Universal publicity, leaves for the West Coast next week to take over the job there. LEW POLLOCK succeeds him in the New York office.

•

E. M. HARTLEY, manager of the sound department of National Screen Service, is touring the Midwest, visiting company branches.

•

ALFRED S. KRELLBERG of the legal firm of Krellberg & Fitzsimmons will sail June 7 on the *Ile de France* to confer with French producers.

•

NORMAN H. MORAY, Vitaphone sales manager, yesterday conferred at the Philadelphia exchange.

•

MERLE KENDRICK and his orchestra have been signed to appear in a Vitaphone short to be made next week at the Brooklyn studios under the direction of JOE HENABERRY.

•

MOE SILVER, Warner theatres' Albany zone manager, was a home office visitor yesterday.

•

MYRON SELZNICK is en route to the coast.

Grandpappy Balsly

Lee Balsly, ad sales director for 20th Century-Fox, was admitted to the grandfathers' ranks yesterday. His daughter, Mary Lou Orsenigo, became the mother of a son in St. Vincent's Hospital, Indianapolis. Mrs. Orsenigo is the wife of the ad sales manager of the 20th Century-Fox Indianapolis exchange.

Blyth Quits Warners

David R. Blyth, with Warners 10 years in the home office and the foreign field, has resigned as supervisor for southern Asia. He arrived here the other day from Singapore, where he was stationed for several years. He has not announced his new affiliation. He is staying at the Park Central Hotel.

Lester Thompson to Wed

Lester Thompson, director of the Advertising Advisory Council, will be married tomorrow to Electa Sandaver of Jackson Heights at the Community Church there. Following the ceremony the couple will leave for a short stay on Fire Island and will honeymoon in California in August.

Universal Re-Signs Otterson, Grainger

HOLLYWOOD, May 25.—Executives of the new Universal studio regime today tendered new contractcs by Edmund Grainger, producer, and Jack Otterson, supervising art director.

Grainger's first picture under the new deal will be "The Road to Reno." Handed him today also was the production assignment on "The Sun Never Sets," dramatization of the British consulate service, set as a top budget production.

Grainger has been with the studio for five years. Otterson has held his present post for two years.

Universal's Fourth Meet Opens Thursday

WASHINGTON, May 25.—Universal's fourth and final regional sales meeting will be held at the Shoreham Hotel here from Thursday through Saturday. The sessions will be conducted by William A. Scully, general sales manager, and F. J. A. McCarthy, assistant sales manager, for heads of the company's eastern exchanges.

Mr. Scully and Mr. McCarthy will leave for the home office Sunday.

Moskowitz Returning

Joe Moskowitz of 20th Century-Fox is due to return today from Callender, Ont., where a studio crew has been shooting scenes for the Dionne Quintuplets' next film, "Five of a Kind." Jean Hersholt, featured in the picture, is due from Callender on Monday and will remain here three days before leaving for the coast. Frank Perrett of the studio publicity department is with the group.

Brandt Seeks Revivals

With other theatres playing re-issues, the Brandt circuit is angling for one or two of the big money-makers of former years as a Globe booking. Charles Chaplin's "Modern Times," which was scheduled for a revival at the Rivoli before it closed Tuesday night, is a possibility for the Brandt house.

Moss Is Battling Unlicensed Agents

The long standing fight of Paul Moss, commissioner of licenses, against unlicensed talent agents has flared again. Commissioner Moss says he hopes to have the situation under control before summer ends.

Commissioner Moss aims to eliminate the irresponsible "chiselers," as he terms them, who do show business no good, and he has obtained the cooperation of licensed agents in effecting a "cleanup."

Theatrical agents come under the provisions of a 1904 law which says that anyone who obtains employment for another for a fee must be licensed. A license costs $25 a year. Agents must also take out a $1,000 bond, which costs another $10 a year. There are other provisions, such as that an agent must have a location, must submit to fingerprinting and be vouched for by two responsible persons who have known him for five years.

Commissioner Moss estimates there are 100 "legitimate" agents in the city and says that only about 20 make a living in the business. There are many so-called "agents" who have no offices and infest the hallways of buildings in the Times Square area where responsible agents have offices. They prey on inexperienced and unsuspecting performers and are guilty of all sorts of "chiseling," Commissioner Moss charges, and work all kinds of schemes to circumvent the law.

The licensed agents are Commissioner Moss' best tipsters against the "racketeers," and the drive recently resulted in the conviction of one man with a sentence of $250 fine and 60 days in jail, he said. So far this week 10 agents have been licensed and the commissioner expects others to follow.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Directed by MICHAEL CURTIZ & WM. KEIGHLEY
Original Screen Play by Norman Reilly Raine and
Seton I. Miller · Based Upon Ancient Robin Hood
Legends · Music by Erich Wolfgang Korngold
A First National Picture

THE ACTION COMPANY!

WARNER BROS.
Will Give You
ACTION
in 1938-39!

WARNER BROS.
CRIME SCHOOL
THIRD WEEK
NEW YORK!

CRIME SCHOOL
with
THE "DEAD END" KIDS
Billy Halop · Bobby Jordan · Leo Gorcey
Gabriel Dell · Huntz Hall · Bernard Punsley
HUMPHREY BOGART
GALE PAGE · Directed by Lewis Seiler
Screen Play by Crane Wilbur and Vincent
Sherman · From a Story by Crane Wilbur
Music by Max Steiner · A First Nat'l Picture

THE ACTION COMPANY!

WARNER BROS.
Will Give You
ACTION
in 1938-39!

WARNER BROS.
Will Give You
ACTION
1938-39!

THE ACTION COMPANY!

WARNER BROS.' GOLD DIGGERS IN PARIS BEST EVER!"

Say Hollywood Previewers

GOLD DIGGERS IN PARIS
with RUDY VALLEE
ROSEMARY LANE • HUGH HERBERT
ALLEN JENKINS • Gloria Dickson • Melville Cooper • Mabel Todd • Fritz Feld • and THE
SCHNICKELFRITZ BAND
Directed by Ray Enright • Musical Numbers Created and Directed by Busby Berkeley
Screen Play by Earl Baldwin and Warren Duff • Story by Jerry Wald, Richard Macaulay, Maurice Leo • From an Idea by Jerry Horwin and James Seymour • Songs by Harry Warren and Al Dubin

Court Expected to Approve G.N. Deal

(*Continued from page* 1)

kay, vice-president in charge of distribution, with Alex Adilman, president, and Harry J. Allen, general manager of the Canadian company.

Ownership of the company has been shared 65 per cent by Mr. Adilman, 25 per cent by Grand National and 10 per cent by Mr. Allen. Under the new setup, the parent company will have 75 per cent interest and Mr. Allen the remainder. The latter will continue as general manager.

Mr. Adilman will retire from the company. He said yesterday that the purchase of his interest involved $15,000. He is interested in a number of theatres in Montreal and Toronto, and said that he is considering offers to handle distribution in Canada for independent companies.

It is understood that Mr. Adilman was as willing to sell as Grand National was to purchase his interest, differences having arisen between him and Edward Alperson, president.

The Canadian company will be a Grand National subsidiary. The deal includes taking over the main office in Toronto and exchanges in Montreal, Toronto, Winnipeg, Vancouver, St. John and Calgary.

The co-trustees, Mr. Alperson and Loyd Wright, have approved the deal, as have the directors. The changeover will be complete with the election of a new board and a new set of officers.

Sue Cooper on Rent

LINCOLN, May 25.—J. H. Cooper's Lincoln Theatre Corp. is in District Court as defendant in a suit for $35,493 in back rent on the Capitol. The filing is on two counts, the landlords alleging he made a contract to take care of Nick Paper's back rent in 1930 amounting to $8,506.75 in a judgment, and the second count, for $24,123, which also involves back rent under a contract signed in 1930. The Capitol is at present leased to Bob Livingston, an independent operator.

Writer Sues 20th-Fox

LOS ANGELES, May 25.—Charging that he did not receive promised screen credit and publicity on his story, Leonard Lee, writer, has filed suit for $50,000 against 20th Century-Fox, alleging that "Island in the Sky" was made from his magazine story under an agreement whereby he would be accorded screen mention.

Lee alleged terms of the contract were broken, and that he had accepted less money for the film rights to his story.

Pat O'Brien vs. Pat O'Brien

LOS ANGELES, May 25.—Pat O'Brien, now a bit player, today filed a $250,000 damage suit against Pat O'Brien, star of Warner Bros. Pictures, Inc.; Jimmy Fidler, radio and newspaper columnist; Louella O. Parsons, newspaper columnist, and others charging conspiracy to ruin his career as an actor. Declaring that he has been longer in films than the present star, the plaintiff declared the studio and star contacted directors, producers and executives on other lots threatening legal reprisals if the plaintiff was hired under his present name.

New York Preview

"Girl in the Street"

(*G. B.*)

A spiritedly performed version of the theatrical-romantic success story, featuring Anna Neagle and Tullio Carminati, is offered here. The framework of the story has new ideas to lift it above the ordinary. The musical content has interesting novelties done with satisfying production effects. Miss Neagle is an accomplished trouper and at the conclusion of a preview performance at the Continental the other night a strong round of applause was evident. It is staple film entertainment containing tested ingredients.

Miss Neagle is an orphan, living with a family of organ grinder-crooks. She comes to the attention of Carminati when called to court because her instrument bumped his car. He is a foreign diplomatic official. He becomes interested in her and gives her a domestic job and sponsors her training as an entertainer. She qualifies and becomes romantically embroiled with his assistant. Carminati wants his financing of Miss Neagle's career kept secret. To gain this he sends his assistant, who knows, to a post in China and lets Miss Neagle continue a successful career. The assistant pulls a boner a year later and is recalled. Miss Neagle sees him in a fault-revealing light and drops her interest. Carminati takes the blame for the error and resigns from the service. He leaves for Jamaica and when the boat is at sea Miss Neagle appears on deck and they understand each other.

Herbert Wilcox has directed these events with skill and resourcefulness. Horace Hodges, Robert Douglas and Micki Hood contribute good supporting characterizations.

Running time, 70 minutes. "G."

Postal Drops Theatre Checking Departmen

Postal Telegraph has discontinued its theatre checking service which started in 1936 under a plan worked out by Charles Schwerin. Mr. Schwerin obtained contracts with three or four small distributors and the telegraph company branches did the actual checking on a piecework basis. Later Mr. Schwerin withdrew and Claud Saunders was affiliated with the service for a short while. The service became inoperative last fall and it was said yesterday that Postal has dropped it entirely.

This leaves Ross Federal the only national checking service in the field.

G.B. Adds to Forces

Branch changes made by G. B. were made known yesterday by Arthur A. Lee, vice-president, as follows: J. E. McCarthy has joined the Los Angeles office as salesman; Carl Norman is the new booker-salesman in Minneapolis, and Harold Garber in Omaha; Ben Roman, former Harlem exhibitor, has joined the New York sales staff, and Joseph Aldrich has been transferred from Denver to Omaha.

Resume M. & R. Case

The taking of depositions of home office distribution officials in the preliminaries of the Morse & Rothenberg anti-trust action against the M. A. Shea and Maine & New Hampshire circuits and major distributors will be resumed here today by George S. Ryan, Boston attorney for the plaintiffs. The sessions will be adjourned tomorrow afternoon.

Mulqueen Leaves M. & P.

BOSTON, May 25.—Henry Mulqueen has resigned from M. & P. Ralph Tully has taken over Mr. Mulqueen's job as manager of the Central in Biddeford, Me. Mr. Tully previously managed the Colonial in Haverhill.

"Robin Hood" Pulls $89,000, 2nd Week

"The Adventures of Robin Hood" netted the Music Hall $89,000 in a second week, following the first week's take of $103,800. The film is going a third stanza.

"Yellow Jack," at the Capitol, is being held a second week. The film received good press notices. The first week's take was reported in the neighborhood of $26,000.

The Rialto did $5,200 with "Blind Alibi."

Symphonic Leases Studio

HOLLYWOOD, May 25.—Symphonic Films, headed by I. M. Noble as president, today took space in General Service Studios for the production of musical films two to four reels in length aimed at replacing secondary features on double bills. Thirty subjects, five of which are finished, are planned.

"Tannhauser," the first subject, was made in the east and will be previewed Friday night at Grauman's Chinese. Milton Cohen is vice-president and Eric Spitz is treasurer. Frederick Feher is in charge of production.

Drop Shows at Dayton

DAYTON, May 25.—The RKO Colonial, playing a stage show and picture policy since the first of the year, has gone to straight films.

The house inaugurated the combination policy last August, but dropped stage shows after six weeks, resuming them again Jan. 1.

Judy Garland Injured

HOLLYWOOD, May 25.—Judy Garland was seriously injured last night in an automobile accident. She is at the Cedars of Lebanon Hospital with a punctured lung, three broken ribs and other injuries. It may be necessary to replace her in the cast of "Love Finds Andy Hardy."

Object to Details Of "Lynton" Award

(*Continued from page* 1)

dispute the findings of the referee that the cost of production of the picture was $317,075, and the net income $268,861, and also oppose the adoption of 45 pictures as the basis of dividing distribution expenses, claiming [illegible] M-G-M released 60 pictures.

They also dispute the correctness of the amount allowed for the overhead expenses, for camera, editors, cutters, stock talent, scenario writing department, publicity salary, musicians, construction supervision, general studio, legal, medicinal, insurance, taxes, executives, miscellaneous, home office, and for the property, mechanical, foreign, sound, art, trucking and the still departments. The amount allowed for experimental work, salaries of unused or idle artists, and for rejected continuity charges and songs were also opposed.

Quash Suit Against Goldwyn

Federal Judge John W. Woolsey yesterday dismissed the suit of Mort Eisman, Clara Dellar and Robert Louis Shayon against Samuel Goldwyn, Inc., Samuel Goldwyn, Eddie Cantor and United Artists. The plaintiffs had charged the infringement of their play, "Oh Shah," in the picture "Roman Scandals." They had asked for an accounting of the profits of "Roman Scandals" which they had estimated to be $2,000,000, and an injunction.

Judge Woolsey said in his opinion: "I hold that there clearly has not been any such unfair use of the plaintiffs' work as would justify a decree in their favor. I cannot really see any foundation whatsoever for their case, so far as I am concerned, therefore, that is the end of the matter."

Take Two Detroit Spots

DETROIT, May 25.—J. Grove has taken over the Crown, formerly operated by Alexander Issacs. Jack Krass has leased the Dix, formerly operated by Clair Winnie and will reopen it in about six weeks after alterations.

Wall Street

Board Declines Continue

	Open	High	Low	Close	Net Change
Col.	12	12	11¾	11¾	— ¼
Col. pfd. ..	33	33	33	33	— ½
Cons.	1⅛	1⅛	1⅛	1⅛	.....
Cons. pfd.	5½	5½	5¼	5¼	— ⅜
E. K.	149	150	148	148	—5
E. K. pfd..	165	165	165	165	—4
G. T. E. ..	11⅜	11⅜	11⅜	11⅜	+ ½
Loew	38½	38½	38	38	—1
Para.	7⅛	7⅛	7	7	— ⅛
Para. 2....	8¼	8⅜	8¼	8⅜	— ⅛
Pathe	4½	4½	4⅛	4⅛	— ⅜
RKO	2	2⅛	2	2⅛	.....
20th Fox ..	21¼	21¼	20¾	20¾	— ¾
W. B.	4⅝	4⅝	4½	4½	— ⅛
W. B. pfd.	28½	28½	28½	28½	.....

Curb Drops Lightly

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	.....
Monogram	1⅝	1⅝	1⅝	1⅝	.....
Sonotone ..	1½	1½	1½	1½	.....
Tech.	23⅜	24	22⅝	22⅝	— ⅞
Trans-Lux	2⅛	2⅛	2	2	— ⅛

Bonds Close Off

	High	Low	Close	Net Change
Loew 3½s '46	100¼	100	100	— ½
RKO 6s '41......	70	70	70	—2
W. B. 6s '39......	75	74½	75	+ ½

(Quotations at close of May 25)

.S. Majors Plan 41 to 47 English Films

(*Continued from page 1*)

, although negotiations for his ham studio facilities and for the archase of one production property om him are in work.

Columbia, last of the major compa- ies to complete its British production ans under the new quota, is con- ucting negotiations in London by hich Mr. Korda would supervise the roduction of three major features for e company. Two additional minor atures may also be produced for Col- mbia at Denham.

Columbia's negotiations are reported be somewhat complicated by the re- rictions imposed upon Mr. Korda y his producing and releasing con- ract with United Artists. It was ated on good authority here, how- ver. that these restrictions were re- xed to some extent recently and that would probably be possible for Mr. orda to supervise productions for an utside company now without imping- ng on his United Artists commit- nents.

Plans Set Generally

The plans of other major companies ither were automatically provided for hrough their British affiliations or ere completed earlier this year.

Following is a resume of the Brit- h production status of the other six ajor companies.

M-G-M—Four or five features to e made at the company's own studio London under the supervision of en Goetz, all designed for the world arket.

RKO—Four or five to be produced y Herbert Wilcox.

Twentieth Century-Fox—Five to be roduced at Denham by Robert T. ane.

United Artists—Six to eight for vorld distribution from Mr. Korda nd an undetermined number of others or the British market.

Universal—The company's minimum uota requirement of approximately ix pictures is fully covered by the roduction and distribution in Great ritain of General Film Distributors, ts affiliate there.

Warners—A quota production chedule of 14 pictures has been set for he company's Teddington studio under he supervision of Jerome Jackson.

Washington Holds 'Hood'

WASHINGTON, May 25.—"The Ad- entures of Robin Hood" will be held or a second week, beginning Friday, t the Earle here, Warner general one manager, John J. Payette, said oday. It is the first holdover in the ight years during which the house as operated on a combination policy. The same stage bill also is to be car- ied over.

French Film to Open

Albert N. Chaperau's production, 'The Coachman of Lyon," will open ext Wednesday at the 55th St. Play- ouse for an indefinite run. The pic- ure has French dialogue with English titles and is distributed by Pax Film, Inc., in this country.

Broadway Holds Over 201 Of 321 in 2-Year Period

(*Continued from page 1*)

pictures during the year from May 1, 1937, to May 1, 1938, was not included, since it was not opened until late in 1937, and hence was not available for comparisons.

During the two years since May 1, 1936, only six pictures played as much as five weeks at one house: "Snow White and the Seven Dwarfs," "Hurricane," "Damsel in Distress," "Dead End," "Dodsworth" and "Anthony Adverse." All but the last two named played during the May, 1937, to May, 1938 year, while "Adverse" and "Dodsworth" were the only two to win the five-week distinction during the 1936-'37 period.

The almost identical total for each of the six houses for the year ended May 1, last, as compared with the total for the year ended May 1, 1937, is graphically indicated in the following tabulation:

Theatre	*1937-'38 Holdovers*	*1936-'37 Holdovers*
Capitol	**18**	**15**
Music Hall ..	**18**	**16**
Paramount ..	**20**	**18**
Rivoli	**15**	**19**
Roxy	**13**	**13**
Strand	**17**	**19**
	—	—
TOTALS ..	**101**	**100**

During the two-year period there were 17 pictures in the six theatres which played for four weeks, as follows:

"Maytime," "Camille," "After the Thin Man," "The Great Ziegfeld," "San Francisco," "Wells Fargo," "Artists and Models," "The Big Broadcast of 1937," "Poppy," "The Goldwyn Follies," "Road to Glory," "These Three," "In Old Chicago," "Happy Landing," "Kid Galahad," "Three Men on a Horse,' "The Charge of the Light Brigade."

The compilation, of course, takes no account of those films which played on two-a-day runs. It is confined only to the popular-price, continuous-run policy.

The 53 films which played for three weeks in the two-year period were:

"Test Pilot," "Good Earth," "A Day at the Races," "Born to Dance," "Libeled Lady," "Fury," "Adventures of Marco Polo," "Nothing Sacred," "Stage Door," "Prisoner of Zenda," "A Star Is Born," "Swing Time," "Mary of Scotland," "Bluebeard's Eighth Wife," "The Buccaneer," "Every Day's a Holiday," "Ebb Tide," "High, Wide and Handsome," "Double or Nothing," "I Met Him in Paris," "Swing High, Swing Low," "Waikiki Wedding," "Maid of Salem," "The Plainsman," "College Holiday," "Go West, Young Man," "The General Died at Dawn," "Rhythm on the Range." "Desire," "You Can't Have Everything," "Slave Ship," "Cafe Metropole," "History Is Made at Night," "Nancy Steele Is Missing," "You Only Live Once," "Beloved Enemy," "Rembrandt," "Come and Get It," "Last of the Mohicans," "Ex-Mrs. Bradford," "Things to Come," "100 Men and a Girl," "Wee Willie Winkie," "Wake Up and Live," "Three Smart Girls," "One in a Million," "Sing, Baby, Sing," "A Slight Case of Murder," "The Life of Emile Zola," "They Won't Forget," "The Prince and the Pauper," "Marked Woman," "The Green Light."

Advertising Awards Delayed Until June

The Ampa advertising awards luncheon has been delayed by extended balloting by the judges' committee and is now scheduled to be held about the middle of June.

The jury consists of 22 exhibitors and theatre managers in various sections of the country and others are to be added, with a view to making it representative.

A total of 34 entries has been made by 11 distributing companies, including the eight major distributors, Republic and Monogram and Lenauer International, which submitted a campaign on "Mayerling." This is the only foreign film entry.

No Oklahoma Contract

OKLAHOMA CITY, May 25.—Standard Theatres, Inc., and State Theatres, Inc., and the local projectionists union have not come to agreement on new contracts in which the projectionists have asked for a five per cent wage increase.

Reports on Allied Meet

NEW HAVEN, May 25.—At the local Allied meeting today, Abe Fishman, delegate to the national convention, reported on that meeting. Maurice Shulman presided. The election of board members has been postponed until the next meeting.

New Exchange Union Pacts Signed Quickly

Most of the local agreements between the Film Exchange Employes Union and the major distributors, covering 31 distribution centers, have been signed and the others will be approved shortly, it was said yesterday by Frank Phelps of Warners, who acted as adviser in the negotiations.

Mr. Phelps said yesterday he received this information from John Gatelee, I.A.T.S.E. organizer, during a trip to Boston the other day.

The local agreements were negotiated last summer, but were not put into written form until the master contract with the distributors was drawn up. Wage scales and working conditions agreed upon during the negotiations were made a part of the local pacts. There will be no change in the terms for at least the next year and a half, as the contracts run to Nov. 30, 1939. More than 3,000 employes are affected.

Oriental Has Big Windup

CHICAGO, May 25.—The B. & K. Oriental, which closes this week, will do so in a virtual blaze of glory. With Gene Raymond on the stage and with "Stolen Heaven" on the screen, the house is doing the best business in months and will probably show a gross that is out of the red for the first time in weeks.

WPA Film Project Urged in Congress

(*Continued from page 1*)

the production branch of the film industry.

Discussing Hollywood conditions in the *Congressional Record,* Mr. Voorhis charged that unemployment is due in part to the seasonal character of production activities, and is being made increasingly serious by the spreading practice of producers of using painted screens and canvases to show crowd and mob scenes instead of employing extras. To meet the latter situation, he recommended that producers be required to disclose the substitution, in the same way as broadcasters are made to announce the use of "canned" music.

Establishment of a WPA production project, he said, would enable the Government "to undertake a work which has long been neglected." The project could be made self supporting by charging a comparatively small admission. No suggestion was made that entertainment pictures be attempted.

Cites "Educational" Value

"A large proportion of motion picture employes are either permanently unemployed or making altogether inadequate wages from sporadic employment," Mr. Voorhis said. "The government has accepted the responsibility of employment of unemployed people. At the same time the Government needs to do a vast amount of educational work which can be done most effectively and efficiently by the use of moving pictures. These unemployed theatrical people have precisely the talents needed to do that work."

Schenck Drops Plans To Sail with Zanuck

(*Continued from page 1*)

this country were given as the reasons for his change of plans.

Mr. Zanuck is scheduled to arrive Monday morning by train from the coast, accompanied by Mrs. Zanuck and William B. Dover, studio personnel manager, who will accompany him on his seven-week trip.

Mr. Zanuck is to be honored at formal dinners to be given by industry groups in London and Paris. In the latter city he will be made a member of the Legion of Honor. Championship polo matches will also engage Mr. Zanuck's attention in both capitals.

Mr. Schenck plans to remain in New York a few days after Mr. Zanuck leaves and then will return to the coast.

Eddy, Massey to Co-Star

HOLLYWOOD, May 25.—Nelson Eddy and Ilona Massey are to be co-starred in "Love Carnival," which Robert Z. Leonard will produce and direct for M-G-M from a script by Melville Baker and Hans Kraly from Ferenc Molnar's play.

To Close for Summer

NEW HAVEN, May 25.—Gilbert Josephson on May 30 will close his 230-seat Lincoln, which shows foreign and "art" films, for the summer. The house, opened two years ago, is largely dependent on Yale University patronage.

Banner LINES

LANNY ROSS has withdrawn from the Columbia Concerts Corp. setup, and henceforth will be represented for radio by Lyons & Lyons. It is believed, however, that C. C. C. will continue to do his concert bookings, if any.

▼

The name of Meyer Davis is nationally known, yet this bandleader, foremost in society musical circles, has never appeared on a commercial radio program. Here is a radioddity that should be corrected quickly.

▼

A lesson in how to be a success in politics. The American Federation of Labor conducted a stage and fashion show in Cincinnati last week, and Lucy Monroe was engaged as the star stage attraction. Gov. Martin L. Davey of Ohio, a guest, was introduced to Lucy by William Green, head of the A. F. of L. The Governor obviously had never heard of Lucy Monroe, for he mistook her for one of the fashion models, complimenting her on her clothes. Ralph Whitehead, executive secretary of the American Federation of Actors, corrected the Governor, explaining Lucy was an opera and radio star.

Governor Davey, like a good politician, made a quick recovery by saying: "Well, she's certainly pretty enough to be the star of a fashion show."

▼

Eddie Cantor, as will be seen in a news item in an adjoining column, has appointed Block & Sully to audition juvenile talent for appearances in the Cantor broadcasts. Now, how about someone to audition Block & Sully?

▼

Recommending an item to the attention of the too numerous program builders who contend that direction in radio is unimportant. Carlo de Angelo, one of the very best air directors, some time ago, assumed charge of "The Hilltop House" and "The O'Neill's," and under his handling the two excellent dramatic series have become even better than they were, both recently breaking agency ratings in their divisions.

▼

It's enough to make you want to tear your hair—if any. We mean those horrible spot announcements that one hears during the late dance hours on the local stations. Particularly those strident Barney's Clothes announcements which are inescapable, for apparently most of the local stations have been plastered with the discs. If broadcasting those discs comes under the head of operating a station for the general welfare of the public, we'll eat 'em.

—Jack Banner

General Mills Hosts

Chicago, May 25.—More than 100 guests attended the NBC-General Mills party at the Drake Hotel tonight. Speeches were delivered by W. R. Barry, D. D. Davis, S. C. Gale, Glen Sample and Niles Trammel. Plans for the coming season were discussed, following which an elaborate floor show was presented.

Communist Airings Brings New Protest

Following a recent editorial in the *Journal and American* protesting against the broadcasting of speeches in connection with the Communist Party convention this week in Madison Square Garden, a similar protest was delivered yesterday to NBC and CBS signed jointly by various anti-Communist groups in the metropolitan area.

The protest declared that the signers believed in freedom of speech, but that they do not believe that the Constitution gives people the right to advocate the destruction of government. The protest asked for equivalent time on the aid to explain the anti-Communist point of view.

The protest was signed by various anti-Communist group leaders, and by the commanders of several local American Legion posts.

Brewery Extends Ad Budget Using Radio

The West End Brewing Co. has extended its advertising to include the entire New England territory, through the Compton agency. Radio chainbreak announcements and newspapers will be used primarily.

Henry W. Lowe has been appointed as the account executive at Compton Advertising.

To Conduct Auditions

Eddie Cantor, searching for new talent, has appointed Block & Sully to conduct auditions for him in New York, starting May 31 in the CBS studios. Persons, preferably juveniles, can obtain auditions by reporting to Studio No. 5, from 2:30 P.M. on. Recordings of promising prospects will be sent to Cantor in Hollywood, where final judgment will be passed. The auditions will continue for an indefinite period.

Infant Makes a Hit

Montreal, May 25.—Ronald Cameron, aged 3, made a hit here tonight when he was lifted to the microphone to broadcast over CFCF. Al Plunkett, m.c. of the United Theatres Amateur Hour, claimed that the child was the youngest ever to broadcast in Canada.

Eric Norman to Topeka

Lincoln, May 25.—Eric Norman has gone to WIBW, Topeka, from KFXR, Oklahoma City, replacing Ed Oliver who came from the Capper link in Topeka to KFAB here. Chet Gowan, formerly with KFAB, has joined WAAW, Omaha.

WBBM Is Given Award

Chicago, May 25.—WBBM, local CBS outlet, won the first Frank R. McNinch Award for cooperation in promoting National Air Mail Week. Hal Burnett, WBBM executive in charge of promotion, is largely responsible for the showing made by the station.

Wilbur Sponsors Jemail

Wilbur Products is sponsoring Jimmy Jemail, the inquiring reporter, over WHN. The program is a street interview from the lobby of Loew's State every Monday. The contract, for 13 weeks, was placed by W. I. Tracy Co.

Surprise Party

Cincinnati, May 25.—Lured to the studio at 11 P.M. on the pretext that a special broadcast was to be given, L. B. Wilson, president and general manager of WCKY, found the staff members assembled for a "surprise party" broadcast in honor of his birthday.

Mendel Jones, program director, pressed Mr. Wilson into service as master of ceremonies for the informal broadcast, which lasted until 5 A.M.

King-Trendle Office In Detroit Is Moved

Detroit, May 25.—Business and executive offices of the King-Trendle Broadcasting Corp., owners of WXYZ and operators of the Michigan Radio Network, will be moved tomorrow from the Madison Theatre Building to more spacious quarters in the Stroh Building. The company will occupy the entire 17th floor of the building.

In the new headquarters will be the executive offices and accounting division, the sales department, merchandising staff, the writing and continuity staff and the advertising department. The move will not affect the studios, which will remain in the Maccabees Building.

Quits Post at WKY To Manage KFXR

Oklahoma City, May 25.—M. H. Bonebrake, commercial manager of WKY here, has resigned to become manager of KFXR, also located here. The Plaza Court Broadcasting Co. will take control of the latter station.

On May 20 KFXR moved from its present location in the Hightower Building to the Plaza Court.

Takes Four Programs

Cincinnati, May 25.—Beginning May 30, WKRC, CBS owned and operated station, will carry "The Goldbergs," "Road of Life," "The Gospel Singer" and "Vic and Sade," combined for a full hour program from 12 noon to 1 P.M., E.S.T., Mondays through Fridays. The four airings are sponsored by Procter & Gamble.

KSFO Deals Closed

San Francisco, May 25.—New business at KSFO includes Weinstein Department Store, four weeks, through the Long Advertising Service; Workman Packing Co., 13 weeks, through Tomaschke Elliott; Marney Animal Food Co., 52 weeks, through the Long Advertising Service; H. Liebes Co., four weeks, through Ted Segall; Axton Fisher Tobacco Co., indefinite period, through Lawrence C. Gumbiner agency; and California Macaroni, three months, through Emil Reinhardt.

Starts WNAC Show

Boston, May 25.—Jerry O'Leary has inaugurated a series of "Vox Pop" broadcasts from the lobby of the RKO Memorial over WNAC at 7:30 P.M. Fridays. This is the only Boston street interview for evening listeners.

▶ Radio Personals ◀

REUBEN PETERSON, JR., director of publicity for Erwin, Wasey Co., has been elected president of the University of Michigan Club of New York . . . M[illegible]n Selznick, Ltd., has booked Pat O'[illegible] on the Vitalis program of May 30. Herman Bernie set the deal . . . Indications are that Basil Rathbone will have a dramatic radio show of his own, come fall . . . J. R. Poppele, chief engineer of WOR, accompanied by Mrs. Poppele, will return today on the *Washington* from a seven-week survey of radio in Europe . . . Bess Flynn, network author, is out of the hospital but it will be at least another 10 days before she returns to the air . . . Feg Murray will interview Walter Connolly on "Seein' Stars" Sunday . . . Tallulah Bankhead will be on Radie Harris' program over Mutual tonight.

✦

San Francisco

Judy Deane's new "song and gag" show on KGO, "Gentlemen Preferred," is publicized "for men only" . . . Stewart Elliott, nationally-known craftsman, is now heard Thursday nights on KFRC here and KQW, San Jose . . . Burton Bennett, KPO announcer, in the hospital for a operation . . . Homer Griffith, former "Friendly Philosopher" at WLW, Cincinnati, has started a similar series on KJBS here . . . Gordon Morrison, KRE engineer, has joined KGO staff . . . Bill Royle, regular cast member of "Lux Radio Theatre, is here to broadcast the National Air Races. He was a World War pilot . . . J. C Morgan, KSFO production manager named to State Safety Council advisory board for 1938-'39 . . . The western edition of "Death Valley Days," on KPO for the last five years, will be discontinued May 31. The eastern broadcast of the show will be extended to coast stations . . . Jayne Cozzens, soprano with the local opera company, has been added to KPO's staff . . . J. Leslie Fox, ex-sales director at KNBC, Kansas City, has been named coast manager for International Radio Sales.

Named WCAU Agent

Philadelphia, May 25.—The Ed ward S. Townsend Co. of San Fran cisco has been appointed as the Pacifi Coast representative of WCAU Transamerican Broadcasting & Tele vision Corp. represents the station i Chicago only, while New York con tracts are handled direct from th WCAU office in the CBS Building

To Air Auto Classic

Cincinnati, May 25.—Followin its custom in previous years, WLW will have engineers and announcer at Indianapolis for direct airings o the Memorial Day auto races. Th start and finish of the 500-mile contes will be piped to Mutual.

Thatham to Join Agenc

Chicago, May 25.—Arthur Tha tham, former executive with Baue & Black, will join the Young & Ru bicam agency June 15.

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lert.
ntelligent
and
ndispensable
to the Motion
Picture
ndustry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 43. NO. 123 — NEW YORK, FRIDAY, MAY 27, 1938 — TEN CENTS

llied's Plans inge on Fate f Dakota Law

Divorcement" Measures In Many States

Allied States will attempt the introction of affiliated theatre "divorce" gislation in every state in which afiated theatres are operating if the nstitutionality of the North Dakota vorcement law, which goes to trial Fargo next Wednesday, is upheld, was stated yesterday by Allied ficials.

Because of the significance which llied attaches to the law and its vital port to affiliated circuits, the North akota case is certain to be taken the U. S. Supreme Court for final etermination regardless of the outme of the trial before the threeidge Federal statutory court at argo. The case can be taken direct the high court without an inter-

(Continued on page 4)

ongressmen Renew adio Probe Pleas

WASHINGTON, May 26.—Members the House Rules Committee today eard Representatives McFarlane of exas and Connery and Wigglesworth Massachusetts plead for approval pending resolutions calling for a ouse investigation of broadcasting nd announced that officials of the ederal Communications Commission ould be called to answer charges ade by the Congressmen.

Additional developments in radio yesterday on page 8.

Enlarging upon the charges he made efore the committee May 12, regardng the activities of RCA officials, epresentative McFarlane said he had ince received a communication from ne of the two former senators whom

(Continued on page 8)

lliance Will Have 10-12, Says Rogers

Alliance Films, American repreentative for Associated British Picures, will have 10 to 12 features for elease here during the new season, udd Rogers, head of Alliance, stated esterday.

Associated British Pictures recently ompleted plans for a production chedule of 26 features for the next

(Continued on page 4)

Nazis Delay Cohen

Emanuel Cohen had a taste of German regimentation during the trip from which he returned yesterday. He had been advised by American officials that he would not require a visa to pass through Germany, but on his return from Sweden he was taken off the train at Flensburg, Germany, because his passport lacked the necessary stamp. He was placed under arrest. The Germans rejected an American Express travelers' check for the visa fee, and after a half-hour of wrangling, the train conductor paid the 12 marks, upon which Mr. and Mrs. Cohen were released.

Cohen's Film Plans To Be Decided Soon

Emanuel Cohen's new distributing affiliation, as well as production plans, will not be decided until after he returns to Hollywood in about three weeks, he said yesterday on arrival on the *Washington* from a four-month vacation abroad.

The head of Major Pictures said that he has scheduled a program of two or three pictures for the new season and that he hopes to get the camera work under way this summer. He has not discussed any release through United Artists, he said when told of such reports.

Mr. Cohen has Gary Cooper under contract for one picture a year and 4½-year-old Kitty Clancy under personal contract. She will be featured in two films next season. He has a deal on with Bing Crosby for one film, but it has to be approved by Paramount, he said. He also plans to discuss a new contract with Mae West.

Since leaving for Europe in January, shortly after terminating his affiliation with Paramount, Mr. Cohen has not even thought about business

(Continued on page 4)

Peskay Says G. N. to Be Reorganized Soon

Grand National expects to emerge from 77B status this summer, and it may be as early as 30 days hence, the company having improved its position rapidly, Edward Peskay, vice-president in charge of distribution, said yesterday.

The company's distributing machinery is being rehabilitated, he said, and in addition to the 29 branch offices now in operation exchanges are to be

(Continued on page 4)

RKO Realigns Its Southern Sales Forces

Two District Managers Added; Others Shift

RKO's southern district is divided into two sections under a realignment of the company's sales force completed yesterday by Jules Levy, general sales manager. The re-shuffle creates two new district managers and brings promotions to nine branch managers and salesmen. The action follows upon the close last Friday of the company's 15-week Ned E. Depinet sales drive.

The formation of a southwest and a southeast district from the former southern district brings Sol M. Sachs, former Dallas branch manager, and Hubert M. Lyons, former Atlanta branch manager, into the ranks of RKO district managers. J. H. MacIntyre, former southern district manager, was given a special field assignment on the west coast by Mr. Levy. As southwestern district manager, Mr. Sachs will supervise the Dallas, Memphis and Oklahoma City branches. In Mr. Lyons' southeastern district are

(Continued on page 4)

Court Supervision Move Is Advanced

The industry proposal that the Government appoint a permanent special master to hear and determine clearance and zoning complaints filed hereafter against Fox West Coast Theatres was further advanced at a meeting yesterday of major company attorneys at M.P.P.D.A. headquarters.

Indications are that the proposal will be in final form for submission to the U. S. Attorney General's office for consideration within the next few weeks.

In its present form the proposal contemplates the submission of all complaints against West Coast having

(Continued on page 4)

Maude Adams Signed By Selznick as Star

HOLLYWOOD, May 26.—Maude Adams, who has been in retirement for 20 years, has been signed by David O. Selznick to star in her first film, a special story now in work.

She went west for camera tests for another picture, but the results were so satisfactory that Mr. Selznick decided to star her.

Film Unions Gain 37,000 In Four Years

Producing and Exhibition Up Most, Says IA

The extent of unionization of the industry in recent years, chiefly in the exhibition and production branches, is shown in the increase in I.A.T.S.E. membership from 23,000 in 1934 to almost 60,000 this year, a gain of 37,000, according to James Brennan, international vice-president.

Quoting from a pre-convention bulletin of the union, issued by Washington headquarters, Brennan disclosed that the Alliance has added 28 locals since the last convention in Kansas City two years ago. These include chiefly theatre employes, although two new locals were established in Hollywood and a charter was granted to Motion Picture Laboratory Technicians' Union, Local 702, in New York. A local also was established in Honolulu.

There are now 712 locals in the international Alliance, which embraces the United States and Canada. This figure and the membership total do not include the "B" locals, covering more than 3,000 in the Film Exchange Employes Union and "front of the house" theatre employes such as cashiers, doormen, etc.

Organization of this classification of theatre staffs was voted at the 1936 convention, with a levy on I.A.T.S.E. members to cover the expense, but the

(Continued on page 4)

Korda's Pact Bars Outside Producing

Alexander Korda's contract with United Artists has not been changed in any manner which would permit him to produce for Columbia or any other American company, it was stated officially yesterday.

London reports that Columbia was conducting negotiations with Mr. Korda to handle at least three of the company's major pictures under its new British quota requirements were confirmed by implication at the Columbia home office here. It is learned,

(Continued on page 4)

No Paper Monday

***Motion Picture Daily* will not be published on Monday, Decoration Day.**

Review Is Ordered On 'Whirlpool' Ban

ALBANY, May 26.—An order for a Supreme Court review of the state's refusal to license "Remous," a foreign film whose English version is entitled "Whirlpool," today was issued by Justice Gilbert V. Schenck on application of Joseph Burnstyn and Arthur Mayer.

"Remous," with sex impotency as the theme, was presented originally in August, 1936, by Kurt Laemmle of Indiana. Denied a license, it was revised and resubmitted by the present distributors, the license being issued later with eliminations. Subsequently, English titles were superimposed and a license sought but not granted. Appellants contend the eliminations were destructive, arbitrary and unjustified.

Again turned down last November with some of the original scenes restored, the appeal to the Board of Regents failed when the subcommittee rejected the picture last month.

Mr. Esmond and Commissioner Graves are given 20 days to file show cause briefs. The matter will then probably be directed to the Appellate Division for review.

Betting Amendment Proposed in Albany

ALBANY, May 26.—The time limit for the introduction of amendments to the State Constitution by individual delegates expired today with the theatre industry chiefly concerned about gambling, pari-mutuel and equal rights bills.

A last minute rush included a measure to permit pari-mutuel dog racing as well as that of horses. Metropolitan and upstate exhibitors are known to be strongly opposed to dog racing.

Nicholas A. Rossi of New York is the sponsor of the betting measure, which has been referred to the bill of rights committee.

United State Senator Robert F. Wagner and Philip Halperin both submitted equal rights amendments aimed at alleged discriminations against certain races and colors in places of public patronage. The Halperin measure specifies that segregation shall be considered a violation of the equal rights provision.

To Hear "U" Suit Argument

Supreme Court Justice Bernard L. Shientag will hear today an application to dismiss the suit of Madison Square Garden Corp. against Universal Pictures Co., Inc.; Big U Film Exchange, Inc., and Universal Film Exchanges, Inc., on the grounds that the complaint failed to state facts constituting a cause of action. The suit is for an injunction and accounting of profits on "Idol of the Crowds" and charges the defendants with depicting hockey games played in the Garden from pictures taken from newsreels without the authority of the plaintiff, and with advertising and displaying posters for the picture featuring hockey games played in the Garden.

Yiddish Film to Start

Collective Film Producers, Inc., will start shooting on the all-Yiddish feature, "Jacob the Blacksmith," in two weeks. The company will go on location at Newton, N. J., with Edgar G. Ulmer directing, assisted by Louis Brandt.

◂ Purely Personal ▸

GEORGE J. SCHAEFER and JAMES MULVEY will arrive from the coast by train today following conferences at the studio on new season's production plans. EMANUEL SILVERSTONE will leave the coast by plane tonight. MURRAY SILVERSTONE'S plans for returning to the home office from the studio meetings are still indefinite.

•

MOLLY PICON will sail tomorrow for Poland on the *Pilsudski*. She will make a Yiddish film there titled, "Namele." BENJAMIN J. WEINBERG, president of Sphinx Films, will accompany MISS PICON.

•

CHARLES R. ROGERS will leave New York for the coast today or tomorrow. He has made no plans except to take an extended vacation after winding up his affairs on the west coast.

•

JOSEPH S. HUMMEL, Warners' general foreign sales manager, who is on a globe-girdling tour, is now en route to India and will return here in about five weeks.

•

ARTHUR LEE, G.B. vice-president, left for Buffalo and Toronto yesterday on business and will be back in New York on Tuesday.

•

JESSE L. LASKY was a visitor at the Paramount home office yesterday, calling on BARNEY BALABAN, Paramount president, among others.

•

BERT WHEELER plans to appear in a Broadway musical in the fall. He is currently appearing at Casa Mañana.

•

J. DON ALEXANDER, president of Alexander Film Co., is here from Colorado Springs.

•

JAMES R. GRAINGER, president of Republic, plans a tour of exchanges shortly.

•

CRESSON E. SMITH will return to the home office today from Charlotte.

•

RALPH KOHN is in New York from Hollywood for a week or 10 days.

•

PAT CASEY is expected in New York from the coast next week.

HERB CROOKER will be given a luncheon today at the Hotel Piccadilly. It will be tendered by 30 members of the Warner home office advertising department, from which MR. CROOKER resigned early this week.

•

EDDIE GABRIEL of Capital Film Exchanges, Philadelphia, returned to his office yesterday after closing a deal with the J. H. Hoffberg Co. for eastern Pennsylvania distribution of "Trailing the Jaguar."

•

EARL ALLVINE, badminton champion of the younger newsreel set, fractured an instep bone in early spring practice on MIKE CLOFINE'S court Thursday night.

•

ROBERT S. TAPLINGER, director of publicity for the Warner Burbank studios, is due here today by plane. He will return to the coast Monday.

•

AL and MRS. CHRISTIE will sail for Europe today on the *Paris*. MAC KRIENDLER of "21" is also sailing on the ship.

•

FREDERICK ULLMAN, JR., vice-president of RKO Pathe News, left yesterday for the coast on the Century.

•

ROSE EIDELSBERG of Paramount's talent department leaves today on a vacation in Chicago.

•

HARRY GOLDBERG, head of Warner theatre advertising, is in Newark on special campaigns.

•

. . . Oklahoma City

LEWIS GROVES, owner of the Ritz at Sulphur, Okla., is recovering in a local hospital following an operation for appendicitis.

ADAM HORNBECK, Shawnee partner with the Griffith circuit, has recovered from a leg injury and returned to active management of the Shawnee, Okla., Griffith theatres. HERSCHELL BURDICK remains assistant city manager.

T. B. NOBLE, JR., president of State Theatres, is in Arkansas mixing fishing with business. BOB PFOTENHAUER, manager of the State here, visited the International Petroleum Exposition in Tulsa and called on old friends there.

Ask McCoy Bankruptcy

WILMINGTON, May 26. — Six Springfield, Ill., business concerns have filed a petition in the U. S. District Court here asking Judge John P. Nields to adjudge Colonel Tim McCoy and Associates, Inc., bankrupt. Col. McCoy and officials of the show company have been summoned to appear in the District Court here tomorrow to answer charges of bankruptcy.

Dunn Replaces Blyth

Harold S. Dunn, Warners' supervisor in the Far East with headquarters in Tokio, has taken over the Southern Asia territory and will be attached to the Singapore office, it was said yesterday by Sam E. Morris, vice-president in charge of foreign sales. David R. Blyth, supervisor for the Singapore territory, has resigned his post.

Equity to Elect Today

The regular ticket of Actors Equity Association is scheduled to be elected to office at the organization's annual membership meeting to be held at the Astor today. Arthur Byron will be elected president and Bert Lytell, vice-president. In addition, 10 councillors are to be elected.

Two replacements to the council will be elected also. The meeting will be Equity's 25th annual session and the membership will present Frank Gillmore, who retired last winter as Equity president, a memento in recognition of his 25 years of service with the organization.

Fishman to Rebuild

NEW HAVEN, May 26.—Fishman Theatres have broken ground for the rebuilding of the Dixwell, neighborhood house, which burned down in February. It is expected the theatre will be ready for operation this fall.

Columbia's Fourth Meet on at Frisco

SAN FRANCISCO, May 26.—A. Montague, Columbia general sales manager, will open the company's fourth and final sales meeting on Saturday at the St. Francis here. Assisting him in conducting the two-day regional session will be Rube Jackter, assistant sales manager; Hank Kaufman, manager of exchange operations, and Jerome Safron, western manager.

Branch managers and salesmen who will attend are:

Los Angeles—Branch Manager H. Wineberg; salesmen, M. Solomon, S. Nathanson, H. M. Lentz.

San Francisco—Branch Manager L. E. Tillman; salesmen, C. Scott, P. Weinstein, E. Roberts, M. Klein.

Seattle—Branch Manager L. N. Walton; salesmen, R. Ackles, W. K. Beckwith.

Portland—Branch Manager J. R. Beale; salesmen, C. E. Tillman, W. T. Withers.

Salt Lake City—Branch Manager R. C. Hill; salesmen, K. Lloyd, W. G. Seib, H. Green.

Denver—Branch Manager W. C. Ball; salesmen, B. M. Shooker, S. Dare.

Para. Dividend Voted

The board of directors of Paramount yesterday authorized the payment of the quarterly dividend of $1.50 on the company's first preferred stock and 15 cents on the second preferred. The dividends are payable July 1 to stockholders of record at the close of business June 15.

"Menial Star" Retitled

HOLLYWOOD, May 26.—RKO has changed the title of "Menial Star," featuring Jack Oakie and Lucille Ball, to "The Affairs of Annabel."

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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More welcome now than ever...

A NEW HIT FROM 20TH CENTURY-FOX!

THE Hollywood REPORTER

'KIDNAPPED' A STANDOUT; ARLEEN WHELAN SURE STAR

Gorgeous Prod'n; Cast, Dir'n Fine

"KIDNAPPED"
(20th Century-Fox)

"Kidnapped" brings to the screen a great romance by a master story teller, and does it with beauty and power. Splendidly cast, superbly photographed, directed with sincere feeling for the dramatic values in Robert Louis Stevenson's classic tale of love and rebellion in the 18th Century Scottish Highlands, it has plenty of boxoffice values and should prove one of the standout productions of the day.

In achieving all this, 20th-Fox went even farther, and accomplished the all but impossible task of making a star overnight. In Arleen Whelan, playing her first screen role, Darryl Zanuck discloses an actress destined for the heights. Best of the newcomers for many a long day, she plays with a haunting sincerity and charm that make the picture a distinct personal triumph.

And this too, despite the fact that Warner Baxter and Freddie Bartholomew, giving top notch performances, head a cast in which every player is more than adequate. It is fast company for a novice, but Miss Whelan shows her speed.

In penning his tale of the Highland clansmen fighting English oppression, Stevenson wrote not one novel but two—"David Balfour" as well as "Kidnapped." The screenplay by Sonya Levien, Eleanor Harris, Ernest Pascal and Edwin Blum unites the two. And though it takes some liberties with them, in the main it follows not only n detail, but in feeling.

Most of the great scenes at which every lover of true romance has thrilled are here—the sword clash between Warner Baxter as Alan and the men who would bag him on the ship; the flight of Baxter and Arleen Whelan and Freddie Bartholomew through the Highlands; Baxter's capture and trial before the bewigged justices.

The story of Freddie's kidnapping aboard ship at the behest of his villainous uncle and of how his fate and Alan's become entwined is too well known to be rehearsed here. Suffice it to say the screen playwrights have kept the full values of the great old tale. And in its unfolding are midnight foray, clash and clang of sword blades, skirl of the bagpipes, and one magnificent scene filled with sound and fury of the drums of doom.

Baxter is magnificently rakish. C. Aubrey Smith's Earl of Argyle is a portrait to remember long. Freddie Bartholomew's David is a convincingly stern-metaled lad. Nigel Bruce plays a kilted and brogued Highlander to the life. Miles Mander's Uncle Ebenezer is sufficiently villainous for any appetite. Reginald Owen, John Carradine, Montagu Love, Ralph Forbes, H. B. Warner and Arthur Hohl play important roles to any romance addict's taste. Every part, indeed, is splendidly portrayed. But still Arleen Whelan stands out.

Kenneth Macgowan has given sumptuous production to this artful translation of a classic, and Alfred Werker's direction is smooth and adroit. Gregg Toland's photography, largely in sepia, conveys the feeling of the misty Highlands and brings some scenes as rich as an Old Master to the screen. Arthur Lange's musical scoring aptly fits the theme.

And, boys, wait till you see Arleen Whelan, the year's emotional find!

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Allied's Plans Hinge on Fate Of Dakota Law

(Continued from page 1)

mediate appeal to a U. S. Circuit Court of Appeals.

Paramount's legal staff will leave here this afternoon for Fargo. In the delegation are Austin C. Keough, vice-president and director; Louis Phillips and Sam Boverman of the home office legal staff, Thomas D. Thacher and A. C. Bickford, Thacher & Bartlett, Paramount counsel. They will be joined in Fargo by Joseph Finley, Paramount attorney at Minneapolis, and L. J. Ludwig and J. J. Friedl, operators of Minnesota Amusement Co., a Paramount subsidiary and the only circuit organization affected by the North Dakota law.

Alvin C. Strutz, attorney general of North Dakota, who is a defendant in the Paramount action to invalidate the law, will be assisted with the defense by Abram F. Myers, general counsel and chairman of Allied States, and Louis B. Schwartz, attorney for Northwest Allied, as well as members of the North Dakota attorney general's staff.

National Allied officers who probably will attend the trial include W. A. Steffes of Minneapolis and H. A. Cole of Dallas. The affiliated theatre "divorcement" law was sponsored in North Dakota by Allied States. So far as could be learned yesterday no Allied officials from the east will be present at the trial. It was stated definitely that Sidney Samuelson does not plan to attend and Nathan Yamins, Allied president, is not expected to.

Steffes, Cole May Attend

Paramount was granted a temporary injunction last winter restraining North Dakota officials from enforcing the state law, which would prevent the operation within the state of any theatre circuit in which a producer or distributor had a financial interest. The trial starting on Wednesday will be on Paramount's petition to have the injunction made permanent on the grounds that the divorcement law violates the Federal and state constitutions in that it is an unwarranted use of the police power, is discriminatory, confiscatory and deprives the company of its property without due process of law.

Minnesota Amusement and American Amusement Co., its subsidiary, both with headquarters in Minneapolis, together operate 18 theatres in North Dakota. There are no other affiliated theatres in the state.

Foresee No Increase In Taxes for Canada

TORONTO, May 26.—A pre-budget whisper from the Dominion Government contains the intimation that no increases are in prospect in taxation or excise levies on industries or commodities for the coming year because of the satisfactory volume of revenue currently being obtained from various sources. This is taken to mean in film circles that tariff schedules on imports of negative or positive prints, theatre supplies and other manufactured products will not be disturbed for another 12 months.

Korda's Pact Bars Outside Producing

(Continued from page 1)

however, that the company's negotiations with Mr. Korda do not involve actual production by him. As reported by MOTION PICTURE DAILY yesterday, it would be possible for Mr. Korda to supervise outside productions without impinging on his exclusive producing commitments with United Artists, but no change has been made in his contract which would permit him to engage in actual production for another company. His supervision of Columbia's production in London would be to the extent only of his general supervision of Denham studio activities.

It is suggested here that Columbia's negotiations with Mr. Korda are limited to the use of his Denham facilities, but may also include arrangements by which Mr. Korda would participate in the financing of the Columbia pictures. The actual production assignment, if a deal is concluded, will probably go to Irving Asher, former Warner Bros. British producer, who is now associated with Mr. Korda, with the additional possibility that Ernst Lubitsch may be available for one picture if he concludes a deal with Mr. Korda such as was discussed here but not consummated.

Court Supervision Move Is Advanced

(Continued from page 1)

a bearing on the 1930 consent decree entered into by the circuit with the Government to a special master whose decisions would be final. By this means, it is hoped, Federal anti-trust investigations and contempt actions based on the consent decree and involving the circuit and distributors selling to it, would be eliminated in the future.

The proposal is new to the industry in that it contemplates the voluntary placement of an important unit under Federal authority.

"Crowd Roars" Is Final

HOLLYWOOD, May 26.—"The Crowd Roars" has been selected as the final title of the M-G-M film formerly called "Give and Take."

Film Unions Gain 37,000 In Four Years

(Continued from page 1)

campaign made little headway. This matter will be one of the major topics at the forthcoming conclave of about 900 delegates in Cleveland during the week of June 5. It is expected that a "front of the house" unionization drive again will be voted.

Mr. Brennan scouted complaints of rank and file members that the present method of I.A.T.S.E. administration lacks democratic procedure. He said that the rules are decided upon at national conventions, with nothing concealed, and that the delegates are free to speak. Some New York and Hollywood locals are preparing to make an issue of "democracy" at the convention.

Cohen's Film Plans To Be Decided Soon

(Continued from page 1)

matters, he declared, and the trip was his first extended vacation in 20 years.

With Mrs. Cohen, he visited Greece, Palestine, Egypt, Italy, France, Denmark, the Scandinavian countries and England and was in Germany for a short while. He reported that theatre business was off in France and some other countries, but holding its own in Sweden and prosperous in Great Britain.

Mr. Cohen plans to leave for his summer home at Bar Harbor, Me., today or tomorrow and will return here in about two weeks.

"U" Shifts Aparton

SAN FRANCISCO, May 26.—Matt Aparton, local salesman for Universal, has left for Salt Lake City to succeed Charles Feldman as Universal's branch manager there. Mr. Feldman has been advanced to a similar post in Los Angeles.

Takes Mill Creek House

AFTON, Okla., May 26. — Miss Johnnie Garner of Mill Creek, Okla., has leased the Cozy.

Jessel and Beverly Roberts Tested for Kiss Intensity

They played a screwball comedy in the rain for the Metro Newsreel and the WHN commentator yesterday when George Jessel and Beverly Roberts executed a measure-the-intensity-of-your-kiss on a gadget in the lobby of Loew's State.

The U. A. publicity boys have a picture playing there. It's Gary Cooper and Sigrid Gurie in "The Adventures of Marco Polo." In the film Cooper teaches Sigrid how to kiss. Her role calls for vast ignorance on the subject. So what better tieup than to drag out that newest goofy gadget, the kiss-analyzer, strap Mr. Jessel and Miss Roberts into its octopus-like embrace, and have them osculate while the needle oscillates and tells the world how they respond to each other's s.a.

H. Arthur Gilbert, the inventor of the machine, measures the degree of intensity. A red light glows and a bell tinkles when the machine gets hot from the combined blood pressure which is measured in voltmeters.

We've got everything in this story but the degree of the Jessel-Roberts kiss. Nobody knows what they registered. And probably nobody cares except Mr. Jessel and Miss Roberts. It was a rainy day. Anything for a laugh.

RKO Realigns Its Southern Sales Forces

(Continued from page 1)

the Atlanta, New Orleans and Charlotte branches.

C. W. Allen, former manager of the Jacksonville office, succeeds Mr. Sachs as branch manager at Dallas. A. M. Avery, formerly Omaha manager, is transferred to Memphis as manager of that branch, and C. J. Dressell, formerly a salesman at Minneapolis, becomes Omaha branch manager. Page M. Baker, former Memphis manager, is made branch manager at New Orleans, and Guy Brown, former New Orleans manager, becomes manager at Atlanta, succeeding Mr. Lyons. The latter two appointments become effective June 11.

Other changes bring Joe B. Brecheen, formerly Dallas salesman and office manager, to Charlotte as branch manager replacing R. C. Price, resigned. H. F. Taylor, formerly salesman at Toronto, has been appointed manager of the Calgary branch, succeeding J. F. Droy. The appointments, with the two exceptions noted, are in effect this weekend.

Peskay Says G. N. to Be Reorganized Soon

(Continued from page 1)

opened in Oklahoma City and Memphis. When organization of the field staff is completed, it will include eight district managers, 31 branch managers and 100 salesmen, Mr. Peskay said. A sales convention in Hollywood about the middle of June is planned.

The Federal district court in Los Angeles has approved the company's purchase of a 75 per cent interest in Grand National Films, Ltd., of Canada, the home office was advised yesterday. This adds six exchanges to the organization. Mr. Peskay plans to be in Toronto early next week to effect the changeover and to attend a meeting of the new board of the Canadian company at which officers will be elected.

Grand National plans to release 52 features in 1938-'39, Mr. Peskay said, and 34, including 18 dramas and 16 westerns, have already been set. All will come from independent producers, as the company plans no production, he said.

Alliance Will Have 10-12, Says Rogers

(Continued from page 1)

12 months, and of these, Mr. Rogers said, 10 to 12 will have production and cast values designed to make them suitable for the American market.

The British company will not engage in the production of quota pictures for any American company, he said.

Dickinson Adds Another

KANSAS CITY, May 26.—Plans are being drawn by the Dickinson Investment Co., for remodeling the building at 411 Broadway, Monett, Mo., into a Class A theatre.

“Robin Hood” Los Angeles’ 2d Week Top

Los Angeles, May 26.—“Adventures of Robin Hood” continued to be outstanding draw in its second week Warners’ Hollywood and Downtown in spite of a general lull in first run grosses. The take at the Hollywood was $17,700, over par by $3,700, nd Downtown it was $18,000, up by $6,000.

The only other attraction to get into the profit column was “Kentucky Moonshine,” on a dual with “Hold That Kiss” at Loew’s State. The take was $14,690.

Total first run business was $85,980. Average is $90,950.

Estimated takings for the week ending May 25:

“KENTUCKY MOONSHINE” (20th-Fox)
“HOLD THAT KISS” (M-G-M)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $11,656. (Average, $12,500)

“STORM IN A TEACUP” (U. A.)
ESQUIRE—(900), 40c-55c, 7 days, 2nd week. **Gross:** $850. (Average, $2,500)

“SAILING ALONG” (G. B.)
“ADVENTURES OF CHICO” (Woodward Bros.)
4 STAR—(900), 40c-55c, 7 days, 2nd week. **Gross:** $2,784. (Average, $3,250)

“DYBBUK” (Foreign Cinema Arts)
GRAND—(750), 35c-40c, 7 days, 2nd week. **Gross:** $1,200. (Average, $1,200)

“VIVACIOUS LADY” (RKO)
“LAW OF THE UNDERWORLD” (RKO
HILLSTREET—(2,700), 30c-65c, 7 days, 2nd week. **Gross:** $6,200. (Average, $6,500)

“KENTUCKY MOONSHINE” (20th-Fox)
“HOLD THAT KISS” (M-G-M)
LOEW’S STATE—(2,500), 30c-75c, 7 days. **Gross:** $14,690. (Average, $14,000)

“VIVACIOUS LADY” (RKO)
“LAW OF THE UNDERWORLD” (RKO)
PANTAGES—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $6,700. (Average, $7,000)

“MAN’S CASTLE” (Col.)
“STOLEN HEAVEN” (Para.)
PARAMOUNT—(3,595), 30c-65c, 4 days. **Gross:** $6,200. (Average, 7 days, $18,000)

“ADVENTURES OF ROBIN HOOD” (F. N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days, 2nd week. **Gross:** $17,700. (Average, $14,000)

“ADVENTURES OF ROBIN HOOD” (F. N.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days, 2nd week. **Gross:** $18,000. (Average, $12,000)

Wall Street

Board Issues Generally Off

	Open	High	Low	Close	Net Change
Col.	11	11	11	11	— ¾
Cons.	1⅛	1⅛	1⅛	1⅛	.....
E. K.	147	147⅛	144¼	144¼	—3¾
G. T. E. ..	11	11	10¼	10¼	—1⅛
Loew	38	38	36½	36½	—1½
Para.	7	7	6½	6½	— ½
Para. 2.....	8	8⅛	7⅞	7⅞	— ½
Pathe	4⅛	4⅛	4	4	— ⅛
RKO	2	2⅛	2	2	— ⅛
20th Fox ..	20¾	20¾	19¼	19¼	—1½
W. B.	4⅜	4⅜	4⅛	4⅛	— ⅜
W. B. pfd..	28½	28½	28½	28½	.....

Technicolor Drops on Curb

	Open	High	Low	Close	Net Change
Monogram	1⅝	1⅝	1⅝	1⅝	.....
Sonotone ..	1½	1½	1½	1½	.....
Tech.	22⅜	23	21¼	21¼	—1⅜

Warner Bonds Gain Lightly

	High	Low	Close	Net Change
Keith 6s ’46.......	85½	85½	85½	.....
Loew 3½s ’46....	100	100	100	.....
RKO 6s ’41	69⅛	68½	68½	—1½
W. B. 6s ’39	75	74⅞	75	+ ½

(Quotations at close of May 26)

The Newsreel Parade

Movietone News
Vol. 20, No. 74
(20th Century-Fox)

This is an excellent release, incorporating all of the values in camera reporting and important news events, pictorial features and entertainment. Outstanding in the release is considerable footage taken at the time of the recent Chinese Army victories at Taierhchwang. It is excellent of its kind, much of it having been photographed during actual conflict.

Other outstanding features include shots of the Cleveland plane crash this week which took 10 lives; Moscow’s May Day military show, notable as a spectacle, and pictures of an Oregon roundup of wild horses, interesting pictorially.

Royalty breaks into the news prominently with Emperor Hirohito, the Duke of Kent, King Farouk and King Christian II caught at various public ceremonies. A girls’ softball team championship game in Madison Square Garden and an amusing boxing match for Boston’s 40-pound “kid” class make up a sports section. Lew Lehr finds and passes on something amusing in Los Angeles bathing girls doing their part for Clean-Up Week. Running time, 10 mins. K.

News of the Day
Vol. 9, No. 272
(M-G-M)

Subjects of major news significance combined with diverting feature material make this a well-rounded release of well above average merit.

Some of the coverage is duplicated in the current 20th Century-Fox reel, notably the Chinese Army advancing after recent victories and in action near Shantung, and this is easily the outstanding contribution to the release. The Ohio airplane crash of Tuesday night, Moscow’s May Day demonstration for Stalin and visiting officials, and a highly amusing boxing bout between two juveniles likewise appear to have Movietone parentage and rank high in the reel’s contents.

Other subjects include shots of the new Federal prison at Terminal Island, Cal.; the opening of the Congressional investigation of the T.V.A.; new arrivals at Frank Buck’s outdoor zoo on Long Island, and a motorcycle hill climbing contest at Cary, Ill. In all, this is a very good release with something to suit the fancy of any newsreel fan. Running time, 8 mins. K.

Paramount News
No. 85
(Paramount)

There’s little to get excited about in this release, probably because of the paucity of newsworthy material. The high spot is the familiar Moscow May Day parade in which Stalin reviews thousands of marchers and a parade of war machines.

President Cardenas of Mexico is shown arriving in the revolt area at San Luis Potosi, and there’s a clip of the plane wreck at Independence, Ohio. Other subjects are the new Federal penitentiary at Terminal Island, Cal.; Owner Howard telling why the Seabiscuit-War Admiral race was called off, with shots of the horses; the Greek minister making a payment on his country’s war debt; Bobby Jones besting Attorney General Cummings, in a golf match in the rain; Don Budge and Gene Mako, tennis champs, sailing for foreign competition, and Gothamites on a “foldboat” excursion in Connecticut. Running time, 9 mins. F.

RKO Pathe News
Vol. 9, No. 89
(RKO)

This issue is quite varied and agreeably includes spot news feature material and sport. There are eight items. The lead is the recent airplane crash near Cleveland.

The *Connecticut Nutmeg*, the newspaperman’s “dream” with no copy readers, editorial policy and everyone an editor is launched. Heywood Broun reads the *pronunciamento* in the first issue and Ursula Parrott starts the presses while Colvin Brown looks on. Cuban Dictator Batista shows his interest in children’s activities as part of his three-year plan. Scenes of a new prison on Terminal Island in Los Angeles Harbor follow. Bobby Jones and Attorney General Cummings play golf in Washington while the members of the District of Columbia Bar Association watch.

Vincent Richards shows Vincent, Jr., the fine points of tennis service. The Royal Cattle Exhibit in Sydney, Australia, contributes a number of fine horse-jumping shots but few bovines. The May Day Parade in Moscow concludes the footage. Running time, 8½ mins. P.

Universal Newsreel
Vol. 10, No. 670
(Universal)

This reel roams around the news and feature map, with an apparently necessary concentration on the feature, rather than the news, type of coverage, and the result is an entertaining and well-paced collection of pictorial items.

The highlights are excellent pictures of the May Day display of military power in Moscow, aftermath shots of serious subway collision in London, one of those really active motorcycle hill climbing competitions in Illinois, and able coverage of the Kings Plate race in Toronto.

Other clips include a Coast Guard pilot receiving the Flying Cross for a sea rescue from Secretary Morgenthau, attempts to fight the annual cricket menace in Washington state, a group of Princeton undergraduates enjoying their clever miniature railway, a woman’s air reserve corps in England, a coast dog with 15 pups, lunching on the installment plan, and smart handling of the cancellation of the Sea Biscuit-War Admiral race, showing in slow motion the “nose” finish of the Pompoon-War Admiral race last year. Running time, 9 mins. A.

“Moonshine” $41,000

“Kentucky Moonshine” grossed $41,000 at the Roxy in the week ended last night. It is the first picture in a long period not to be held over.

“Robin Hood” $22,000 Wow At Cleveland

Cleveland, May 26.—“Adventures of Robin Hood” was the biggest attraction at Warners’ Hippodrome since “Snow White.” The gross was $22,000. This was $2,000 more than double the Hippodrome average.

“Sinners in Paradise,” on the RKO Palace screen with Olsen & Johnson as vaudeville headliners, went to town with $19,000 for the week. Average is $15,000.

“Test Pilot,” for the third consecutive week, held top spot. At Loew’s Stillman the take was $5,500, topping the average by $1,500. “Joy of Living,” playing a move-over run at the Allen following the Hippodrome, went $1,000 over par to a take of $5,000.

Total first run business was $60,000. Average is $46,500.

Estimated takings for the week ending May 20:

“JOY OF LIVING” (RKO)
ALLEN—(3,000), 30c-35c-42c, 7 days, 2nd week. **Gross:** $5,000. (Average, $4,000)

“ADVENTURES OF ROBIN HOOD” (F.N.)
WARNERS’ HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $22,000. (Average, $10,000)

“SINNERS IN PARADISE” (Univ.)
RKO PALACE — (3,100), 30c-35c-55c, 7 days. Stage: Olsen & Johnson. **Gross:** $19,000. (Average, $15,000)

“HER JUNGLE LOVE” (Para.)
LOEW’S STATE—(3,500), 30c-35c-42c, 7 days. **Gross:** $8,500. (Average, $13,500)

“TEST PILOT” (M-G-M)
LOEW’S STILLMAN—(1,900), 30c-35c-42c, 7 days, 3rd week. **Gross:** $5,500. (Average, $4,000)

“Test Pilot” Gets $13,000, Montreal

Montreal, May 26.—“Test Pilot” reached the box-office stratosphere with a gross of $13,000 at the Palace. Average is $11,000. It was held.

Major Bowes Collegiate Revue helped substantially in pulling $12,500 to Loew’s where the screen feature was “Look Out for Love.” This was well above par of $8,000. “College Swing” on a double bill at the Capitol registered $8,000 as compared with average of $9,500, while “Women Are Like That,” with a companion feature, brought $6,500 to the Princess, average being $7,000.

“Goldwyn Follies,” for its fifth and final week at the Orpheum, secured $3,000, down slightly from the previous week.

Total first run business was $43,000. Average is $40,500.

Estimated takings for the week ending May 21:

“COLLEGE SWING” (Para.)
“DANGEROUS TO KNOW” (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,000. (Average, $9,500)

“LOOK OUT FOR LOVE” (British)
LOEW’S—(3,115), 25c-34c-40c-50c, 7 days. Stage: Major Bowes’ Collegiate Revue. **Gross:** $12,500. (Average, $8,000)

“GOLDWYN FOLLIES” (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 5th week. **Gross:** $3,000. (Average, $5,000)

“TEST PILOT” (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $13,000. (Average, $11,000) Held over.

“WOMEN ARE LIKE THAT” (W. B.)
“BELOVED BRAT” (W. B.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $6,500. (Average, $7,000)

Variety Club

Kansas City

Kansas City, May 26.—Directors of the local Variety Club met to discuss activities for the summer. Special events will be scheduled twice a month for the warm season, and the Jinx Club will be continued. The club is arranging to invite members of the Kansas City Blues, Kansas City's winning team in the American Association, to the clubrooms.

Omaha

Omaha, May 26.—Committees for the first annual charity gridiron dinner, sponsored by Variety Club, have been named by Chief Barker **Walter M. Green**. **Joe Jacobs** will be general chairman.

Jacobs will be assisted by **Jack Epstein**, **John Gillin, Jr.**, **Harry J. Shumow**, **E. R. Cummings** and **Edward Shafton**. A sub-committee includes **Earle Perkins**, **Al Avery**, **I. M. Weiner** and **D. V. McLucas**.

N.O. Gets Spanish Films

New Orleans, May 26.—Regular exhibition of Spanish-speaking films was inaugurated at the Queen today by two former citizens of Mexico. They are Ramon Garcia of the Universal distributing agency here and A. C. Troncoso, who is connected with a steamship agency.

The first film shown is "Jalisco Nunca Pierde," produced by the Sanchez Tello y Cia of Mexico and distributed by Azteca Films of El Paso. A short, "Patzcuaro," trailed the feature. "Ora Ponciano" and a short, "Las Bellez de Mexico," is scheduled for June 9.

The two exhibitors have leased the Queen, a close-in neighborhood theatre, every second Thursday for the special purpose of exhibiting Spanish-speaking films. A special matinee was held today for Spanish students with more than 500 tickets sold in advance, Mr. Troncoso said.

Again Seek Free Shows

Portland, May 26.—Oaks Amusement Park, is again attempting to show "free" films in its open air theatre. Exhibitors here last year objected to the free shows and as yet no arrangements have been made for this season.

Films Play Only 4 Days

Minneapolis, May 26. — After a four-day experience with a picture policy, the Lyceum, home of the legitimate drama here since the Metropolitan was torn down, gave up the attempt. The picture was "Look Out for Love."

Plan House in Omaha

Omaha, May 26.—Tri-States Theatre Corp., of Des Moines, plans a $100,000 theatre here. It already operates two first run houses and has one closed first run theatre here. The house will seat 900.

Managers Transferred

Boston, May 26.—Frank Colburn has resigned as manager of the City in Biddeford, Me., to manage the Colonial in Haverhill. Bart Murphy has been given the Biddeford post.

Hollywood Preview

"Blond Cheat"

(RKO)

Hollywood, May 26.—This typically English comedy has Joan Fontaine as the only player name with American billing value. The film may experience a fair reception in such American theatres as have found it practicable to offer imported product with satisfactory results.

William Sistrom produced the picture. Joseph Santley directed it. Charles Kaufman, Paul Yawitz, Viola Brothers Shore and Harry Segall wrote the screenplay from an original story by Aladar Laszlo. Players in Miss Fontaine's support are Derrick de Marney, Cecil Kellaway, Cecil Cunningham, Lillian Bond, Robert Coote, Olaf Hytten, John Sutton and Gerald Hamer.

The plot, handled wholly for humorous purposes, has Miss Fontaine placed in the custody of de Marney, pawnbroker's clerk, as security for a loan. This situation is created by pretense that diamond earrings on which he has advanced a loan cannot be removed from her ears. There are complications with his fiancee, his rival, various interested parties, including a play producer, and it all winds up with everybody exposed as implicated one way or another. Boy and girl marry ultimately.

Running time, 60 minutes. "G."

Overseas Previews

"Les Disparus de Saint-Agil"
("Disappeared from Saint-Agil")

(Dimeco-C. G. C.)

Paris, May 17.—A delightful French picture, with its action set in a French Provincial college, the film's mysterious events involve three schoolboys, thirsty for adventure, who have founded a secret association for the purpose of sending its three members to the United States.

When the mysterious disappearance of the first member is followed a few days after by the disappearance of the second, the third schoolboy, Serge Grave, decides to solve the mystery as well as the death of the college drawing teacher which happened in the meantime. He discovers that the college headmaster is the chief of an organization forging banknotes, and that the victim was one of the gang. With the help of all the boys in the college, the gang is arrested.

These adventures have been turned into an excellent film. The direction of Christian Jaque is expert, despite a lack of pace in the concluding scenes. There is no woman in the excellent cast. It includes about 60 boys between eight and 14 who are extremely natural. Special honors should go to Serge Grave, Claudio and Marcel Mouloudji, as the three "association" members. Adult parts are convincingly acted by Michel Simon, as the murdered drawing teacher; Erich Von Stroheim, as the enigmatic but sympathetic English teacher, Armond Bernard, as the amusing porter, and Aimé Clariond as the headmaster.

Running time, 85 minutes. "G."

"L'Affaire Lafarge"
("The Lafarge Case")

(Trianon Film-Cipra)

Paris, May 17.—This famous French criminal case of the 19th Century has been turned into a powerful film of excellent technical and artistic quality, directed by the young French director, Pierre Chenal.

As entertainment, "The Lafarge Case" may seem rather depressing, due to the subject and its dull atmosphere, but it should attract the attention of those interested in the film as an art and wishing to see on the screen something different from the ordinary run of productions.

The setting is a remote province in France in 1840 and deals with the death of a Charles Lafarge, whose mother and sister accuse his young Parisian wife of having poisoned him. As there is some evidence against her, she is arrested. At the trial she tells the court of her unhappy life with a man who repulsed her, whom her aunt forced her to marry and who had brought her to live among people who hated her. Finally Madame Lafarge was sentenced to life imprisonment, but was released 12 years later, a few months before she died.

The outstanding feature of this film is the high order of the technical work, including scenery, photography and direction. The atmosphere has been created perfectly and there are many impressive scenes. The cast is very good, with Pierre Renoir giving the best performance as Lafarge.

Autre

Short Subjects

"Flaming Frontiers"

(Universal)

Western adventure in the days of Buffalo Bill; wagon trains to California; gold rushes; Indian fights and renegade whites are a few of the many colorful events and figures that play prominent parts in this serialized story that features John [illegible]ck Brown. Its appeal is definitely for the juvenile audience. Once having seen and digested the initial installment, they will be back for more.

The basic plot offers Brown as an Indian scout who sets out to aid a wagon train that is carrying settlers to California and gold. He is taken prisoner by Indians; Eleanor Hansen, whose hand is sought by the scheming James Blaine, has narrow escapes; a cyclone threatens annihilation; more Indians attack; buffalo stampede; and the film continues to wend its exciting way as westward progress is made. There are few dull lengths in the footage of each chapter.

The cast offers Ralph Bowman, Charles Stevens, Horace Murphy, William Royle and Charles Middleton. Ray Taylor and Alan James directed.

Each chapter runs approximately 21 mins. "G."

"Bit and Bridle"

(RKO)

A high order of production value is contained in this interesting and pictorially effective RKO Pathe "Sportscope," which tells of the breeding and training of fine horses in the south, with the aid of a well-turned narration by Andre Baruch. Hunters, trotters and pacers, flat racers, all are seen against a beautiful setting of woods and training track and pasture. Horse lovers will return to see it again, and any audience will enjoy it thoroughly. Running time, 10 mins. "G."

"The Forgotten Step"

(M-G-M)

This concerns the re-enactment of an almost perfect crime by an art collector who, facing ruin, plans to have his collection destroyed at sea by an explosion and collect insurance. It misfires and the hand of Providence strikes the would be conspirator. It is done in good style and builds up to a thrilling climax. Running time, 10 mins. "G."

"Going Places No. 49"

(Universal)

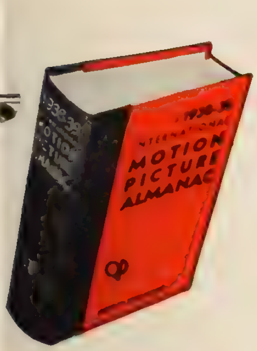
The chemical manufacture of rubber and the capture of seals off the Monterey peninsula are offered in this number. Both topics are enhanced in photograhic appeal by tinting. The editing, narration and presentation are well handled. Running time, 9 mins. "G."

"Healthy, Wealthy and Dumb"

(Columbia)

The Three Stooges have a considerably funnier comedy here than they have had for some time. Curly wins a prize and the trio spend the money before they get it. There are many side complications and much of the familiar "business." Running time, 17 mins. "G."

Out of the mailbag


1938-39
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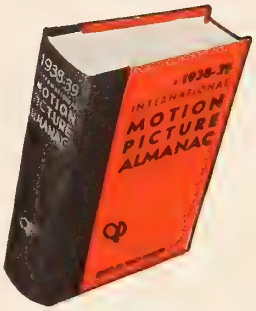
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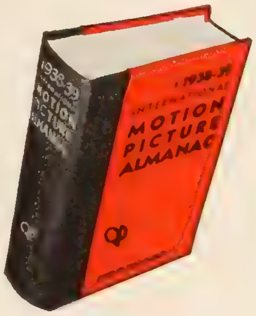
"I find it very useful. As a matter of fact, I consider it the best reference book in my library."

JIMMIE FIDLER,
Hollywood Commentator

"It might interest you to know that one of the most valuable books in the library Kelcey Allen and I have here in our office. is your Motion Picture Almanac."

BIDE DUDLEY,
New York Columnist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THE NEW ORLEANS TIMES-PICAYUNE

1938-39
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London

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Edited by TERRY RAMSAYE

QUIGLEY PUBLICATIONS

ROCKEFELLER CENTER, NEW YORK

Banner LINES

THE minute it became known that the match race between War Admiral and Seabiscuit had been called off, and incidentally crippling CBS's elaborate plans for an exclusive broadcast of the race, NBC rattled its mimeograph machines until they almost smoked to get out a release telling that the meeting of the thoroughbreds would take place during the running of the Massachusetts Handicap at Suffolk Downs on June 29. The "meeting of champions," NBC boasted, would be described exclusively for the radio audience over an NBC network according to the terms of a contract signed between NBC and the Eastern Racing Association.

Glum were the faces of the Columbians as a result of the unexpected turn of events which made a CBS exclusive into an exclusive for its rival.

But, according to Bryan Field, CBS's turf expert, NBC yet may have to eat its releases (and Clem McCarthy a hat), for according to Bryan, the meeting between War Admiral and Seabiscuit will not take place at Suffolk Downs on June 29.

Here are Bryan's exact words to us: "Having spoken to Samuel D. Riddle and Charles S. Howard, owners of the horses, I'm prepared to eat my hat, if Seabiscuit and War Admiral race against each other at Suffolk Downs on June 29. If I'm proved right, however, Clem McCarthy will have to eat his hat."

That's quite a challenge—a much more interesting one than an offer of a meeting with swords or epees at dawn behind the car barns.

Discretion bids that we add that the hat-eating wager is Bryan Fields'—not ours. Hats, with or without mustard, are allergic with us.

—JACK BANNER

WNEW Sets Deals

New contracts at WNEW include the following: Gruen Watch Co., three quarter-hours per week for 13 weeks on "Make Believe Ballroom," through McCann-Erickson; Dr. H. Sellers, 13 spot announcements for four weeks, through Bacon & Graham agency; Hoffman Beverage Co., 26 spot announcements weekly for 16 weeks, through Batten, Barton, Durstine & Osborn, and Watchung Lake, Inc., "Bill and Irene" song team, three quarter-hours per week for eight weeks, through Radio Advertising Corp.

Plan Education Series

SANTA ROSA, Cal., May 26.—A new departure in educational programs will be launched in the fall by KSRO, in conjunction with the school departments of Napa, Sonoma, Marin and Mendocino counties. Several programs daily will be directed to individual listening groups in schools. In many cases pupils will take part in the programs. Schools not yet equipped with radio will receive sets by Oct. 1, when new series will start.

Autry on Cantor Show

HOLLYWOOD, May 26.—Gene Autry will appear on Eddie Cantor's "Camel Caravan" Monday night.

Congressmen Renew Radio Probe Pleas

(*Continued from page 1*)

he accused of interfering in the 1932 RCA suit, admitting that he had attempted to have the Department of Justice postpone the suit until the 1932 elections.

Programs offered by the stations were attacked by Congressman Connery, who referred to a number regarding which complaint had been filed with the FCC, and said the commission should have revoked the licenses of the stations involved in the Mae West broadcast. He also attacked "Wall Street" ownership of stations and contended network management was unsatisfactory.

Objectives sought by Congress in the 1927 and 1934 Communication Acts have not been reached by those laws, it was declared by Representative Wigglesworth.

Five Stations Sign For NBC Thesaurus

Five new subscriber stations have been signed by NBC Thesaurus, and 10 have been renewed. The new subscribers are KOH, Reno; WQIM, St. Albens, Vt.; KVRS, Rock Springs, Wyo.; KWLK, Longview, Wash., and KPAB, Laredo, Tex.

Renewals have been received from CKCK, Regina, Sask; KVOR, Colorado Springs; CKSO, Sudbury, Ont.; KGGF, Coffeyville, Kan.; WCSC, Charleston, S. C.; KFBK, Sacramento; KMJ. Fresno; WSOC, Charlotte, N. C.; WTMJ, Milwaukee, and WAZL, Hazelton, Pa.

American Delegate Set for Ghent Meet

WASHINGTON, May 26.—The State Department today announced acceptance of the invitation of the Belgian Government to participate in the Third International Congress of Phonetic Sciences to be held at Ghent in July, and named Professor R. M. S. Heffner of Harvard as American delegate.

The Congress, among other things, will consider technical broadcasting problems.

Ask Marysville Permit

WASHINGTON, May 26.—Application for a construction permit for a new broadcasting station to operate on 1,320 kilocycles with 250 watts power has been filed with the Federal Communications Commission by Yuba-Sutter Broadcasters, Marysville, Cal.

Other applications received by the commission included requests of KRSC, Seattle, for increase of power from 250 to 500 watts, and WBOW, Terre Haute, for change of frequency from 1,310 to 1,200 kilocycles.

Wins Paley Award

Winner of the William S. Paley Amateur Award for 1937 is Robert T. Anderson, amateur operator of Harrisburg, Ill., for his performance during the January, 1937, flood emergency when he worked four days almost without sleep to obtain help for a beleagured city threatened by flood waters. Actual presentation of the trophy will be made June 9 at a luncheon at the Waldorf.

Frothy Prize

Denver, May 26.—Through offers of the M. K. Goetz Brewing Co., golfers in this area who score a hole-in-one can celebrate. The fortunates are to be awarded a case of beer when the scores are attested by two other players and the club pro. The beer company sponsors "The Sports Review" over KLZ.

Hearings Are Dated For 6 Station Pleas

WASHINGTON, May 26.—The Federal Communications Commission has ordered hearings on the applications of the Timpanogos Broadcasting Co. for a new 1,210-kilocycle station at Provo, Utah, with 100 watts power night, 250 watts day; Pee Dee Broadcasting Co., for a 1,200-kilocycle station at Florence, S. C., with 100 watts night, 250 watts day, and WJBL, Decatur, Ill., for change of frequency from 1,200 to 1,310 kilocycles and increase of day power from 100 to 250 watts; KLS, Oakland, Cal., for increase of power from 250 to 500 watts; WOMI, Owensboro, Ky., for change of frequency from 1,500 to 1,200 kilocycles, and KSAL, Salina, Kan., for change of frequency from 1,500 to 1,120 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day.

The commission announced that it had tentatively fixed July 13 as the date for an examiner's hearing on the application of KID, Idaho Falls, Ida., for change of frequency from 1,320 to 630 kilocycles and increase of day power from 1,000 to 5,000 watts, and July 15 for a hearing on the application of WGDM, St. Albans, Vt., for increase of time from day to unlimited.

Form Television Firm

ALBANY, May 26.—A corporation to instruct in the art of television, radio, broadcasting, etc., has filed incorporation papers here. It is to be known as the Television Training Corp. and there will be 1,900 shares, of which 900 are preferred and 1,000 common.

Subscribers and directors are Chester H. Braselton, 277 Park Avenue, New York, Benjamin F. Ross, 239 West 20th Street, New York, and Robert Harding, Jr., White Plains.

Start New KYA Program

SAN FRANCISCO, May 26.—A "vox pop" program whose only contestants are school children, and whose topics are such classroom subjects as spelling, geography, music and current events, has been added to KYA's schedule nightly. The program is conducted by Dwight Newton, with the cooperation of the city school department.

Serial Starts on KGO

SAN FRANCISCO, May 26.—"Thunder Adams," new western drama series by Sam Dickson, has begun on KGO and the west coast Blue network. John Cuthbertson has been imported from KYA to play the lead. with supporting talent including Earl Lee, Henry Shumer, Jack Edwards, Lu Tobin, and Gilbert Morgan. It is a half-hour show.

▸ Radio Personals ◂

HILDEGARDE will leave for London June 1 to broadcast for BBC. . . . Continuing personal appearances, the Al Pearce Gang will be at the RKO Theatre in Chicago the week of June 3 and the St[illegible]y in Pittsburgh the week beginning June 10. . . . Billy Swanson's band is now broadcasting Mondays and Thursdays from La Conga over the NBC-Blue network. . . . Lina Lee, the Ripley vocalist, is being screen tested by Warners. . . . Shep Fields will be heard over Mutual in a thrice weekly dance period beginning next month, following his opening in a Chicago night spot. . . . Kay Kyser will achieve the distinction of broadcasting over three networks when he begins his engagement next week at the Hotel Pennsylvania.

✚

NBC artists service engagements are: Donald Dickson, on the WOR Bromo Seltzer show to June 26, and Patricia Ryan to the Hotel Adolphus, Dallas, the booking through Bill Bardo of the bureau . . . Felix Knight, who deserted aviation for a singing career in radio, will fly to Indianapolis immediately after Sunday's RCA "Magic Key" broadcast to attend the speed races there on Monday.

✚

Chicago

W. J. McEdwards of NBC is back from a vacation in Mexico. . . . John Thompson is doing the WMAQ newscast editing for Fort Pearson. . . . Niles Trammell, NBC vice-president, is back from a trip to Texas with Lenox R. Lohr. . . . Barbara Luddy, local radio actress is in Hollywood for a couple of weeks. . . . Armand Roth, Chicago violinist, is now on the staff of WGN. . . . Walter Flandorf, organist, is another addition to the WGN musical staff also. . . . Latest Chicago paper to drop a radio column is the *Chicago-American*.

To Make Awards Sunday

The Women's Press Club of New York will announce its awards to six types of broadcasts in a program over CBS Sunday from 3:30 to 4 P.M., during a meeting of the group at the Hotel Pennsylvania. The awards will be made for the following types of programs: best program of editorial analysis; best program of unbiased discussion of economic, political and social problems; cultural music; cultural program for children; cultural dramatic performance, and the best program designed for rural listeners.

Plan New Transmitter

RICHMOND, May 26. — Larus & Brother Co. plan a 50,000-watt transmitter for WRVA, which is expected to cost about $300,000. The Federal Communications Commission already has approved the application for the new transmitter.

R. Jordan Joins WKRC

CINCINNATI, May 26.—Ralph Jordan, formerly with WCPO, local *Cincinnati Post* station, has joined the engineering staff of WKRC, Columbia affiliate here.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

L. 43. NO. 124 NEW YORK, SATURDAY, MAY 28, 1938 TEN CENTS

U.A. to Have "About 30" on New Schedule

Schaefer Says Details To Be Set Tuesday

United Artists' production schedule for the new season has not been completed yet, but current commitments of associated producers indicate a minimum release schedule of "about 30" pictures, George J. Schaefer, vice-president in charge of domestic distribution, said yesterday on his arrival from the coast.

The company's annual sales meetings will be announced Tuesday by Mr. Schaefer. As indicated previously, they will be held in about three weeks, probably in New York, Chicago and the south or far west.

United Artists' release schedule for 1938-'39, according to the tentative plans which individual producers have

(Continued on page 4)

UA Canada-British Charge Decreased; Profits Plan Drawn

Hollywood, May 27.—Stockholders of United Artists at a meeting today reduced the Canadian and British distribution charge to producers from 30 to 25 per cent and approved in principle a plan to apportion profits to producers on a scale proportionate to the earnings of their individual productions. While details of the latter plan are to be worked out subsequently, it is believed that this step

(Continued on page 4)

U. S. Radio Called "Slick and Speedy"

Montreal, May 27.—A pat on the back for the "slick and speedy" standard of radio broadcasting in the United States was delivered today by Sir Adrian Boult, musical director of B.B.C., as he sailed aboard the *Duchess of Atholl.*

Americans, he said, have got just what they need. They have entertainment of the "popular" class for

(Continued on page 4)

More Radio—P. 4

U.S. Product Losing Ground In Latin Area

Solino, Hispano Chief, Says Field Is Open

American companies are losing a large share of the Latin American market because of the development in the last two years of Spanish language films, "but the field is wide open and would be highly profitable for the American producers if they made films in the native language and steeped in the native atmosphere," it was said yesterday by Norberto Solino, executive of Hispano Films of Berlin.

Indicative of the inroads, he said, is that of the approximate 350 theatres in Cuba, more than 200 play Spanish product. Several years ago he was compelled to buy a theatre in Havana in order to get an outlet for his native language distributing company, so averse were Cuban exhibitors to playing Spanish films, he declared.

But more recently, he continued, theatres exhibiting native product have increased their patronage, and the

(Continued on page 4)

Goldwyn Names Espy Firm Vice-President

Hollywood, May 27.—Samuel Goldwyn today named Reeves Espy as vice-president of Samuel Goldwyn Productions. He succeeds David Rose, whose resignation becomes effective tomorrow.

Mr. Espy joined the Goldwyn production staff three years ago following long experience in the theatre field, experience which included service as chief assistant to the Skouras brothers in Fox West Coast.

Name 66 Exhibitors As Judges for Ampa

A panel of 66 exhibitors has been invited to serve on the jury for Ampa's annual advertising awards, for which 39 campaigns on 1937 releases have been entered.

Additional acceptances on the awards jury have been received from the following: John Nolan, Comerford-Publix, Scranton; Sid Dannenberg, Warners, Cleveland; E. P. Dinerman, RKO, Cincinnati; Meyer Schine, Gloversville; Vincent McFaul, Buffalo Theatres; Sidney Samuelson, Newton, N. J.; Jules Rubens, Publix-Great States Theatres, Chicago; Earl Hudson, United Detroit Theatres; E. C. Beatty, Butterfield Cir-

(Continued on page 3)

Two "Sheiks" Set

Rudolph Valentino fans will have a carnival on Broadway this coming week. Paramount's "The Sheik," vintage 1921, will start at the Gaiety, operated by the Brandt circuit, while "The Son of the Sheik" will open at the George M. Cohan, Max A. Cohen's house.

The Gaiety's film is silent, but there will be old-time piano accompaniment. "The Son of the Sheik," released by U. A. in 1926, is also voiceless, but has been streamlined with a musical score. Both are in for indefinite runs at increased admission prices.

Ullman to Manage Joinville Studio

Andre Ullman, general manager of Paramount theatres in France and Belgium, has been placed in charge of the company's French studio at Joinville, succeeding Ike Blumenthal, who died recently on shipboard en route to the United States.

John W. Hicks, Jr., vice-president in charge of foreign activities, said yesterday that Mr. Ullman will continue in his theatre capacity in addition to handling physical operations of the studio, which has been leased to Pathe Natan, and the laboratory. While Paramount does no producing

(Continue on page 2)

L. A. Court Approves Canada Deal of G.N.

Los Angeles, May 27.—Federal Judge William P. James today approved the order under which Grand National Films, Inc., would purchase for $10,000 Alex Adilman's 65 shares in Grand National Films, Ltd., of Canada.

Harry J. Allen will continue to hold his 10 shares in the Canadian distribution firm and will be permitted under the order to increase his holdings but the Grand National organization in the United States will hold the bulk of the stock.

Freeman Leaves for North Dakota Trial

Y. Frank Freeman, vice-president and theatre head of Paramount, left yesterday for Fargo with the company's legal staff which will direct Paramount's efforts to have the North Dakota affiliated theatre "divorce" law

(Continued on page 3)

Cowdin Goes West; Studio Shift Impends

Wm. Pierce, Blaustein, Fender Resign

Hollywood, May 27.—J. Cheever Cowdin, chairman of the board of Universal, is en route here by plane for conferences with Nate J. Blumberg, Universal president, on the company's new studio setup. Mr. Cowdin is expected tomorrow and is expected to return east in about a week.

The studio today announced the resignation of William A. Pierce, assistant to Charles R. Rogers when Mr. Rogers was head of production; Julian Blaustein, manager of the story department, and William Fender, studio superintendent.

Pierce has sold several originals to the company. He was to have produced one picture for the coming season.

There is a possibility that initial discussions looking to the selection of an executive producer will be held during Mr. Cowdin's studio visit, although it is not likely that a final decision will be made for some time to come and that Mr. Blumberg will act in that capacity for the time being. Indications are, however, that decisions will be made on the transfer, reassignment or retirement of several studio executives holding high posts. Those regarded as most directly affected by the appointment last week of Clifford Work as vice-president

(Continued on page 3)

Ohio Talking New Local Ticket Tax

Columbus, May 27.—With hope of participating in the Federal lending-spending program to the extent of obtaining $20,000,000 sought by the Ohio Legislature for direct relief fading, a proposal to finance relief by allowing municipalities to levy excise taxes has come to the fore again.

The Independent Theatre Owners of Ohio and theatre managers from all sections of the state immediately intensified their campaign to prevent this move which probably would mean

(Continued on page 3)

No Paper Monday

***Motion Picture Daily* will not be published Monday, Decoration Day.**

Six in Technicolor Planned by 20th-Fox

Twentieth Century-Fox yesterday consummated a contract with Technicolor for the production of six color specials during the next three years. The contract provides that Darryl F. Zanuck shall have full facilities of the Technicolor organization, and it was said that he plans to make two specials in color every season. The first two, both in high budget brackets, will be "Kentucky," featuring the Derby, and "Jesse James," slated for 1938-'39 release.

20th-Fox Signs Barrymore

HOLLYWOOD, May 27.—John Barrymore has been signed by 20th Century-Fox for a featured role in "Hold That Co-Ed," football musical soon to go into production under the direction of George Marshall.

Zanucks Arrive Monday

Darryl Zanuck is due Monday from the coast and will sail Wednesday on the *Normandie* for a seven-week vacation in Europe, accompanied by Mrs. Zanuck, their three children, two nurses and a French tutor. William B. Dover, 20th Century-Fox studio personnel manager, and Mrs. Dover are members of the party. After a week here the Dovers will sail for Bermuda.

RCA Declares Dividends

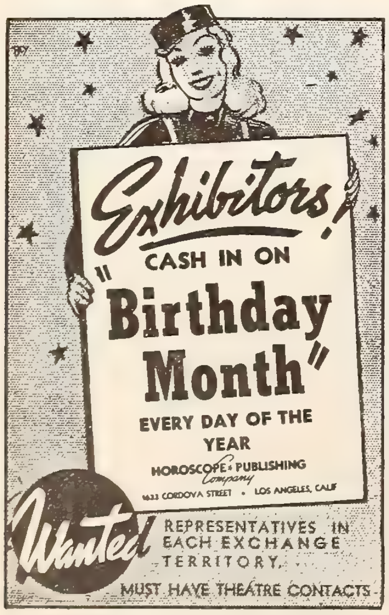
RCA has declared a dividend of 87½ cents per share on the first preferred stock, payable July 1 to holders of record June 8, also a dividend of $1.25 per share on the "B" preferred, payable on the same day to holders of record June 15.

Goldburg in London

LONDON, May 27.—Jesse Goldburg, assistant to Ben N. Judell, president of Progressive Pictures, has arrived here from New York seeking distribution arrangements on the Progressive lineup for next season.

Walker in Catholic Post

Frank C. Walker, vice-president and general counsel of the Comerford circuit, has been named a member of the board of the Catholic Youth Organization.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MUST HAVE THEATRE CONTACTS

Purely Personal

WALTER J. HUTCHINSON, director of foreign distribution for 20th Century-Fox, will arrive on Monday on the *Normandie*. Other arrivals will be LILLIAN FISCHER, who is the wife of FRANK FARLEY, Paramount studio representative in Paris; HENRY SHEREK, manager of Dorchester House, London, and BILLY WILKERSON.

•

Ed Lowell, assistant manager of NBC's service department, will marry Martha Howard of the network's sales department July 10 . . . Fred Weber, Mutual's general manager, is due back in New York today from a swing around the midwest Mutual circuit.

•

BEN STEERMAN, with Warners' theatre department in Pittsburgh, and MRS. STEERMAN, will arrive Monday on the *Santa Rosa* from a 16-day Caribbean cruise.

•

CY WOOD, JR., has promised to show his dad a few pointers in golf, when they tee off June 11 in the Vitaphone studio golf tournament.

•

ROY HAINES, Warner's eastern and Canadian salesmanager, motored to Ohio over the weekend with his family to visit his sister.

•

MORRIS G. LEONARD of B. & K. Theatres left for Chicago yesterday after conferences at the Paramount home office.

•

EDDIE FORMAN, Warner writer, cannot decide between London and Hollywood this summer.

•

RAY BELL, Loew publicity man in Washington, was a New York visitor yesterday.

CHARLES R. ROGERS left New York on the Century yesterday and will celebrate his 25th wedding anniversary on the coast next week. After winding up his affairs at the Universal studio he will return to New York in about a month to sail from here on a European vacation.

•

GEORGE STOVALL, manager of the Ute and Rio Sayre, Okla., has been elected president of the Sayre Board of Education at that organization's annual meeting. He had served as a member of the board for a number of years.

•

CLARA GIMBEL of the RKO foreign department received a cable from Dublin yesterday saying her horse had been picked in the Irish sweepstakes. The horse is a five-to-one favorite.

•

HENRI ELMAN, Monogram franchise holder in Chicago, is extending his stay over the holiday in order that he may attend the Armstrong-Ross fight on Tuesday.

•

EMANUEL SILVERSTONE will arrive from the coast by plane today. MURRAY SILVERSTONE's plans for returning to New York are still indefinite.

•

DICK WARNER, formerly of Tad Screen Advertising Service, Dallas, has joined the Jefferson Amusement Co. in Beaumont, Tex., doing publicity.

•

BOB and MRS. BURNS have arrived from the coast for a vacation. They are at the Waldorf-Astoria.

•

L. S. SNIDER of the Snider-Dean circuit in Australia is visiting in London.

B. & K. Has Only One Stage Show Running

CHICAGO, May 27.—The closing of the Oriental leaves the Chicago theatre the only B. & K. house with stage attractions. In fact stage shows are really off the list at the Chicago with name bands booked for the coming months.

Rudy Vallee, Tommy Dorsey, Veloz and Yolanda, Eddie Duchin and others have been booked. At the RKO-Palace Al Pearce and his gang are the next stage attraction while the State-Lake will have the Mills Brothers next week to be followed by Sally Rand and Toby Wing.

Both the Palace and State-Lake executives expect some increase in business as a result of the closing of the Oriental.

Warner Staff Honors Crooker at Luncheon

Forty-five members of Warners' advertising and publicity department turned out for a luncheon at the Piccadilly yesterday in honor of Herb Crooker, who has resigned as New York publicity manager.

Karl Macdonald, Mort Blumenstock and Robert S. Taplinger were among executives attending, and Pat O'Brien, in from the coast, paid his respects. Mr. Crooker was presented a motion picture camera by those present.

Regular Ticket of Equity Is Elected

The regular ticket of Actors Equity Association headed by Arthur Byron, president, was elected yesterday at the annual membership meeting held at the Astor. Bert Lytell was elected vice-president.

Councilors elected for five-year terms are Lee Baker, Alfred Kappeler, Hugh Cameron, Hugh Rennie, Joe Vitale, Eric Dressler, Katherine Warren, Earl Larimore, Winifred Lenihan and Broderick Crawford. Councilors elected for two-year terms are Ruth Hammond, John Lorenz.

Warner Outing June 22

The Warner Club will hold its annual outing on June 22. Members of the organization will sail up the Hudson River on the *Peter Stuyvesant* to Bear Mountain where a program of sports and other activities will be the order of the day. Ralph W. Budd, personnel director, will be in charge.

RKO Boat Rides Set

RKO home office employes will sail on their annual boat ride to Bear Mountain on June 6 and 13. Entertainment is in charge of Lottie Bernstein, Libby Marcus and Joe Jareck. There will be an amateur contest and music will be supplied by Jackie Harris and his orchestra.

Ullman to Manage Joinville Studio

(*Continued from page* 1)

at Joinville, it does considerable dubbing.

Frank Farley, who acted with Mr. Blumenthal as representative of the Hollywood studio, has been named managing director of the Continental talent and story department, repo[illegible] to Russell Holman in New York.

"Sign of Cross" Is Booked at Criterion

The re-issue vogue will be extended on Broadway next week when Paramount's "The Sign of the Cross," released in 1932, will go into the Criterion, beginning June 3, for a week or more. It is being re-released generally.

Charles Moss, manager of the Criterion, says that the strong cast, headed by Fredric March, Claudette Colbert and Charles Laughton, as well as exploitable angles of the Cecil B. DeMille picture, influenced the booking. The title is being played down in the campaign. Coupled with the feature will be the second episode of the "Fighting Devil Dogs" serial.

This attraction will follow "Gangs of New York," the current film. The Criterion did $8,000 with "Hunted Men" in the week ended Thursday night.

"Gold Diggers" Booked

Warners' "Gold Diggers in Paris" will open at the Strand on Wednesday. "Crime School," currently at the house, will be held an extra day following the three-week run in order to return the Strand to its regular Wednesday opening.

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DAILY

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Cowdin Goes West; Studio Shift Impends

(Continued from page 1)

nd general manager of the studio are es P. Normanly, vice-president general business manager; Val Paul, executive studio manager, and erry Sackheim.

Mr. Work and Matthew J. Fox, ssistant to Mr. Blumberg, will par- icipate in the conferences.

Fred'k Kopp in "U" Art Post

Hollywood, May 27.—Frederick Kopp, associate director of Allied Advertising Artists, today was named by John Joseph to fill the newly-created post of advertising art director at Universal. Mr. Kopp had charge of campaigns for Fox West Coast in San Francisco and at the Carthay Circle here.

"U" Signs Cooper for Three

Hollywood, May 27.—Universal today signed Jackie Cooper for a series of three pictures, the first to be "That Certain Age," current Deanna Durbin starring vehicle. The second film will have a Boy Scout background. The third is still unset.

Quebec Censor Head Replaced in Shakeup

Quebec, May 27.—Eugent Beaulac, chairman of the Board of Moving Picture Censors, now renamed the Cinema Board, with a membership of five instead of three, stepped out of that position following an order in council approved by E. L. Patenaude, Lieutenant Governor of the province. He is succeeded by Arthur Laramee, Montreal lawyer.

There is to be a complete reorganization of the work following the legislation of the last session which will come into effect by proclamation of the Lieutenant Governor. In the meantime, Eugene Chartier, journalist, has been named to the board, although this is not a permanent appointment. Chartier probably will get some other position in the coming reshuffle.

Wall Street

Loew in Slight Board Gain

	Open	High	Low	Close	Net Change
Col.	10⅞	11	10⅞	11	.....
Cons.	1⅛	1⅛	1⅛	1⅛	.....
Cons. pfd.	5¼	5¼	5¼	5¼	.....
E. K.	142¼	145⅛	142¼	145⅛	+ ⅞
G. T. E. ..	10½	10½	10½	10½	+ ¼
Loew	36⅝	37¾	36½	37½	+1
Para.	6½	6⅞	6½	6⅞	+ ⅜
Para. 2 ...	8	8	7⅞	8	+ ⅛
Pathe	4	4¼	4	4⅛	+ ⅛
RKO	2	2	2	2	.....
20th Fox ..	18¾	19¼	18¾	19¼	.....
20th pfd. ..	29½	29½	29½	29½	— ½
W. B.	4⅛	4¼	4⅛	4¼	+ ⅛

Technicolor Up ½ on Curb

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	.....
Sonotone ..	1½	1½	1½	1½	.....
Tech.	21¼	22	21¼	21⅞	+ ½

Little Trading in Bonds

	High	Low	Close	Net Change
Loew 3½s '46......	99¾	99½	99½	— ¼
Para. Pict. 6s '55	90¾	90¾	90¾	— ½

(Quotations at close of May 27)

New York Preview

"Kidnapped"

(20th Century-Fox)

By virtue of the original material from which it is taken, the classic Robert Louis Stevenson adventure story of Scotland in the 18th Century, this film becomes at once a highly salable item of screen fare.

Every schoolboy knows Stevenson's "Kidnapped" and "David Balfour," and when the meat of both is combined with the high order of production value expected of a Darryl Zanuck production, a romantic adventure story of box-office strength is the anticipated result. Such is the case here. Wide popular appeal is the keynote of the selling quality of the picture.

Done in sepia tint, which occasionally has the effect of too great darkness, but which for the most part imparts a soft, effective quality to the Scotch country backgrounds, the picture is simple and direct in the telling of the story. Kenneth Macgowan, producer; Alfred Werker, director, and the four who contributed to the screenplay, Sonya Levien, Eleanor Harris, Ernest Pascal and Edwin Blum, have seen to it that there is an equal division of attention given to the Scotch rebel idol and his romance, and the adventures of the young boy, David Balfour. The two phases are romantically interwoven in a story which is familiar to everyone.

The cast has strong names, headed by Freddie Bartholomew and Warner Baxter, aided by C. Aubrey Smith, Nigel Bruce, Reginald Owen, Miles Mander and Arthur Hohl, each of whom offers a strong and telling performance. The young newcomer, Arleen Whelan, possesses a beauty of strikingly appealing quality, which presages a box-office future for her. Her performance appears to lack a certain finish, but additional experience certainly can overcome that present failing.

The picture is good entertainment value, of the popular order.

Running time, 90 minutes. "G."

Name 66 Exhibitors As Judges for Ampa

(Continued from page 1)

cuit, Detroit; E. C. Rhoden, Fox Midwest, Kansas City; M. A. Lightman, Memphis; Sonny Shepard, Wometco, Miami; W. R. Lynch, Paramount, Miami; Frank Rogers, United Theatre, Miami; William K. Jenkins, Atlanta; Carl Bamford, Publix, Asheville, N. C. and Walter Coulter, Richmond, Va.

It is planned to invite newspaper critics, representatives of film groups and others outside the industry to the awards luncheon which will be held late in June.

Art Bureau Is Now Urged by Sirovich

Washington, May 27.—Creation of a Bureau of Fine Arts in the Interior Department was urged upon the House today in a printed report submitted by Chairman Sirovich of the Patents Committee. The bureau is proposed in a bill introduced by Mr. Sirovich as a substitute for his original proposal for a Department of Art, Science and Literature.

The suggested bureau would have five divisions, one of which would be devoted to the theatre and its allied arts, and would take over the arts projects and employes of the WPA.

Drops Game for Vaude

Bridgeport, May 27.—Loew's will substitute weekly vaudeville at the Globe for the cash prize novelty, "Uproar Hour." The Lyric has been closed for the summer, and will be used for holdovers only. The Palace, Hartford, is still in operation, although it is usually closed for the summer.

Freeman Leaves for North Dakota Trial

(Continued from page 1)

declared unconstitutional by the Federal courts.

Trial of the "test" case will start Wednesday in Fargo before a three-judge statutory court. It is expected to be concluded in a week or 10 days. The Paramount group which left here yesterday included, in addition to Mr. Freeman, Austin C. Keough, vice-president and secretary; Louis Phillips and Sam Boverman of the company's legal staff, and Thomas D. Thacher and A. C. Bickford of Simpson, Thacher & Bartlett, company counsel.

Mr. Freeman will be called as a witness in the trial, as will L. J. Ludwig and J. J. Friedl, heads of Minnesota Amusement Co., a Paramount subsidiary and the only company operating affiliated theatres in North Dakota.

Oklahoma to Get Three

Oklahoma City, May 27.—Three new theatres are scheduled to open this week in Oklahoma. C. S. Humphreys will open a new house in Britton to be known as the Ritz to replace the old Ritz there; I. W. Tucker will open a new 300-seat house in Wynnewood and E. R. Slocum opened his new El Caro, seating 400 persons, May 20, in El Reno.

Plan Washington Party

Seattle, May 27.—Eastern Washington exhibitors will be hosts to the Motion Picture Theatre Owners of Washington at a business session to be held in Spokane at the Davenport Hotel, June 6. James M. Hone, executive secretary, is arranging a caravan of local theatre and film men to make the trip.

Ohio Talking New Local Ticket Tax

(Continued from page 1)

the theatre admissions tax would be at least tripled.

Proponents of the plan to pay the relief burden by levying excise taxes admit that utilities and theatres probably would be hardest hit, although the plan would permit municipalities to levy other taxes on gross business. If this were done, all taxes would be over and above the three per cent admissions tax now collected by the state.

Those favoring the plan insist theatres can pay additional taxes, since the theatre business increased approximately $1,000,000 during the first four months of 1938.

A statement issued by State Treasurer Clarence Knisley showed that $490,118 in admissions taxes was collected during the first four months of this year, while $461,416.03 was collected during the same period in 1937. This means admission taxes have increased $28,701.07 for that period.

Chemical Bank Asks For RKO Allowances

The Chemical Bank & Trust Co., as trustee under a collateral note indenture of RKO as of July 1, 1931, yesterday petitioned the Federal Court for allowances for services from Jan. 23, 1933, to April 30, 1938.

At the same time their attorneys, Wright, Gordon, Zachry and Parlin also petitioned the court for allowances. Chemical Bank & Trust Co. ask for $29,375 and its attorneys ask for $20,000 plus disbursements of $3,009, totaling in all $52,384. The attorneys have received $10,000 for previous services.

Warners to Take Testimony

Federal Judge Robert P. Patterson yesterday granted a motion of Warner Bros. Pictures, Inc., to examine before trial Jerry Wald, Sig Herzig, Gus Shy and Elsie Janis in Los Angeles by a commission before Walter Pratt, notary public.

Action was brought by Select Theatres Corp. against Warner Bros. charging plagiarism of the plaintiff's alleged literary work, "The Audition," in "Ready, Willing and Able" and asking for an injunction, accounting of profits and $10,000 damages.

Warners claims that Wald, Herzig and Shy are the authors of the script for "Ready, Willing and Able."

Wins Point in Breen Suit

L. Abelson & Son, boys' clothing manufacturer, won a victory in the Appellate Division in a suit against Bobby Breen Productions, Inc., when the high court yesterday affirmed a decision of the Supreme Court denying a motion of Bobby Breen Productions to vacate an $11,798 writ of attachment against it levied by the plaintiff in February of this year.

L. Abelson & Son brought suit for $11,798, claiming that the defendant breached a contract made in Sept., 1936, allegedly giving the plaintiff the exclusive right for the period of 15 months for the use of the name and physical likeness of Bobby Breen in manufacturing and selling boys' clothing.

▶ Radio Personals ◀

SAMMY KAYE will make his first theatre appearance in New York at the Paramount starting Wednesday. . . . Wendell P. Colton, advertising executive, and Mrs. Colton will sail for Italy today aboard the *Conte Di Savoia*. . . . Veloz and Yolanda, the dancers, will be on the Cal Tinney show as guests, June 6. . . . Happy Lewis of WHN has been booked to appear at Brighton Beach this summer with Harold Stern's band. . . . Ginger Selby, formerly featured vocalist with Johnny Johnson's orchestra, has been signed for the summer season at Napanoch Country Club and will probably be heard over WOR.

McNinch Present at Pan American Talks

WASHINGTON, May 27.—The first meeting of the interdepartmental committee on cooperation with the Pan American republics was held at the State Department today, to plan a course of studies designed to improve American relations.

Officials of a number of interested departments and agencies attended the conferences, including Frank R. McNinch, chairman of the Federal Communications Commission, who represents that body on the committee.

Taylor to Chicago

John Taylor, script supervisor and program manager of the Compton Agency, will leave for Chicago tomorrow for a week of conferences with Irna Phillips, Jane Crusinberry and Paul Rhymer, radio script writers, who write three of the agency's Chicago shows. Following his return to New York, Taylor will leave for a vacation.

WHN Will Air Bands

WHN will start a campaign to pick up leading orchestras from remote points tonight starting with the orchestras of Will Osborn from Palisades Park and Ran Wilde of the Hotel New Yorker. Other remote dance pickups will be added weekly.

Start Concerts Tomorrow

NBC Sunday Concerts with Glenn Darwin, Charlotte Lansing and the NBC Concert Orchestra will be resumed at a new time on Sundays from 1:30 to 2 P.M., over the Blue network, starting immediately.

Shift Mutual Program

Changing time and network, Al Roth's "Concert in Rhythm" will be heard, beginning this week, on Saturdays from 10 to 10:30 P.M. over the NBC-Blue. The program formerly was heard at 8:30 P.M. on the Red.

Form MCA Artists, Ltd.

DOVER, Del., May 27.—MCA Artists, Ltd., has been formed to act as agents for actors, musicians and artists. Incorporators are L. E. Gray, L. H. Herman and Walter Lenz of Wilmington.

U. S. Radio Called "Slick and Speedy"

(*Continued from page 1*)

the average listener and more "high tone" material for the classic-lovers. In the latter class Sir Adrian said U. S. symphony orchestras were on a par with any in the world.

For Canadians he urged "trust in Gladstone Murray (C.B.C. head) and your broadcasting system will be one of the best." The corporation, he said, was already a fine organization and was improving yearly. In reference to the public furor over increased reception license fees, Boult remarked: "You can't make bricks without straw. In England we started with the 10-shilling license Canadians now pay after two increases. Like Canada, we had to have money to compete with the United States in the purchasing of our own home talent."

Sir Adrian was returning to London after a visit to South America on the invitation of NBC.

Martin Program to Replace Fred Allen

The summer replacement series for the Fred Allen show for Bristol-Myers, selected by Young & Rubicam, will be Jane Martin's "Let's Play Games," which last season was heard over Mutual for Vapex.

The new show will take the air July 6, and will be known as "Big Game Hunt."

Sue on Radio Patents

Amy Aceves & King, Inc., filed suit yesterday in the Federal Court against Birnback Radio Co., Inc., charging infringement of its patents on improvements in "Radio Receiving System" and "Duplex Radio Aerial System." The plaintiff claims these inventions are of great value and that General Electric Co., Philco Radio & Television Corp. and L. S. Brach Manufacturing Co. have been licensed to produce them on a royalty basis. An injunction and accounting of profits are asked for by the plaintiff.

Richard McDonough Dies

Richard Tobin McDonough, known on the air as Dick McDonough, died yesterday at the Leroy Sanatorium following an operation. He was 34 years old. He is survived by his wife and daughter. His programs were heard over NBC and CBS networks.

Young Joins WCPO

CINCINNATI, May 27. — Joseph Young, U. P. continuity writer at Atlanta, has joined WCPO, *Cincinnati Post* station, where he will handle continuity.

To Air "Blockade"

"Hollywood Hotel" will present a preview of Walter Wanger's "Blockade," with Henry Fonda, Leo Carrillo and Joan Bennett in the cast, on June 3 over CBS.

To Televise "The River"

The British Broadcasting Corp. will televise "The River," documentary picture written and directed by Pare Lorentz. Four telecasts are scheduled.

U.S. Product Losing Ground In Latin Area

(*Continued from page 1*)

Spanish language producers are getting high rentals. Theatre business in Latin America was on the downgrade because of the language barrier presented by Hollywood films, for which 60 per cent of population has no liking, Solino claims.

"A large proportion of filmgoers south of the Rio Grande are still devotees of Hollywood films, but the masses prefer entertainment based on their own literature, in their own language and depicting their own ways of life, because it is closer to their heart and something they can understand," said Mr. Solino.

He sailed last night on the *Bremen* after a few days in New York. He came here from Havana where he is president of Cifesa, a distributing organization for Latin America. This company represents Hispano films of Berlin, which Mr. Solino owns jointly with Vicente Casanova.

Formed in Madrid

Hispano is the only company making Spanish language pictures outside Latin America. It was organized three years ago in Madrid. With the outbreak of the Civil War and the closing of all studios in Spain, acting talent, directors and technicians were moved to Berlin, where the company produces at the Ufa and Jofa studios and others. The employes visit their native country occasionally, and while they are divided in their sympathies between the Loyalists and the Rebels, they get along amicably, Mr. Solino said.

He is contemplating moving his personnel to New York or Hollywood to be closer to the South American market, and will investigate studio possibilities on his next trip here, in about three months. He maintains contact with his Cuban headquarters by making three or four trips a year.

Theatres in both Insurgent and Government territory are doing good business, Mr. Solino reported, because of the desire of the population to forget the war. Comedies and musicals are much in demand, but dramas and "heavy stuff" are taboo.

Hispano Films is regarded as one of the leading production organizations in its field. Among its recent films are "Carmen," also made in a German version with the title "Andalusian Nights," "El Barbera del Sevilla," "Noblessa Baturra" and "Morena Clara." They are shown in New York.

To Start Laboratories

RKO Pathe Laboratories are to be established in Chicago, Los Angeles and San Francisco to speed up development of negatives and make New York shipments unnecessary. Frederick Ullman, Jr., is now on his way west to handle the negotiations.

Adventurers Cite Menken

Art Menken, cameraman prominent in the photographing of the strife in China, has been chosen by the Adventurer's Club as the outstanding adventurer of the year.

U.A. to Have "About 30" on New Schedule

(*Continued from page 1*)

disclosed, will include four or five from Samuel Goldwyn, four from David O. Selznick, four from Mr. Korda, six from Walter Wanger, eight from Edward Small and four from Hal Roach, a total of 30 or 31. There is a possibility that all six producers may make one or two pictures less than the number tentatively planned by them, which would leave the company's schedule open for the acquisition of a small number of pictures from independent producers who may be attracted to United Artists' ranks within the next few months as a result of the company's new arrangements for reduced charges for world distribution and profit-sharing for individual producers on the basis of their pictures' earnings.

Expect Four from Korda

LONDON, May 27.—London Films and Alexander Korda will produce a total of 18 pictures at Denham during the 1938-'39 season, the company stated today. About four of 12 pictures to be produced by Mr. Korda will be for the American market. The remaining eight, together with six from associate producers, are for the "Empire pictures" list.

Irving Asher has been signed as an associate producer and will collaborate with Mr. Korda on production policy, the company also stated. In addition, negotiations are under way with three other British producers and the conclusion of these deals is expected simultaneously within a month.

UA Canada-British Charge Decreased; Profits Plan Drawn

(*Continued from page 1*)

will definitely assure continuation of the Selznick-U.A. releasing relationship.

Emanuel Silverstone, who acted as proxy for Alexander Korda at today's meeting, left tonight for New York. Samuel Goldwyn attended in person, C. E. Erickson acted for Douglas Fairbanks, N. A. McKay for Mary Pickford and Dr. A. H. Giannini for Charles Chaplin. No date was set for the next meeting, which probably will be held in New York.

Defer Carolina Meeting

The summer convention of the T. O. of North and South Carolina will be held at Myrtle Beach, N. C., June 26, 27 and 28. The meeting dates were set back a week because of conflicting engagements of several convention speakers.

Evans Joins Night Club

CHICAGO, May 27.—Fred Evans, formerly producer of stage shows at the Chicago, has accepted a similar position at the Chez Paree, night club.

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New Theatre Building Up During April

Four-Month Total 267; Value $7,691,000

Theatre construction showed an upswing in April following a decline in the number of projects in the preceding two months, and the total for the first four months of this year was boosted to 267 projects of new construction or substantial remodeling at a cost of $7,691,000 in the 37 eastern states.

By coincidence, the same number of projects was reported for the initial four-month period of 1937, but the valuation was $8,056,000. However, April contracts helped close the gap between the valuations recorded for the four months of both years, 82 projects being reported for the month at a cost of $2,071,000, against the 1937 figure for the same month of 71 projects with a valuation of $1,838,000.

"There is encouragement for this year's theatre building activities in the latest summary, and it is generally

(*Continued on page 8*)

NBC Will Telecast 'Pimpernel' Tonight

The first full length feature picture to be televised in this country will be "The Return of the Scarlet Pimpernel," which is scheduled for telecasting from Radio City tonight by NBC in cooperation with United Artists.

The reel will extend for an hour and a half beginning at eight o'clock. The pictures will be on 46.5 megacycles and sound on 49.75.

Network and studio observers will be placed at official receiving outposts to be polled for their reactions following the demonstration.

Women's Press Club Makes Radio Awards

Marking the first time that the Women's Press Club of New York City has made awards to radio in the 50 years of its existence, 10 programs were singled out for honor Saturday, of which six were NBC's, three were Columbia's, and one was Mutual's.

The complete list of awards follows:

Gabriel Heatter, sponsored by Rogers Peet, for the best editorial analysis of the news of the day,

(*Continued on page 10*)

More Radio—P. 10

France Denies Added Permits On U. S. Films

Dubbed Releases Halted Until July 1

By PIERRE AUTRE

PARIS, May 30.—The French Government has refused the pleas of American distributing units here for permission to apply for additional visas on dubbed product for the first six months of the current year.

Last March 7, the quota of 94 dubbed foreign films for each half-year, including all foreign product over three reels in length, was exhausted.

The Government's refusal of permission for visa extensions was based officially on the fact that the quota of 94 for each six-month period is part of the law, and that in consequence, it cannot be changed without legislation permitting alteration.

Thus, no dubbed foreign product will be approved and passed by the French Government censor board

(*Continued on page 8*)

Bingo Is Banned by Cincinnati Official

CINCINNATI, May 30.—Bingo, which has flourished here under permits granted by city officials from month to month to various sponsoring groups, chiefly religious and charitable organizations, has been banned by City Manager C. O. Sherrill, who said that no further permits will be issued, regardless of the sponsors, "because the city has no authority in law for sanctioning such games or any form of gambling."

This removes a source of theatre competition which first and subsequent exhibitors blame, in part at least, for

(*Continued on page 8*)

BRITISH DISCUSS JOINT SALES HERE

Proposal Aims at a New Exchange Setup to Cover Country

Plans for the formation of a cooperative selling and distributing organization to represent British producers in the American market are under discussion here and in London, it was learned over the weekend.

The move is designed to solve the problem which will confront many British producers in this market when the major American companies begin regular distribution of their pictures made in England for their quota credits.

The plans under discussion contemplate the organization of a national sales and distribution agency to give American representation to all British product acceptable to this market other than the quota productions of American companies. It is believed that 50 to 60 British features may be available annually to such an organization, and with this product concentrated in a single selling and distributing unit the proportionate cost

(*Continued on page 8*)

Hopeful Cubans

It's relatively easy, on paper, to finance production in Cuba, relates Norberto Solino, Spanish film producer. The procedure, he says, goes something like this:

You approach a prospective investor, and he says: "The national lottery will be drawn next Tuesday. See me on Wednesday and I'll have $150,000 for you. We'll organganize a company and I'll be president."

If the prospect has a losing ticket, the deal, of course, is off.

Republic to Have More Percentages

Republic is increasing the number of its percentage pictures for the new season as well as boosting the rentals on the 1938-'39 program, due to the larger expenditure on production, it was learned over the weekend. The company is understood to be seeking a 25 per cent increase.

It was stressed, however, that this is a general policy only and that selling terms will differ with each individual situation. Type of run, policy and other factors will be taken into consideration.

James R. Grainger, president of Republic and its sales head, has been charged with putting the new distribution policies into effect. He discussed the situation with Max Roth and Irving Mandel, district manager and franchise holder, respectively, in the Chicago, Milwaukee and Indian-

(*Continued on page 7*)

Scully and McCarthy Return from Capital

WASHINGTON, May 30.—William A. Scully, Universal general sales manager, and F. J. A. McCarthy, assistant sales manager, left for New York last night following the close of the company's fourth and final regional sales meeting, which was held at the Shoreham here for eastern branch managers.

The prior regional sales meetings were held in San Francisco, Chicago and New Orleans. Mr. Scully stated that William Heineman, recently appointed western division sales manager, would have headquarters in New York. He is expected at the home office in the near future.

Key Takes Go into Spring Decline; Total $1,365,866

Following an Easter Week spurt which failed to come within 15 per cent of last year's total, first run grosses in 23 key cities reporting to MOTION PICTURE DAILY have fallen off to figures close to the pre-Christmas average. The number of first run theatres in operation has declined from a high of 152 for the season to 140 the week ending May 13-14 and 142 for the week ending May 20-21.

The total take for the 142 houses the week ending May 20-21 was $1,319,641. For the previous week it was $1,212,731, a mark only slightly higher than the mid-December lull and the pre-Easter slump. Easter week the total was $1,516,557, about 15 per cent under last year. The following week it was $1,365,866.

(Tabulation of Grosses on Page 7.)

G. N. Canadian Unit Will Hold Election

A new board of directors and officers of Grand National Films, Ltd., of Canada are scheduled to be elected in Toronto today. Edward Peskay, vice-president in charge of distribution, over the weekend planned to be in Toronto for the meeting as representative of the home office.

The company, in which Grand National purchased 75 per cent interest from Max Adilman of Montreal, will

(*Continued on page 8*)

Purely Personal

Emanuel Silverstone, New York representative of **Alexander Korda**, returned to New York over the weekend from two weeks of conferences at the United Artists studio. **Murray Silverstone**, chairman of the United Artists executive committee, is expected back from the coast in a day or two.

•

Mitchell Rawson, newly appointed eastern publicity manager for Warners, is due about the middle of June from studio conferences. **Bob Taplinger**, west coast publicity head, returned to the studio over the weekend.

•

Syd, Jack and **Henry Slate**, brothers who appeared in "College Swing," are in town at the Piccadilly. They will return to the Paramount studio for roles in "Mr. Stooge" in September.

•

Arthur Lee, G. B. vice-president and general manager, returned to New York last night from visits to the company's Buffalo and Toronto sales representatives.

•

L. W. ("**Mike**") **Conrow**, Altec Service president, returned to New York over the weekend from a two-week business trip to the west coast.

•

John J. O'Connor, RKO Theatres head, is due back in New York tomorrow or Thursday from a coast trip and returning stopovers.

•

Harry Goldberg, Warner Theatres publicity director, will leave today for Cleveland, returning Friday.

•

Claire Luce, actress, and **Hildegarde**, singer, will sail tomorrow on the *Normandie*.

•

Walter J. Hutchinson, 20th Century-Fox foreign manager, and **Billy Wilkerson** arrived yesterday on the *Normandie*.

•

Charles Stern, United Artists salesman, was host to a party of four on a fishing trip to Lake Sebago over the holidays. The party flew as far as Portland via American Airlines and returned the same way.

•

Sidney Towell, treasurer of 20th Century-Fox, is observing another birthday. So are **Ben Bernie, Don Ameche, Harry Ritz** and **Wally Vernon** at the studio.

•

Truman H. Talley, producer of Movietone News, is due to return from Europe on June 15.

•

Dave Carson of Warners' advertising production department will be married to **Sylvia Jacobson** June 19.

•

. . . New Haven

Meyer and **Morris Bailey** of the Whalley Theatre, and **Morris Nunes** of Progressive Premium off for a fishing trip at Rangeley Lakes.

Vic Cusanelli, Warner booker, is vacationing in Bermuda, with a wind-up weekend at Atlantic City planned.

Erle Wright is painting his 20-foot speed boat for summer diversion.

•

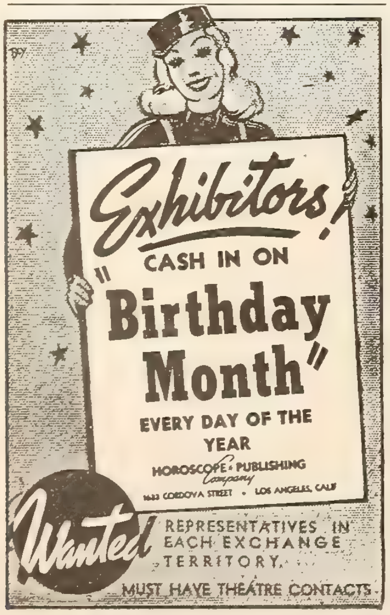
. . . Omaha

Larry Golding has joined Scott-Ballantyne Co. as sales engineer.

Ted Mendenhall, Paramount manager, suffered a painful back injury when he fell in his kitchen. **Mendenhall** is just recovering from a five-month siege with a bad shoulder.

V. B. **Trent**, M-G-M office manager, took a fishing trip for his vacation.

H. W. **Kupfer** of Chicago, American Seating Co. representative, was here to complete a deal with **Carl White** of Quality Theatre Supply Co.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Montague Closes Meet

San Francisco, May 30.—A. Montague, Columbia general sales manager, concluded the company's annual sales conferences yesterday with the last of four regional sales meetings being brought to a close at the St. Francis here. Mr. Montague left by plane for Hollywood where he will visit briefly at the studio before returning to New York. Rube Jackter, assistant general sales manager, and Hank Kaufman, manager of exchange operations, are en route back to the home office.

Dickey to Run Jubilesta

Kansas City, May 30.—Lincoln G. Dickey, general manager Great Lakes Exposition, Cleveland, the last two years, has been named manager of the 1938 Jubilesta here. Dickey was director of the Cleveland public auditorium from 1922 to 1929 and manager of the Atlantic City auditorium, 1929-'34. Dickey will be paid $5,000 and 50 per cent of profits up to $12,500, and an associate, Almon R. Shaffer, will get $150 a week. This is for the 10 weeks ending in the Jubilesta.

Kansas ITO Defers Talks

Kansas City, May 30.—Independent Theatre Owners, at a meeting here, postponed for two weeks consideration of giveaways, duals, admission prices and business conditions but E. E. Weber, Jr., president, and other officers indicated that they would press for some type of united effort before the buying season is far advanced.

"Lone Wolf" Takes $5,600

"Lone Wolf in Paris" garnered $5,600 for the week at the Globe. This is described as "fair."

My Word

By Irene Kuhn

◆ Vyvyan Donner, fashion editor of Movietone News, just in from Italy, where she was given the keys to the cities of Rome and Milan. She was squired about by such important Duce disciples as Onorevole (Honorable to you) Vittorio Buratti, vice-commissioner of Italy's exhibit at our World's Fair, and Dott. Vladimiro Rossini. Signor Rossini is Minister of Modes, cabinet officer for fashions, in a phrase. . . . Miss Donner visited three of the important Milanese couturiers. Half their gowns may be foreign in design, fabric and workmanship, but the other 50 per cent must be Italian designed, made from Italian fabrics, and manufactured in Italy. . . . She reports that Italian women are beautifully gowned and shod. Hopes to make a fashion picture here featuring Italian fashions, if Italian modes publicity will cooperate and send over the glad rags for newsreel shots.

◆ George Jessel, Loew's Stating with Beverly Roberts, did all the research work on Warners' Haym Solomon picture to go into production soon. . . . Pat O'Brien, guest starred on the "For Men Only" program the other night. Pat revealed the classic error made by Lewis Milestone which projected O'Brien into stardom. Milestone signed O'Brien for a picture thinking he was getting Lee Tracy, who had the starring role in "Front Page," in which Pat appeared but obscurely. Nobody ever regretted the error. . . . Leonard Spigelgass, John Stahl's writer on Universal's "Letter of Introduction," arrived in New York from California over the weekend and will sail tomorrow for a month's vacation in Europe.

◆ Nautical Department—That 52-foot motor cruiser owned jointly by Herman Robbins (National Screen) and George J. Schaefer (U.A.) is coming north into Schaefer's back yard, Larchmont-on-the-Sound, this week. . . . Take it away, Commodore Schaefer. . . . Herman uses the *Jack and Jill, II* in the winter in Florida, and George putt-putts around in it during the summer. . . . Harry A. Ross has brought his fishing boat up from Florida, too, and is wetting his finger to test the wind these days, for he's already begun to organize fishing parties from New Rochelle to Montauk. . . . Izaak Walton Ross is one of the best deep sea fishermen in picture business.

◆ Is Broadway turning the tables on Hollywood talent scouts? Shirley Burke, casting director at the Theatre Guild, is en route to Hollywood to cast a weather eye around the lots for fresh talent willing to try the living stage.

◆ Representatives of W.B's. commercial film department were at the N. W. Ayer advertising offices bargaining for the production of a commercial film for the Bermuda Development board, in Technicolor, with distribution through their theatres as part of the sales talk. . . . Bill Morris, the agent, threw a party in his 52nd St. manse the other eve for his two English discoveries—Vivien Lambelet and Barbara Rubien.

Legion Approves 10 Of 11 New Pictures

Of 11 new pictures reviewed and classified by the National Legion of Decency for the current week, 10 were classed as unobjectionable, five for general patronage and five for adults, while one was called objectionable in part. The new pictures and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Castillos en el Aire" (Spanish), "Gangs of New York," "Kidnapped," "The Marines Are Here," "Religious Racketeer." Class A-2, Unobjectionable for Adults—"Blond Cheat," "Gold Diggers in Paris," "Numbered Woman," "The Show Goes On," "Zamboanga." Class B, Objectionable in Part—"Three Comrades."

Lee Goldsmith Married

Baltimore, May 30.—Lee Goldsmith, relief manager for the Rome white theatres here and Jane Sullivan were married at St. Paul's rectory the other day. Their honeymoon trip will be taken later because Mr. Goldsmith had to take over the Leader management due to the illness of Walter Cohan.

Manager Wins Primary

Portland, Ore., May 30.—Receiving the largest vote, 25,706, of the 40 candidates for state representative from Multnomah County, Robert S. Farrell, Jr., manager of the New Rivoli here, was one of the 13 candidates nominated at the primary held recently.

Sonotone Dividend

Sonotone Corp. has declared a quarterly dividend of 15 cents on the preferred stock, payable July 1 to stockholders of record June 10.

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50,000 YOUNG GIRLS IN AMERICA FORBIDDEN BY LAW TO MARRY!

E DIVISION
PAROLE

50,000 paroled girls know the heartbreak of this true-to-life story! 50,000 girls living a life millions of law-abiding people never know...lives of heartache and hounding and fear...afraid to fall in love because they are forbidden to marry! America's two great dramatic stars bring you their story, the story of love on parole, smashed home by Fritz Lang who lashed America with "Fury," the daring story of lynch-law!

SYLVIA SIDNEY · GEORGE RAFT
in **"YOU AND ME"**
with Barton MacLane · Harry Carey · Roscoe Karns
Produced and Directed by **FRITZ LANG** A Paramount Picture
Screen play by Virginia Van Upp · Based on a story by Norman Krasna

Paramount Pictures

Ad. Libs

Survivor

Howard Dietz, Bill Ferguson and Howard Strickling of M-G-M have arranged an intensive promotion campaign on "Yellow Jack." The New York campaign, in conjunction with the opening of the film at the Capitol, was featured by a round of appearances of John R. Kissinger of Huntington, Ind., one of the two survivors of the "Yellow Jack" test in Cuba.

The publication by the *Saturday Evening Post* of an article, "Yellow Jack Breaks Jail," simultaneously with the national release of the film, is said not to have done the film any harm. Ditto the *Good Housekeeping* interview with the four cast leaders of "Three Comrades."

* * *

It's Daddy

Paul Lazarus, Jr., Warner home office advertising man, will answer to the name of "Daddy," at the slightest provocation. The reason weighs eight pounds, is Paul Lazarus III, and pretty soon will call Paul Lazarus, Sr., United Artists sales head, "Granddad."

* * *

"Burleycue"

"Burleycue," history of burlesque by Bernard Sobel of M-G-M's publicity staff, is to be included in a collection of volumes by Indiana authors which is to be presented by Mrs. William Henry Coleman of Indianapolis to Yale in memory of her son, William Coleman Atkins.

* * *

Personality

Bob Taplinger, Warners' publicity director on the coast, has contrived a neat and novel "personality press book" on "Gold Diggers in Paris." The personality is Ethelreda Leopold, the film's beauty winner, and the folder, captioned: "Coming to Town," includes, in slip pockets, a sheaf of stories on reception, tieup, women's page special, radio interview, etc., and another sheaf of photos of Ethelreda. It's two sheafs to the good.

* * *

Cocoanuts

Imagine how those husky express truck drivers felt when they had to deliver those cocoanuts (big ones—in the shells), and the express company has not yet begun to supply the drivers with trays. Oh, yes, Paramount has a picture called "Cocoanut Grove," and it opened at the Cocoanut Grove on the coast, and the whole thing was just publicity, we'll bet.

* * *

Snappy Trailer

That was a really smart and effective musical trailer turned out by Herb Moulton of the Paramount studio trailer department for "Tropic Holiday," featuring songs from the film.

Hollywood Previews

"Josette"

(20th Century-Fox)

Hollywood, May 30.—Carrying marquee names enough to sell two pictures half as good, "Josette" is a bit of spring tonic likely to step up the sluggish boxoffice circulation of ailing cinemas anywhere. Don Ameche, Simone Simon, Robert Young, Joan Davis, Bert Lahr, Tala Birell and William Collier, Sr., portray snappily and with the light touch the seven characters whose never overly serious problems are resolved in the brisk treatment of an amusing story by Ladislaus Vadnai which became a play by Paul Frank and George Fraser and a screenplay by James Edward Grant. The film comes under the heading of successful seasonable entertainment.

Gene Markey is associate producer and the subject matter is of the smartly sophisticated kind congenial to his and so few others' talents. Allan Dwan's sure direction brings out every laugh in it and overemphasizes none. The tale is of Brothers Ameche and Young, who attempt to rescue their father, Collier, from the gold digging Josette, played by Miss Birell. A wardrobe girl, Miss Simon, is mistaken for Josette and the brothers become rivals for her affections, Ameche winning out after appropriate complications. The place is New Orleans and the time is now.

Ameche and Young add to their lengthening sequence of distinguished performances in the field of light comedy. Miss Simon is much as usual. Lahr, Hurst and Collier handle the broader humor with Miss Davis accounting for same on the distaff side in her usual proficient manner.

Publicity and advertising in behalf of the film have been of a sort to suggest at least a tinge of the risque. It contains situations and dialogue that could have gone overboard in that direction under clumsy handling, but do not as treated. Frisky would be the better adjective to use.

Running time, 75 minutes. "G."

"Two Gun Justice"

(Monogram)

Hollywood, May 30.—Built to that pattern which has caused westerns to endure as the popular screen entertainment of millions, "Two Gun Justice," which stars Tim McCoy, stacks up as one of the day's better outdoor action adventure films. It's double dyed in the wool melodrama and high heroics from opening shot to final fadeout. Sandwiched in are all the features and episodes, all of which are hair-raising, that anyone could expect.

Outlaws, headed by John Merton, as tough a bad man as ever ordered someone else to do his dirty work, make a little cow country town a very undesirable place in which to live. But the old call to action is too much for Tim McCoy, scourge of all desperados, who has temporarily retired to the quietude of a desk job. Palming himself off to Merton as a Mexican bad man, Tim forestalls many a vicious plot, meanwhile getting himself into a complicated romantic situation with Betty Compson, a saloon keeper, and rancher's daughter Joan Barclay. The perplexed Merton, finding his gang evaporating as some fall before McCoy's blazing guns and others desert, is finally brought to bay. Though he forces Miss Barclay to act as a shield, his plan is foiled by Miss Compson, who, repenting the jealous frenzy that almost cost Tim his life, pushes the girl aside that Tim's avenging bullet may find its mark.

The show is all action and much of this quality returns to the silent day technique. Fred Myton wrote the original screenplay and Alan James directed.

Running time, 60 minutes. "G."

Quebec Children's Ban May Be Eased

Montreal, May 30.—Children of Quebec will soon be legally permitted to attend theatres in which films of definite educational value are shown, T. J. Coonan, provincial cabinet minister, assured members of the Quebec Allied Theatrical Industry at the annual banquet last night.

He asked for the cooperation of exhibitors and said that when educational films were being shown they should be considered adjuncts of schools. Legislation can be passed at the next session, he said.

Mr. Coonan predicted that representations to the present tax investigation commission might bring a cut in the entertainment tax.

Tampa Asks Clergy To Help Censoring

Tampa, May 30.—Being the official censor of films is adding a little too much work to his other official duties, is the opinion of Chief of Police Woodruff, and he has called upon the Tampa Ministerial Association to act with him as an advisory committee.

Chief Woodruff's appointment as film censor followed a protest made by ministers and others about the flood of "sex pictures" which have been shown here lately. In response to the protest the Board of Aldermen arranged a public hearing on the subject, at which several ministers and others took a rap at the films shown and the advertising which featured nude women.

Variety Club

Baltimore

Baltimore, May 30.—Variety Club, Tent No. 9, held its first regular luncheon with Chief Barker J. Louis Rome, William K. Saxton, Owen D. Weems and Joseph Young at the head table. About 70 members were present, and several guests.

The golf tournament committee includes Mr. Saxton, chairman; Spaulding Albert, Elmer Nolte, Rodney Collier, Eddie Jacobs, Pete Rome, Henry Morton and Eddie Sherwood.

A raffle is to be held June 7 with John Harris, national president, attending. Jacques Shellman has been appointed chairman of the publicity committee.

Mr. Rome announced that the charity quota for the year has been set at $3,000. Frank H. Durkee presented the Charity Chest a $400 check of which $386.64 was the remainder of the funds received from a testimonial dinner given him recently. He added the difference to make up the even $400. He was named chairman of the Charity Chest committee which includes Mr. Jacobs and J. Lawrence Schanberger. Edgar Moss, who was present added his personal $10 to this amount.

It has been decided that Monday nights will be set aside as stag nights, and that no new members will be added to the full membership of 100 up to Sept. 1 and then a further vote will be taken.

Buffalo

Buffalo, May 30.—On the basis of incomplete tabulations, Variety Club apparently will show a small profit on a one-night Federal theatre production of George Bernard Shaw's "Pygmalion."

Two hundred club members and guests held a party that was officially tagged "Republic Night." Jack Berkowitz served as chairman and host.

Canada Business Gains

Toronto, May 30.—On a tour of inspection of theatres in the Western Provinces of the Dominion, J. J. Fitzgibbons, vice-president of Famous Players Canadian Corp., has found the outlook in the Middle West much improved over last year. Weather and wheat crop conditions have changed and optimism prevails. In recent years a steady drought in a large area of the prairie provinces had been a disturbing influence.

At Edmonton Famous Players is erecting a large theatre, Fitzgibbons declared.

W. J. Long, independent exhibitor at Edmonton, is rebuilding his Rialto.

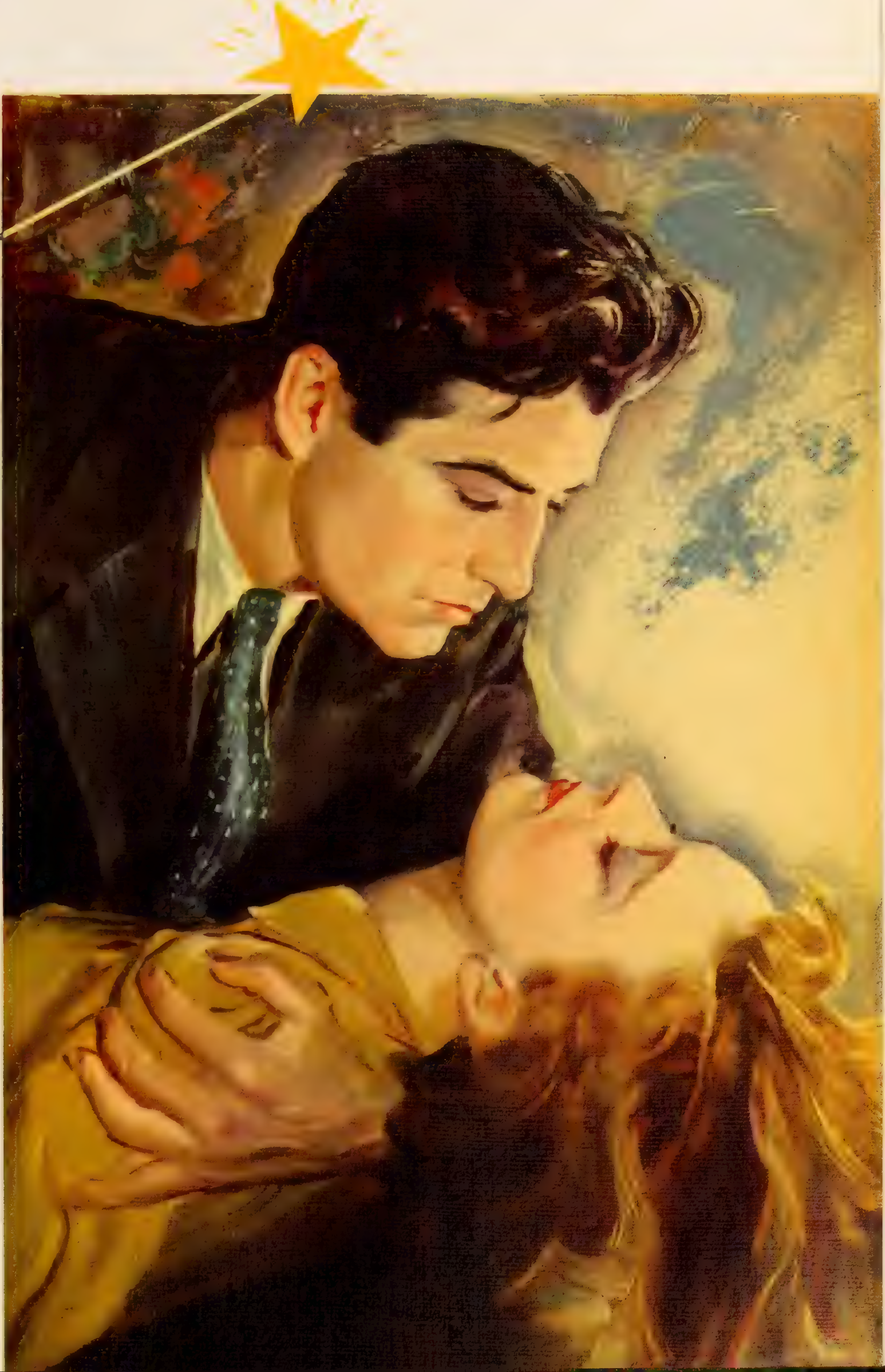
African Film Re-Titled

Hollywood, May 30.—The title of the Belgian Congo picture which Universal will release this summer has been changed from "Dark Ecstasy" to "Dark Rapture."

Kirby Building Theatre

Denver, May 30.—Tom Kirby is erecting a $60,000 theatre in Worland, Wyo., to be named the Kirby. Seating about 700, the house will be opened sometime early in July.

When you see ***Margaret Sullavan*** *in the arms of* ***Robert Taylor*** *you will say:*



LEO

The Star Maker

HAS DONE IT AGAIN !

THE TITLE OF THE INDUSTRY'S NEXT GREAT BOX-OFFICE HIT *is*

"THREE COMRADES"

- ★ **Robert TAYLOR**
- ★ **Margaret SULLAVAN**
- ★ **Franchot TONE**
- ★ **Robert YOUNG**
- ★ Guy Kibbee
- ★ Lionel Atwill
- ★ Henry Hull

Screen play by F. Scott Fitzgerald and Edward E. Paramore from Erich Remarque's beautiful love story. Produced by Joseph L. Mankiewicz. Directed by FRANK BORZAGE

LEO, *The Star-Maker*

LITHO U.S.

"Marco Polo" San Francisco 2nd Week Top

SAN FRANCISCO, May 30.—"The Adventures of Marco Polo," in a second week at the United Artists, was the outstanding bright spot of the week. The take was $9,500, over normal by $2,500.

Other takes were below average. "Adventures of Robin Hood" and "Judge Hardy's Children" took $16,000 in the second week at the Fox, and "Blind Alibi" drew $14,000 at the Golden Gate. The third week of "Kentucky Moonshine" and "A Trip to Paris" grossed $4,400 at the St. Francis.

Total first run business was $73,950. Average is $87,800.

Estimated takings:

Week Ending May 24:

"BLIND ALIBI" (RKO)

GOLDEN GATE—(2,850), 35c-40c-55c, 7 days. Stage: Vaudeville. **Gross:** $14,000. (Average, $16,000)

"CALL OF THE YUKON" (Republic)
"ARSON RACKET SQUAD" (Republic)

EMBASSY—(1,400), 25c-30c-40c, 7 days. **Gross:** $3,500. (Average, $5,000)

Week Ending May 25:

"MARCO POLO" (U.A.)

UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days, 2nd week. **Gross:** $9,500. (Average, $7,000)

"ADVENTURES OF ROBIN HOOD" (W.B.)
"JUDGE HARDY'S CHILDREN" (M-G-M)

FOX—(5,000), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $16,000. (Average, $17,000)

"OVER THE WALL" (W.B.)
"WOMEN ARE LIKE THAT" (W.B.)

PARAMOUNT — (2,740), 15c-35c-40c-55c-75c, 7 days. **Gross:** $10,500. (Average, $13,000)

"DEVIL'S PARTY" (Univ.)
"FLIGHT INTO NOWHERE" (Col.)

ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days. **Gross:** $6,000. (Average, $8,500)

"KENTUCKY MOONSHINE" (20th-Fox)
"A TRIP TO PARIS" (20th-Fox)

ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 3rd week (moved from Paramount). **Gross:** $4,400. (Average, $7,000)

Week Ending May 26:

"COCOANUT GROVE" (Para.)
"BULLDOG DRUMMOND'S PERIL" (Para.)

WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $9,000. (Average, $13,000)

Week Ending May 27:

"DAWN OVER IRELAND" (Tom Cooper)

CLAY—(400), 15c-35c-40c, 8 days. **Gross:** $1,050. (Average, $1,300)

Wall Street

Small Gains on Board

	Open	High	Low	Close	Net Change
Col.	11½	11½	11½	11½	+ ½
E. K.	147	147	146	147	+1⅞
Loew	38	38⅞	38	38⅞	+1⅜
Para.	6⅞	7	6⅞	7	+ ⅛
Para. 1	75	75	75	75	—1
Para. 2	8	8	8	8	.....
Pathe	4½	4½	4½	4½	+ ⅜
R. K. O.	2⅛	2⅛	2	2	.....
20th Fox	20	20	20	20	+ ¾
W. B.	4¼	4½	4¼	4½	+ ¼

Technicolor Up on Curb

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	.....
Technicolor	22½	22¾	22½	22⅝	+ ⅝

Little Bond Activity

	High	Low	Close	Net Change
Paramount Pictures 6s '55	90½	90½	90½	— ¼
R. K. O. 6s '41	68½	68½	68½	.....

(Quotations at close of May 28.)

Key Takes Go into Spring Decline; Total $1,365,866

Totals for the latest available periods:

	Week Ending May 13-14		Week Ending May 20-21	
	No. Theatres	Gross	No. Theatres	Gross
Boston	7	$76,000	7	$83,000
Buffalo	5	34,500	5	41,700
Chicago	8	92,500	8	115,000
Cincinnati	8	44,800	8	46,800
Cleveland	5	45,500	5	60,000
Denver	6	43,200	7	36,200
Detroit	6	64,300	6	56,200
Indianapolis	4	22,100	4	22,700
Kansas City	5	32,900	5	35,600
Los Angeles	10	78,281	10	107,341
Milwaukee	5	35,000	6	33,000
Minneapolis	5	24,300	5	23,100
Montreal	5	35,000	5	43,000
New Haven	4	19,000	4	22,700
New York	8	226,000	8	236,900
Oklahoma City	5	16,800	6	15,400
Omaha	3	22,200	3	22,300
Philadelphia	9	79,600	8	95,000
Pittsburgh	5	49,000	5	44,200
San Francisco	9	70,950	9	83,200
St. Paul	5	10,800	5	8,500
Seattle	7	35,500	7	33,000
Washington	6	54,500	6	54,800
	140	$1,212,731	142	$1,319,641

Key city grosses up to the week ending May 20:

Week Ending	No. Theatres	Gross
Sept. 3- 4, 1937	142	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Ost. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682
Nov. 5- 6	147	1,510,291
Nov. 12-13	151	1,519,420
Nov. 19-20	152	1,544,974
Nov. 26-27	138	1,419,301
Dec. 3- 4	136	1,612,773
Dec. 10-11	137	1,300,818
Dec. 17-18	137	1,193,642
Dec. 24-25	136	1,076,657
Dec. 31-Jan. 1, 1938	136	1,597,409
Jan. 7- 8	150	1,852,759
Jan. 14-15	145	1,482,955
Jan. 21-22	149	1,535,087
Jan. 28-29	147	1,528,720
Feb. 4- 5	147	1,593,065
Feb. 11-12	149	1,519,866
Feb. 18-19	149	1,520,357
Feb. 25-26	145	1,582,285
Mar. 4- 5	144	1,521,797
Mar. 11-12	144	1,485,345
Mar. 18-19	145	1,443,398
Mar. 25-26	144	1,418,494
April 1- 2	144	1,416,745
April 8- 9	143	1,347,244
April 15-16	143	1,158,856
April 22-23	145	1,516,557
April 29-30	143	1,365,866
May 6-7	143	1,300,772
May 13-14	140	1,212,731
May 20-21	142	1,319,641

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Cooper Managers Change

LINCOLN, May 30. — Managerial changes made in the J. H. Cooper Enterprises of Nebraska and Colorado find Eddie Vaughn replacing Kurth Nelson, who takes Vaughn's old spot at the Sterling, Greeley. Col. Kenny Mead moves up from the Trail, Colorado Springs, to the Park, Greeley. Harold Hellerich gets Leonard Goldman's Orpheum house manager assignment.

Okla. Managers Shift

OKLAHOMA CITY, May 30.—Todd Ferguson, manager of the Midwest, has been transferred to the Warner, both downtown Standard houses. Melvin Camp, assistant at the Midwest, has resigned. David Goodman, formerly of Altoona, Pa., has been placed in charge of the Midwest. Williard Dumont, treasurer at the Criterion, has gone to the Midwest as assistant to Goodman.

"Heaven" and Raymond the Loop's Leader

CHICAGO, May 30.—Gene Raymond in person plus "Stolen Heaven" on the screen gave the Oriental top honors in the Loop last week and made the closing week of the theatre a notable one. The gross for the final week was $21,600, which was $3,600 over average.

At the United Artists "Adventures of Marco Polo" was headed for a satisfactory run with $18,200. This was $3,200 over average. "Robin Hood" at the Chicago continued strong for the second week and "Vivacious Lady" at the Palace was fair considering that everything is off in the Loop houses as well as the subsequent runs.

The weather was unsettled most of the week.

Total first run business was $115,800. Average is $121,000.

Estimated takings:

Week Ending May 26:

"TEST PILOT" (M-G-M)

APOLLO—(1,400), 35c-55c-65c, 7 days. **Gross:** $5,000. (Average, $6,500)

"ROBIN HOOD" (F.N.)

CHICAGO—(4,000), 35c-55c-75c, 7 days, 2nd week. Stage: Ben Dova and Revue. **Gross:** $29,600. (Average, $32,000)

"4 MEN AND A PRAYER" (20th-Fox)

GARRICK — (900), 35c-55c-75c, 7 days. **Gross:** $4,000. (Average, $6,500)

"STOLEN HEAVEN" (Para.)

ORIENTAL—(3,490), 35c-55c-75c, 7 days. Stage: Gene Raymond and Revue. **Gross:** $21,600. (Average, $18,000)

"VIVACIOUS LADY" (RKO)

PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Vaudeville Revue. **Gross:** $16,000. (Average, $19,000)

"MR. MOTO'S GAMBLE" (20th-Fox)

STATE-LAKE — (2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $11,400. (Average, $13,000)

Week Ending May 27:

"KENTUCKY MOONSHINE" (20th-Fox)

ROOSEVELT—(1,300), 35c-55c-75c, 7 days, 2nd week. **Gross:** $10,000. (Average, $11,000)

"ADVENTURES OF MARCO POLO" (U.A.)

UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $18,200. (Average, $15,000)

Republic to Have More Percentages

(*Continued from page 1*)

apolis areas, and will confer with others from the field this week. Mr. Grainger plans to complete his discussions with district heads and franchise holders during a swing of exchanges on which he will leave in a few days.

Mr. Grainger has been occupied since taking charge of the sales department a week ago yesterday with effecting greater coordination between the home office and the men in the field, and he plans to operate the distribution department "as one unit," with greater efficiency and "speed up" in the method of operation.

There have been no discussions regarding franchise holders handling outside product, since the original contracts prohibited this and the franchise men have had sufficient time in which to dispose of other commitments in the three years since the company was started.

British Talk Joint Selling In US Market

(Continued from page 1)

to individual British producers can be held to a profitable minimum.

The British companies to which such a plan appeals the most are reported to be Gaumont British, Associated British Pictures, British Lion and Herbert Wilcox Prod. With its own sales organization already established in this country, Gaumont British appears to be in a strategic position to be benefited by the new cooperative concern. The cost of establishing national branches for physical distribution, in place of Gaumont's present year-to-year arrangement for physical distribution through 20th Century-Fox, would be offset by the increased returns from the greater volume of product handled by the cooperative concern and the apportionment of costs among many producing organizations, it is pointed out. In addition, the plan would have the advantage of providing a permanent outlet for this and the other companies involved.

G. B. to Market 24

Gaumont will have 24 pictures for distribution here during the new season. Associated British Pictures will contribute another 10 to 12, British Lion may have six and Herbert Wilcox four to six. Other British producers without established outlets here would contribute to the estimated total of 50 to 60 annually.

It appears to be certain that American companies, major and independent, will have approximately 40 features made in England for quota credits going through their national exchanges next season. Most British producers are agreed that the pointed problem in competition which this influx of American-owned and British-made product will present cannot be met by haphazard selling and distributing arrangements in this market and their answer is the cooperative organization, giving them a permanent outlet for a continuous flow of product, with operating costs scaled down to a practicable level.

Levin to Acquire Theatres

Albert D. Levin, New York attorney, stated yesterday that he has been commissioned by "English interests" to acquire American theatres to form the nucleus of a new independent circuit and that negotiations with several theatre owners are "progressing." He added that he was interested in discussing additional acquisitions, particularly concerning eastern theatres.

Mr. Levin declined to identify his clients. However, Jeffrey Bernerd, general manager of Gaumont British Distributors, Ltd., who is in New York on business, said that Gaumont British is not interested in theatre acquisitions here in any manner and said he did not know Mr. Levin.

Budd Rogers, head of Alliance Films, American agency for Associated British Pictures, also stated that his principals were not interested in theatre acquisitions and that he, too, did not know Mr. Levin.

Critics Differ Widely in Reactions to "Kidnapped"

A decided difference of critical opinion marked the comments of New York's daily newspaper reviewers concerning "Kidnapped." Brief excerpts from their reviews follow.

Daily Mirror—Extravagantly embellished with "love interest" (the film) is . . . a handsome production, large and elaborate.

Daily News— . . . The authors of the screenplay have taken many liberties with the original. . . . Stevenson's admirers will grumble at the change, but the rest . . . will find it tolerably entertaining.

Herald Tribune— . . . . Adventure photoplay which bears only a slight resemblance to the original . . . Stevenson is virtually scrapped without anything of cinematic importance being substituted.

Sun— . . . In spite of its moments of excitement, the picture grows tedious at times. . . . An adventure melodrama of the period style.

Times— . . . The film of "Kidnapped" by any other name and by any other credit line might have won a modest nod of appreciation.

World Telegram—Although it has been amended considerably, "Kidnapped," always doubtful entertainment as a novel, shows no great improvement in its screen form. . . . At best only fair-to-middling screen fare.

Post—"Kidnapped" . . . a handsome production in sepia . . . Baxter gives sincere performances . . . and a number of good performances by a veritable battalion of distinguished actors.

France Denies Added Permits On U. S. Films

(Continued from page 1)

before July 1, the beginning of the new half-year period. On that date, a rush of applications for permits is expected to deluge the authorities, and the quota of 94 for that period is expected to be exhausted within a relatively short time.

Currently, dubbing work is going forward at top speed in all the Paris studios so that films will be available for censorship review prior to July 1. The chief problem facing the American distributors, however, is the fact that the bulk of their new product, including the best attractions, will not be ready for dubbing by July 1. In that case such product will not be released here in French dubbed versions before 1939.

A second complaint of American interests here is that half of the dubbing permits are taken by local French distributors who buy old American films cheaply, or even German or Russian films, and dub them, thus replacing new American product.

G. N. Canadian Unit Will Hold Election

(Continued from page 1)

now be a subsidiary of the parent organization.

Ann Rosenthal, G. N. home office attorney, returned from Toronto on Saturday after attending to some legal matters in connection with the change of control. The resignations of Mr. Adilman as president and Joseph Lightstone as secretary-treasurer were accepted. They also resigned from the board.

Miss Rosenthal, incidentally, discloses that her own resignation has been accepted by Edward Alperson, president, effective July 1. She has been with the company since its inception.

Mr. Peskay plans to leave for the coast shortly after returning from Toronto.

New Theatre Building Up During April

(Continued from page 1)

hoped that the early May upswing in general building will apply to theatre work in particular," comments the Dodge Reports Division of F. W. Dodge Corp.

The figures for April, this year, exceed the March awards for 75 projects with a contract value of $2,064,000. The gap between the contract valuations at the end of the four-month period was $365,000, in comparison between this year's figures and last. This is considerably less than the gap of $518,000 which was found at the close of the first quarter of this year.

Seating capacities for the periods are not given, but the size of the projects may be judged from the floor areas. In the four-month period this year the figure was 992,000 sq. ft., and in the same period last year it was 1,159,000. The record for the comparative April projects is 256,000 sq. ft. in 1938 and 289,400 sq. ft. in 1937.

Midwest Remodeling Up as Crops Improve

KANSAS CITY, May 30.—Excellent crop conditions in the trade area are considered responsible for the substantial amount of new building and remodeling in progress or planned.

Among the new theatres is Dubinsky Brothers A house now going up in Leavenworth, Kan.; Glen W. Dickinson Theatres Corp.'s new one in Manhattan, Kan., and one in Warrensburg, Mo., with a new house being created out of an existing building in Monett, Mo. All the circuit's houses are being remodeled as rapidly as they can be reached, and complete remodeling and reequipping is in progress at the Wareham, Manhattan, by Commonwealth Amusement Corp.

Supply houses report more installations of air conditioning than a year ago.

Several small town houses have been reopened during the past week or so: Bruce Pearson, Gilman, Gilman City, Mo.; Walter Schlaepfer, Dixie, Linneus, Mo.; E. B. DeSchon, Mainstreet, Orrick, Mo.

William Welton has taken over the Chapman, Chapman, Kan.

Takes Evanston House

CHICAGO, May 30.—Frank Ford has leased the Stadium in Evanston from Leo Solomon and will take it over tomorrow. Ford operates a theatre in Sterling, and will continue to have Stuart Tomber as resident manager of the Stadium.

Bingo Is Banned by Cincinnati Official

(Continued from page 1)

decreased business in the past several months. Gambling in all forms has been taboo here for the past year, the city having prohibited Sweepstakes or Bank Night in any of the theatres. On the other hand, the Town Council at Richmond, O., has passed an ordinance legalizing Bingo, practically the only action of its kind in the state.

4 TONS OF NEWSREELS FLY "AIR EXPRESS"

Biggest one-day record in motion picture history. 8,000 pounds of "hot spot" news films rushed to hundreds of theatres from coast to coast, border to border, by AIR EXPRESS—2500 miles overnight! It's a "natural" *high* speed route for reels, scripts, sound records—anything—at *low* cost. Day and night, nation-wide service; also to Canada, Latin America, Honolulu, and Far East. For service, phone any RAILWAY EXPRESS office—AIR EXPRESS Division.

AIR EXPRESS DIVISION RAILWAY EXPRESS AGENCY, INC.

MOTION PICTURE DAILY'S HANDY BOOKING CHART

[*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	G. B.
May 6	The Main Event (D) *Paige* *Wells*			Doctor Rhythm (G) (C) *Crosby* *Carlisle* *Lillie*	Romance on the Run (G) (D) *Donald Woods* *Patricia Ellis*	Law of the Underworld (A) (D) *Chester Morris* *Shirley*	A Trip To Paris (G) (D) Life Begins at 40 (G) (D) *Will Rogers*		Sinners in Paradise (G) (D) *Boles* *Evans*	Torchy Blane in Panama (G) (D) *Paul Kelly*	F P I Doesn't Answer (Reissue) (D) *Veidt* (May 6)
May 13	Law of the Plains (O) *Starrett* *Iris Meredith*	Hold That Kiss (G) (C) *O'Keefe* *O'Sullivan* *Rooney*	Gunsmoke Trail (O) *Jack Randall*	Stolen Heaven (G) (D) *Raymond* *Bradna*	Gangs of New York (G) (D) *Bickford* *Dvorak*	Vivacious Lady (A) (C) *Ginger Rogers* Gun Law (O) *O'Brien*	Kentucky Moonshine (G) (C) *Ritz Bros.* *Martin*		Air Devils (C) *Dick Purcell* *Beryl Wallace*	Adventures of Robin Hood (G) (D) *Flynn* *de Havilland*	The Show Goes On (D) *Neagle* *Carminati* (June 17)
May 20		Swiss Miss (G) (C) *Laurel and Hardy*	Numbered Woman (G) (D) *Sally Blane* *John Arledge*	Cocoanut Grove (G) (M) *MacMurray* *Hilliard*		Blind Alibi (G) (D) *Richard Dix* *Bourne*	Rascals (G) (D) *Jane Withers* *Robt. Wilcox*		The Devil's Party (D) *McLaglen* *Roberts*	Mystery House (D) *Purcell* *Sheridan*	3 on a Week End (D) *Lockwood* *John Lodge* (July 1)
May 27		Yellow Jack (G) (D) *Montgomery* *Bruce*	Phantom Ranger (O) *McCoy*	Hunted Men (G) (D) *Lloyd Nolan* *Carlisle*	Desert Patrol (O) *Bob Steele*		Kidnapped (D) *Warner Baxter* *Bartholomew*			Crime School (G) (D) *"Dead End" Kids* *Bogart*	
June 3		Three Comrades (G) (D) *Robt. Taylor* *Sullavan*		You and Me (D) *Raft* *Sidney*		Saint in New York (G) (D) *Hayward* *Sutton*	Josette (C) *Simon* *Ameche*		Wives Under Suspicion (D) *Warren William* *Gail Patrick*	Little Miss Thoroughbred (G) (D) *Janet Chapman*	G. N. Six Shootin' Sheriff (O) *Maynard* (May 20)
June 10		The Toy Wife (D) *Rainer* *Douglas*	Marines Are Here (D) *June Travis* *Gordon Oliver*		Riders of the Black Hills (O) *3 Mesquiteers*	King Kong (reissue) *Wray*	One Wild Night (G) (C) *June Lang* *Lyle Talbot*			Gold Diggers in Paris (G) (M) *Rudy Vallee* *Rosemary Lane*	Held for Ransom (D) *Blanche Mehaffey* *Grant Withers* (June 7)
June 17	Holiday (G) (D) *Hepburn* *Cary Grant*	Lord Jeff (D) *Bartholomew* *Rooney*		Prison Farm (D) *Lloyd Nolan* *Carlisle*	Ladies in Distress (C) *Skipworth* *Polly Moran*	Blond Cheat *Fontaine* *DeMarney*	Three Blind Mice (C) *Loretta Young* *Joel McCrea*	Blockade (D) *Madeleine Carroll* *Fonda*	Afraid to Talk (D) *Robt. Wilcox* *Dorothea Kent*	When Were You Born? *Anna Wong*	
June 24	Stagecoach Days (O) *Luden* Highway Patrol *Wells*	One Woman's Answer *Bruce* *Marshall*	Romance of the Limberlost (D) *Jean Parker* *Eric Linden*	Bar 20 Justice (G) (O) *Boyd*		Border G-Man (O) *O'Brien*	Mr. Moto Takes a Chance (G) (D) *Lorre* *Rochelle Hudson*			White Banners (A) (D) *Claude Rains* *Fay Bainter*	
July 1	City Streets (D) *Fellows* *Carrillo*	Shopworn Angel (D) *Sullavan* *Stewart*		Tropic Holiday (C) *Bob Burns* *Martha Raye* *Dorothy Lamour*	Army Girl (D) *Madge Evans* *Preston Foster*	Having Wonderful Time (C) *Rogers* *Fairbanks, Jr.*	Always Goodbye (D) *Stanwyck* *Marshall*	South Riding (D) *Edna Best* *Edmund Gwenn*	Danger on the Air (D) *Donald Woods* *Nan Grey*		
JULY 8		Love Finds Andy Hardy *Rooney* *Stone* *Parker*	Man's Country (O) *Jack Randall*	Return of the Fox (O) *Boyd*	Durango Valley Raiders (O) *Bob Steele*	Crime Ring *Allan Lane* Little Women (reissue) *Hepburn*	Panamint's Bad Man (O) *Noah Beery* *Smith Ballew*		The Rage of Paris (C) *Darrieux* *Fairbanks, Jr.*	Cowboy from Brooklyn (M) *Dick Powell*	

Women's Press Club Makes Radio Awards

(Continued from page 1)

Mutual; Irene Wicker, sponsored by Kellogg Cereal, best cultural program for children, NBC; National Farm and Home Hour, best program for farm and rural audiences, NBC; Dr. Walter Damrosch's Music Appreciation Hour, "an award on encouragement given to development of modern cultural music," NBC; Milton Cross, NBC announcer, best announcer on musical programs; One Man's Family, sponsored by Standard Brands, best dramatic program, NBC; Ford Sunday Evening Hour, best on quality of music offered and its rendition, CBS; Cavalcade of America, sponsored by E. I. Du Pont de Nemours Co., awarded for a program of merit for older children, CBS; Columbia Workshop, for the best single performance for a new play written especially for radio. The play was "Madame Curie," presented on the "Workshop" over CBS.

Taylor, Thomas Named

Honorable mentions were given to Lowell Thomas, NBC commentator, as the news announcer without editorial comment; to Deems Taylor for his music commentaries over CBS; the New York Philharmonic concerts over CBS; to George Hicks of NBC for his description of the eclipse of the sun; to Channing Pollock for his talks on CBS; to the Master Work series over WNYC; to WQXR for the consistent daily presentation of classical music and to the broadcasters jointly for "non-denominational religious programs."

The Women's Press Club of New York, which is affiliated with the National Federation of Press Women, had the cooperation of similar press groups throughout the country in determining the award winners. Mrs. Ninna Hall Carothers is president of the local club and Mrs. Joseph Goodbar is president-elect of the National Federation.

NBC Finishes Discs To Advertise Miami

NBC Electrical Transcription Service has completed cutting six five-minute recordings of travel talks for the City of Miami. The program was arranged by the Graydon E. Bevis agency of Miami, and features John B. Kennedy as the narrator.

The platters will be presented over WFBC, Greenville, S. C.; WSAP, Spartansburg, S. C.; WMBG, Richmond; WCHS, Charleston, W. Va.; WQBC, Vicksburg, Miss.; WSFA, Montgomery, Ala.; WJRD, Tuscaloosa, Ala.; WMC, Memphis; WBRC, Birmingham, and WBIG, Greensboro, N. C.

Oregon Station Sold

PORTLAND, Ore., May 30.—The sale of KOOS, Marshfield, Ore., has become effective by order of the Federal Communications Commission. It was sold by Walter Read to Sheldon Scakett, publisher of the *Coos Bay Times*.

Son Born to Jennings

PORTLAND, Ore., May 30.—W. Carey Jennings, manager of KGW-KEX, is the father of Michael Allen Jennings, his first child.

Get the Medicine

Cincinnati, May 30. — Returning from a business trip to New York, Bill Schudt, Jr., general manager of WKRC, the CBS station here, was greeted with a variety of illnesses. Larry Ford night receptionist, had an emergency appendicitis operation; Bess Zech, stenographer, had a stomachache; Richard Ruppert, sales promotion director, had grippe; and Margaret Maloney, publicity director, had laryngitis. Ford couldn't walk, Zech and Ruppert couldn't eat and Maloney couldn't talk.

Ford Discards Light Type of Air Program

The Ford Motor Co. is definitely through with radio programs of the popular type for some time to come, it was learned yesterday. However, the company's institutional series, the "Sunday Evening Hour," will be continued for another year following a summer halt.

While no definite reason has been advanced for the company's loss of interest in popular appeal programs, it is believed that its experiences with talent, rather than a lack of interest in such programs by listeners, is an important contributing factor. It is an open secret that Al Pearce's action in negotiating for another sponsor while still under contract to Ford was displeasing to the company. The act which preceded Pearce under Ford sponsorship, Fred Waring's unit, also proved to be an unhappy partnership in the final months of the contract.

Radio Show Adapted For Stage Offering

For the first time, an original radio series has been re-adapted for legitimate theatre presentation. "Famous Jury Trials," which was heard over the Mutual network last season, sponsored by the Mennen Co., is touring 36 theatres in the Midwest under the direction of Ralph Corbett, giving an hour and a half stage version of one of the radio dramas, "The Case of Gerald Blakeley."

Credit will appear in all newspaper advertising and on three-sheets to the Mutual network where it is expected to return in the fall with a new sponsor. Actors in the legitimate version were recruited from "Boy Meets Girl," "Room Service" and "Brother Rat," all George Abbott shows.

Morris Program Is Renewed on Mutual

"What's My Name?" sponsored by Philip Morris on the Mutual network, has been renewed for another 13 weeks of broadcasting, effective June 24.

The series features Budd Hulick, Arlene Francis and Ray Block's orchestra, Fridays from 8 to 8:30 P.M. The Biow agency handles the account.

Mrs. Douglas to Coast

Mrs. Paul Douglas, wife of the CBS announcer, flew to the coast Sunday via American Airlines.

Issue New Rate Card On Richmond Station

With a new 50,000-watt transmitter now under construction for WRVA, Richmond, new rates have been calculated for the station, superseding the rates shown on the CBS rate card No. 24.

The new rates, effective immediately, are as follows: local evening time, from 6 to 11 P.M., $300 per hour, $180 per half-hour, $120 per quarter-hour; daytime from 8 A. M. to 6 P.M., $150 per hour, $90 per half-hour, $60 per quarter-hour; Sunday afternoon from 12 noon to 6 P.M., $200 per hour, $120 per half-hour, $80 per quarter-hour.

Current CBS advertisers using WRVA will continue to pay the rate specified in existing contracts until the expiration of the contracts. All new contracts or renewals of present contracts calling for WRVA will be written at the new rate, except that advertisers will pay at present rates until the station commences operations with its increased power.

The new transmitter is expected to go into operation about Oct. 1. The new power will raise WRVA from a 5,000 to 50,000-watt station.

Pellegrin to Head Central Web Sales

OMAHA, May 30.—Frank E. Pellegrin, publicity director and journalism instructor at Creighton University, has been named general sales manager of the Central States Broadcasting System. He will start June 20.

Effective at once, Paul Hamman will be moved from national sales manager to local sales manager of the regional network, and L. O. Fitzgibbons will be moved from local sales manager to the sales staff. CSBS operates KOIL, Omaha, and KFAB and KFOR, Lincoln.

Adam Closes Renewal With Taube on WHN

Adam Hat Stores has renewed its contract over WHN for broadcasting the "Hour of Champions" with Sam Taube, starting at once. The program is heard Sundays from 1 to 1:30 P. M., through the Glicksman agency.

Chevrolet Motors has renewed its transcribed series, "Musical Moments," over WHN for 14 more weeks, starting today.

Rural Drama Series Is Planned by CBS

A new series of rural dramas, broadcast under the general title of "Four Corners Theatre" will be broadcast by CBS Mondays at 9 P.M. beginning July 1, and weekly thereafter at the same time.

The first production will be the immortal of the corn circuit, "Aaron Slick from Pumkin Crick."

"Lobby" Replaces Benny

Dave Elman's "Hobby Lobby," which recently was heard over CBS under Hudson Motor Car Co. sponsorship, has been signed to replace Jack Benny for General Foods, for the summer months. The signing of Elman cancels the west coast audience participation show which was originally slated to take over during Benny's absence.

Examiner Hearings Dated Until Autumn

WASHINGTON, May 30.—The Federal Communications Commission has assigned tentative dates for examiners' hearings on broadcasting applications, as follows:

July 6: Applications of Paul R. Heitmeyer for a 1,210-kilocycle station at Cheyenne, Wyo., with 100 watts night, 250 watts day; Fro[illegible] Broadcasting Co., for a 1,420-[illegible] cycle station at Cheyenne, Wyo., with 100 watts night, 250 watts day, and *Asheville Daily News* for a 1,370-kilocycle, 100-watt station at Asheville, N. C.

Sept. 6: Applications of WGTM Wilson, N. C., for change of frequency from 1,310 to 1,420 kilocycles, increase of time from day to unlimited and increase of day power from 100 to 250 watts, and WSFA, Montgomery Ala., for increase of night power from 500 to 1,000 watts.

Sept. 7: Application of KRKO Everett, Wash., for increase of power from 50 watts to 100 watts night, 25 watts day.

Sept. 9: Application of KGBX Springfield, Mo., for increase o power from 500 to 1,000 watts.

Puerto Rico Seeks New Station Permit

WASHINGTON, May 30.—Authorit to construct a new station at Sa Juan, P. R., to operate unlimited tim on 580 kilocycles with 1,000 watt power, has been asked of the Federa Communications Commission by Enrique Abaroa Sanfeliz.

Also received by the commissio was an application from WEBQ Harrisburg, Ill., for change of frequency from 1,210 to 1,310 kilocycle and increase of time from specifie hours to unlimited, and an amende application from WRTD, Richmond asking for an increase of power fro 100 to 1,000 watts, instead of to 50 watts as originally asked in connection with a request for change of frequency from 1,500 to 590 kilocycles.

Seeks Approval for New Station in Ohi

WASHINGTON, May 30.—Applicatio for authority to erect a new broadcasting station to operate on 1,31 kilocycles with 100 watts power ha been filed with the Federal Communications Commission by the Springfiel Broadcasting Corp., Springfield, O.

Other applications received by th commission included requests c WNBH, New Bedford, for increas of night power from 100 to 250 watts Civic Broadcasting Corp., Syracus for change of frequency from 1,210 t 1,420 kilocycles for a station unde construction, and WHDH, Bosto for increase of power from 1,000 t 5,000 watts.

To Air New Plane Fligh

CBS will broadcast exclusively th initial flight of the new super-plan the Douglas DC-4, the weekend June 9-11. The new plane is the result of the collective agreement of th engineers, pilots, technical and traff advisors of the five major flying companies: United Air Lines, Transcontinental and Western, American an Eastern Airlines and Pan-America Airways.

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ligh Court to Review Ruling On Patent Use

eneral Talking Given Rehearing Oct. 10

VASHINGTON, May 31.—Review of May 2 decision holding that Gen-l Talking Pictures Corp. was lty of patent infringement in the : of amplifiers to which patent no-es were attached limiting their use, s granted today by the Supreme urt as it recessed for the summer. The court set Oct. 10 as the date hearing argument.

n its petition for a rehearing, the poration contended that the ginal decision, to which only As-iate Justice Hugo L. Black dis-ited, paved the way for application patent monopolies far beyond any hits heretofore set by the courts,

(Continued on page 6)

adio Sales Has Commission Plan Based on Volume

International Radio Sales, Hearst erprise, is considering the inaugu-ion of a new standardized scale of nmission payments by stations, sed on the gross volume of national ot business received by each station. The contemplated plan will place a asurement upon the relative sales ort and cost of obtaining national ot business. To date the more pular the station the less sales effort

(Continued on page 7)

eville Miller Is Due to Head N.A.B.

WASHINGTON, May 31.—Neville iller, former mayor of Louisville and w assistant to the president of inceton University, is expected to named president of the National sociation of Broadcasters at the eting of the organization's board directors here June 6.

Mr. Miller has been tendered the mination, and has made known his ention to accept, according to the

(Continued on page 7)

More Radio—P. 7

Houses May Close

Cleveland, May 31.—The Cleveland independent exhibitors plan a meeting next week to discuss the advisability of closing their houses for the summer.

U. A. to Begin Regional Meet Here June 13

The first of two United Artists' annual sales meetings will be held at the Waldorf-Astoria here, June 13 to 18, with the second to be held at the Drake Hotel, Chicago, June 20 to 22, George J. Schaefer, vice-president and general manager of domestic distribution, said yesterday.

The meetings will be attended by home office executives, district and branch managers and salesmen. Mr. Schaefer and A. W. Smith, Jr., United Artists sales manager, will preside at both meetings.

The first two days of the New York meeting will be devoted to product analysis, sales policies and plans, and advertising, publicity and promotional plans for the new season lineup. The final three days of the eastern meeting will be occupied with individual conferences for district and branch managers and salesmen. Substantially the

(Continued on page 7)

Fairbanks to Make UA Film in England

Douglas Fairbanks, Sr., will produce "The Adventures of Lola Montez" in England for United Artists release during the new season, the company stated here yesterday.

The production, it was said, will be budgeted at $1,000,000 and will have a cast of "leading international players." The cast and director will be designated shortly and production is planned for an early start. Mr. Fairbanks, now in England, produced "Around the World in 80 Minutes With Douglas Fairbanks" in 1931, and in 1929 he produced "The Iron Mask."

Hicks, Lange West On English Lineup

John W. Hicks, Jr., Paramount vice-president and foreign head, and Fred Lange, the company's manager for Continental Europe, will leave New York tomorrow for the coast to submit final plans for the company's

(Continued on page 6)

ITOA Asserts Circuits Must Lead on Duals

Says Independents Here Will Follow Suit

It is up to the circuits to make the first move in eliminating double bills, and if they do so the independents in the metropolitan area will follow, according to an official statement of the I. T. O. A. in its paper, *The Independent.*

The statement agrees with Samuel Goldwyn that "double features are the fault of the exhibitor and it is up to the exhibitors to eliminate them," but asserts that "the first move in that direction must naturally come from the first runs."

"Mr. Goldwyn knows," the statement continues, "that in New York, for instance, Loew's runs his best product, first run, on a double bill: 'Hurricane,' 'Goldwyn Follies' and 'Marco Polo' being among that num-

(Continued on page 6)

British Releasing Plan in Work Soon

Definite plans for the formation of a national sales and distribution organization in America for British producers may be worked out here and in London this summer, it was learned from official sources yesterday.

The plan under consideration proposes the pooling of British product suitable for this market into a schedule of 50 to 60 pictures annually which would be sold and distributed through the new organization as a joint venture of the several participating producing companies. The lowered operating costs resulting from the handling of a larger volume of product are expected to sustain a permanent organization to give better British product an entree to the American market.

American representatives of British producing and distributing organizations were frank yesterday in stating

(Continued on page 3)

New Goldstone Deal Would Fill G N List

HOLLYWOOD, May 31.—A production deal under way with Phil Goldstone, if consummated, will complete the schedule of 52 features planned by Grand National for 1938-'39. This will be in addition to the "Renfrew"

(Continued on page 7)

20th-Fox List Complete; New Lineup Starts

Zanuck Says Budgets to Be Upped $3,500,000

With production completed on the 61 features 20th Century-Fox will deliver on 1937-'38 contracts, and the new season's program shaped up far in advance, Darryl F. Zanuck, vice-president in charge of production, will sail with his family on the *Normandie* today for his first vacation in three years.

By the time he returns, in the third week in July, 13 features will have been finished or nearing completion for 1938-'39.

Arriving Monday morning from the coast, Mr. Zanuck stated that the company's production budget for the coming year will be $3,500,000 higher than any previous year. He said, however, that he could not disclose the total figure, but that the program will be the most ambitious in the company's history.

Discussing current conditions, Mr. Zanuck said that as he views the situation, "the studios must meet the

(Continued on page 3)

Finds European War Talk Hurts Business Abroad

The film industry is in the middle of an intensified disruption of economic conditions abroad, where much talk of war is in the air, it was reported yesterday by Walter J. Hutchinson, director of foreign distribution for 20th Century-Fox, who returned Monday from Europe.

"Trade has been dislocated between nations and the money situation is bad," Mr. Hutchinson declared. "It

(Continued on page 3)

Cincinnati Bishop Hits "Birth" Film

CINCINNATI, May 31..—Condemning "The Birth of a Baby," currently showing at Keith's, "as unwarranted publicity of one of the most sacred things of life," Archbishop John T. McNicholas, in a pastoral letter over the signature of Monsignor Frank A. Thill, chancellor, instructed pastors of

(Continued on page 6)

My Word

By Irene Kuhn

◆ Bon Voyage Dept.—Darryl Zanuck, with Mrs. Zanuck and their children, nurses, governess, etc., Europebound today on the *Normandie*. . . . Other show folk on the French liner include Claire Luce who will probably appear in London's version of "Of Mice and Men." . . . Bernard Sobel, the Zeigfeld Girls' Mr. America is on board, too, for a scholarly trek through Holland, France and England.

◆ Fourth Estate Notes.—Mrs. Arthur Fergusson, Rex Rittenhouse in the Philadelphia *Record*, is F.P.A.'s "Daisy Bell." She was a contributor to the Conning Tower for 20 years and will resume now that F.P.A is poetizing again in the *Post*.

◆ Pat O'Brien trains west today after seeing the Ross-Armstrong fight. Three of the sporting events he came East to see fizzled. . . . Cracked Pat on the "For Men Only" broadcast Monday night, "If I stick around this town much longer, they'll postpone the World's Fair."

◆ New corporation installed in offices on 28th floor of Empire State is "Temple of Religion, Inc." It's the business office of the World's Fair religious exhibits.

◆ Nautical Dept. (Cont'd). . . . Alan E. Freedman, president De Luxe Lab, has a 61-foot boat which is suffering from a severe case of May flies. . . . Prexy Freedman painted the cruiser himself. During the night a swarm of May flies settled on the yacht, ruining themselves and the paint job. He has to scrape it off and begin all over again. . . . Arthur Gottlieb of Du Art Lab has just bought a boat and E. I. Sponable has invested in a 36-footer. He had never navigated before, but on his first sail with his family he got where he was headed for and arrived back safely. Nice going! From sound engineer to skipper in one easy lesson.

◆ Prosperity Note. . . . Pickup in business on coast this week. Forty-one pictures in work as against 34 of preceding week. Long faces considerably shortened by news. Speaking of faces, Hollywood's current rage is a petite Frenchwoman who throws a lifeline and lassos slipping faces. She is Madame Petteneaude and she is fixing up "camera angles" on faces which have begun to be difficult. Life can begin at 80, any day now.

Jean Hersholt Here

Jean Hersholt came in Monday night from Callander, Ont., where shooting is in progress on "Five of a Kind," the new Dionne Quintuplets' film, and will return there Saturday with Joe Moskowitz of 20th Century-Fox. While here Mr. Hersholt is conferring on his radio programs and being interviewed by fan magazines. He is accompanied by Frank Perrett of the coast publicity department. Claire Trevor, Joan Davis and the rest of the company are due in Callander on June 6.

M-G-M Objects to "Lynton" Damages

M-G-M Pictures Corp., M-G-M Distributing Corp., Loew's, Inc., and the Culver Export Corp. yesterday filed objections to the report of Special Master Gordon Auchincloss filed in the Federal Court on May 9, in which he found damages to the extent of $587,604 in favor of Edward Sheldon and Margaret Ayer Barnes for plagiarism of their play, "Dishonored Lady" by the defendants in "Letty Lynton." The defendants claimed the commercial value of "Letty Lynton" can not be attributed wholly to the story of "Dishonored Lady," but that many other factors must be considered.

At the utmost, the defendants assert, not more than 10 per cent of the total net proceeds were made by reason of the infringement and that testimony taken in their behalf by Louis B. Mayer, Howard Strickling, Adolph Zukor, Al Lichtman, Spyros Skouras and Nate Blumberg bear out this contention. The defendants contend that the commercial value of the picture depended wholly on Joan Crawford and Robert Montgomery and that the picture when sold to exhibitors was entitled and was sold as "Crawford No. 2."

The defendants further state that they had an agreement with the plaintiffs to purchase the screen rights to the play for $30,000 if the Hays office approved, which it did not do. Therefore they claim the Special Master errs in finding damages of $587,604 and that the total damages should be limited to $30,000 at the utmost.

Cowdin Is Due Today After Studio Parley

J. Cheever Cowdin, chairman of the board of Universal, will arrive in New York from the coast by plane today after three days of conferences at the studio with Nate J. Blumberg, Universal president; Cliff Work, general manager of the studio, and Matthew J. Fox, vice-president.

Mr. Blumberg is expected back at the home office in about 10 days, but Mr. Fox will remain at the studio indefinitely. Indications are that the studio organization will continue as it is now constituted for the time being, with individual producers assuming increased authority and with Mr. Work in executive charge.

RCA Declares Dividend

RCA has declared a quarterly dividend of 87½ cents a share on the first preferred stock payable July 1 to stockholders of record June 8 and a dividend on the "B" preferred stock amounting to $1.25 a share, payable June 15.

F.P. Canadian to Pay

Toronto, May 31.—A dividend of 30 cents on each of the common shares of Famous Players Canadian Corp., has been declared. It is payable June 10.

Henry Henigson Resigns

Hollywood, May 31.—Henry Henigson has resigned as an M-G-M producer after one year with the company, during which he produced one picture, "Port of Seven Seas."

Warners Will Build Another in Capital

Washington, May 31.—Warners are continuing their theatre expansion program here. Another new house, the fifth addition to the circuit in three years, is to be erected on 15th St., N. E., between Tennessee Ave. and E. St., according to John J. Payette, general manager. It will be called the Beverly.

John Eberson is the architect. The house will seat 1,000 on one floor with an exceptionally high auditorium. It will be air conditioned.

Bartholomae Passes

Chicago, May 31.—Word has been received here that Frederick Bartholomae, veteran theatre operator, who at one time was associated with the Balabans, died yesterday at Crown Point, Ind., after marching in the Memorial Day parade. He was a veteran of the Spanish-American War. Mr. Bartholomae was 63.

Harry Horwitz Dies

Cleveland, May 31.—Harry E. Horwitz, 49, for 25 years a prominent local independent theatre owner, died suddenly yesterday of a heart attack at his home. He is survived by his wife, one brother and five sisters. The funeral service will be held tomorrow. He owned and operated the Olympia and New Broadway.

Mrs. Loewenstein Dead

Oklahoma City, May 31.—Mrs. Johanna Loewenstein. mother of Morris Loewenstein, owner of the local Majestic and president of the Oklahoma Theatre Owners, Inc., died at her home here. She was 84.

A. K. Howard in Fargo

Fargo, N. D., May 21.—Arthur K. Howard, business manager of Independent Exhibitors, Inc., of Boston, is here to testify at the trial to establish the constitutionality of the theatre "divorce" law of this state. Mr. Howard is the sole New England representative at the trial. He arrived by plane. Nathan Yamins is not attending.

N. J. Allied Talks Dallas

The Dallas anti-trust case and the possibility of an appeal by the major distributors to the U. S. Supreme Court were discussed at a meeting of Allied of New Jersey held yesterday at the Hotel Lincoln. This was the only important business before the group, Irving Dollinger, president, said at the close of the session.

New French Film Opens

"They Were Five," French production, distributed here by Lenauer International Films, opened yesterday at the Filmarte for an indefinite run. The film, starring Jean Gabin, was directed by Julien Duvivier, now in Hollywood under contract to M-G-M.

Frudenfeld on Vacation

Cincinnati, May 31.—Arthur M. Frudenfeld, managing director of RKO Midwest, has gone to California for a month's vacation. Mrs. Frudenfeld accompanied him.

Map Entertainment For IA Convention

Cleveland, May 31.—The 34th convention of the I.A.T.S.E., opening here, June 6, at the Hollenden Hotel has mapped the entertainment program in advance of the business agenda, which will be scheduled following a meeting of the executive board here this week. Arrangements include an amateur boxing match in the Public Auditorium on Monday night; a lake boat ride or golf at the Ridgewood Country Club Tuesday afternoon; convention ball at the Hollenden Hotel Wednesday night.

The convention is expected to close with the ball but if all business is not concluded the sessions will be extended through Thursday.

Ascap Sets Annual Meet

Ascap's annual membership meeting, deferred from last March, will be held June 8 at the Ritz Carlton. A banquet for approximately 200 is planned and officers, directors and members of the organization will address the gathering. As is the custom, the annual membership meeting is primarily of a social nature.

MPPDA Board to Meet

The quarterly meeting of the board of directors of M. P. P. D. A. is scheduled for next Wednesday or Thursday, depending on the availability of board members. Only routine business is expected to be taken up at the meeting, it was said.

'Miracle' for Miss Davis

Hollywood, May 31.—Warners have announced "The Miracle" as the next starring vehicle for Bette Davis, who will play the role made famous by Lady Diana Manners.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; J. M. JERAULD, Managing Editor; JAMES A. CRON, Advertising Manager. EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone Thomas Fitzsimmons, Sherwin A. Kane, Irene Kuhn, Joseph Priore.

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20th-Fox List Complete; New Lineup Starts

(Continued from page 1)

mand for more pictures of major portance." Ten films scheduled for the new season will be on a scale as great as that of "In Old Chicago," he said.

He said that "Alexander's Ragtime Band" which was previewed on the coast last week, will not be entirely completed until his return, when he will do the final editing.

While his seven-week trip will be a vacation, Mr. Zanuck also plans to survey the film situation abroad, but he will not seek talent, he said.

"If any unusually talented player comes to my attention, naturally I will be interested in weighing his or her possibilities for our studio," he explained. "But I am quite satisfied with the talent I have found right here in America. The future stars will come from this country, for the most part."

Lauds Miss Whelan

He added that another player "of the class of Richard Greene," who was brought over from England, "would be welcome any time." Arleen Whelan is being groomed for big roles, Mr. Zanuck indicated, and said she is "practically certain" to have the feminine lead in "Jesse James," one of the two color films for next year. Production will start shortly after his return on Eddie Cantor's film, tentatively titled "The Average Man." Art Arthur and Curtis Kenyon are working on the script.

While in London, Mr. Zanuck will confer with Robert T. Kane, English production head for 20th Century-Fox, on the five British films scheduled for next year. The first, "Piccadilly Circus," starring Gracie Fields, is nearing completion. Her other film for the year will be "Paddy Darling." Annabella will make two films in London upon completion of "Suez," now shooting in Hollywood. A Technicolor production, not yet set, will complete the British program.

Large Group in Work

Besides "Suez," films which are in work or completed at the Movietone studio are: "Ellis Island," "Straight, Place and Show," "My Lucky Star," "Hello Hollywood," "Meet the Girls," "MEridian 7-1212," "Five of a Kind," "Mysterious Mr. Moto," "Speed to Burn." "Hold That Co-Ed" and "Down to Earth" are scheduled to start next Monday.

Others will be in preparation for the cameras when Mr. Zanuck returns. In his absence the studio machinery will be kept running by William Goetz, vice-president and executive assistant, and Sol Wurtzel and Harry Joe Brown.

When the 1937-'38 season comes to an official close in the week starting July 29, 20th Century-Fox will have released a total of 61 films. Of these, Mr. Zanuck produced 24, Mr. Wurtzel 25, while one each came from New World and the British studio and one was a Martin Johnson picture. In addition, there were five from Sol Lesser and four Will Rogers re-issues.

British Releasing Plan in Work Soon

(Continued from page 1)

that they did not anticipate action on the proposal in time for the 1938-'39 season, due to the fact that production schedules and distribution arrangements for the next year are already too far advanced. The plan, obviously, however, is in great favor here and the American representatives appear to be optimistic over the chances of definite developments within the next few months.

Typical of the comment available here on the plan is the following:

Arthur Lee, G. B. vice-president—"I have advocated joint distribution of British pictures in this market for many years. I favor the plan without qualification and believe that it will materialize eventually."

Budd Rogers Approves

Budd Rogers, head of Alliance Films, American representative for Associated British Pictures—"I believe the plan now under consideration to be the only practicable one in the long run for the British producer who hopes for any real returns from the American market. I have championed joint action of this kind for a long time and I am convinced that it is the method which must be adopted ultimately."

Mack Littman, American representative for Herbert Wilcox Prod.—"It is a sound and practical idea. I believe it offers the British producer the best opportunity to establish himself in the American market permanently. However, there are many problems involved and I am not too hopeful of seeing them solved entirely for some time yet."

Hitchcock Is Signed

London, May 31.—Alfred Hitchcock has been signed by Mayflower Productions to direct Charles Laughton's starring vehicle, "Jamaica Inn," which will be produced by Erich Pommer. Hitchcock will sail from England on the *Queen Mary* tomorrow, and is due to arrive in New York on Monday. He is accompanied by his wife, the former Alma Reville, G. B. scenarist.

Wall Street

Few Changes on Board

	Open	High	Low	Close	Net Change
Cons.	1⅛	1⅛	1⅛	1⅛	.....
Cons. pfd.	5¼	5¼	5¼	5¼	.....
E. K.	146	146	144	144¼	—2¾
Loew	38¼	39¼	38⅛	39¼	+ ⅜
Para.	6⅞	6⅞	6⅝	6¾	— ¼
RKO	2	2	2	2	.....
20th Fox ..	19⅛	19⅛	18¾	19	—1
W. B.	4½	4½	4¼	4¼	— ¼
W. B. pfd...	28½	28½	28½	28½	.....

Curb Issues Hold Levels

	Open	High	Low	Close	Net Change
G. N.	⅜	7/16	⅜	⅜	.....
Sonotone ..	1½	1½	1½	1½	.....
Tech.	22⅛	22⅛	21½	21¾	— ¼
Univ. Corp.	2	2	2	2	.....

Slight Bond Increases

	High	Low	Close	Net Change
Loew 3½s '46....	99⅝	99⅝	99⅝	+ ⅛
Para. Pict. 6s '55............	91	90¾	91	+ ½
RKO 6 '41........	66⅝	66½	66½	—2
WB. 6s '39	72½	72½	72½	+ ½

(Quotations at close of May 31)

Finds European War Talk Hurts Business Abroad

(Continued from page 1)

is a truism that nations that cannot trade among themselves cannot be prosperous. The international economic situation is greatly upset and affects all business and industries. The film industry is only one of them."

Despite all that, Mr. Hutchinson found Hollywood's output still leads the field in European countries but coming up against a sharpened nationalism which favors domestic product. Many countries are trying to promote their own film industries, all stimulated by Government subsidies or support. The French, particularly, have made headway in this respect, he observed.

With the national markets becoming more difficult, American films have to be "big" in order to obtain substantial representation, reported Mr. Hutchinson. Regarding the new British quota, his comment was that American companies would, of course, prefer to operate without such restrictions, but if there must be a quota, the new act is "not so bad" considering all the circumstances involved.

Proud of New Quarters

Mr. Hutchinson described the company's new six-story British headquarters building in London as "the finest of its kind in the world."

Heretofore, the 20th Century-Fox offices in London were scattered and trade showings held in rented theatres, at a cost of about $20,000 a year. All such screenings, which are demanded by law, will now be held in the 300-seat Century Theatre in the new building. Mr. Hutchinson estimated the total cost of the structure at $400,000.

Since leaving London a little more than two years ago to become the company's foreign manager, Mr. Hutchinson has traveled 100,000 miles. His next trip, on which he will leave about Aug. 1, will be to South America, and later he plans to visit South Africa, where 20th Century-Fox has set up its own organization.

Says British Desire Theatre Investments

Although declining to identify the British clients by whom he has been commissioned to acquire American theatres, Albert D. Levin, New York attorney, said yesterday that the objective of the financial principals was solely an investment one. No plan for creating a theatre outlet for British product is involved in the venture, he said.

Mr. Levin declared that his clients were interested in acquiring houses, particularly in the east, which would form the nucleus of a new independent circuit. He said that his clients were financially interested in British theatres and were desirous of extending their investments to the theatre field here. He added that, if and when deals were consummated, he would be at liberty to identify the principals. Negotiations with several theatre owners are under way now, he said.

Purely Personal

Darryl F. and Mrs. Zanuck were the dinner guests of Col. and Mrs. Theodore Roosevelt last night. On Monday night they were the guests of Cornelius Vanderbilt Whitney. Both parties were private.

•

Dave Lipton, Universal publicity manager, will leave for the coast today to establish his headquarters there. Mrs. C. F. Hall will leave for the studio Thursday, and Harry Ormiston and J. Albert Hirsch will leave by the end of next week.

•

Maurice Silverstone, chairman of the United Artists executive committee, is expected back at the home office from studio conferences June 13. Emanuel Silverstone was back at his office yesterday following his studio visit.

•

Charles E. McCarthy, 20th Century-Fox advertising and publicity director, and Rodney Bush of his department returned to their desks yesterday after a trip to the coast.

•

Sylvia Sidney, incognito by virtue of dark glasses, slipped into the Paramount projection room late yesterday afternoon to see herself co-starring with George Raft in "You and Me."

•

Leslie Ralph Schwartz, son of A. H. Schwartz of the Century Circuit, was married Sunday to Helene Doris Rosenberg. The couple will go to Honolulu for a wedding trip.

•

Robert S. Taplinger, Warners' studio publicity head, extended his stay over the holiday and flew back to the coast yesterday.

•

Henry King, director of "Alexander's Ragtime Band," is en route east from Hollywood piloting his own plane. He is due tomorrow.

•

Robert F. Gillham may make a routine visit to the Paramount studio next week.

•

Jack Goetz of Du Art Laboratory has returned from Toronto.

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3 Weeks For CRIME SCHOOL

Hits 2-year high in 3-week N. Y. Strand pre-release run! National openings now booming business sky-high everywhere with holdover assured at Paramount, Brooklyn! There'll be plenty more!

High Court to Review Ruling On Patent Use

(*Continued from page* 1)

one of the results of which would be the destruction of its business.

Points offered by the company in support of its petition that the respondents, by knowing of the sales of amplifiers to it by the Transformer Co., their licensee, and taking no action thereon until after the suit was filed, did not go into court "with clean hands"; that the patents held to be infringed were among those involved in the motion picture patents case in which violation of the anti-trust laws was found; and that the patents were involved in patent pooling agreements in the radio industry, which it contended were illegal.

Two Decisions Due

The questions which will be considered by the court next October are: Can the owner of a patent restrict the use made of a device manufactured thereunder, after the device has passed into the hands of a purchaser, and whether a patent owner, merely by a license notice attached to a device made under the patent and sold in the ordinary channels of trade, can plan an enforceable restriction on the purchaser as to the use which he may put the device.

In his dissenting opinion, Justice Black charged that the majority decision would pave the way for exercise of patent controls over a large variety of articles to an extent never contemplated by Congress.

Disneys, RKO Sued On Camera Process

Los Angeles, May 31.—A suit asking an accounting for $1,000,000 allegedly earned during the last six years by an infringement of the patent and trademark was filed in Federal Court here today by Ivan Melville Terwilliger of Altadena, and Steroplane Process Pictures Co., a Delaware corporation, against Walt Disney Pictures, Ltd., RKO-Radio Pictures, Inc., Walter E. Disney, Roy Disney and William E. Garity. The plaintiffs allege Mr. Disney infringed their patent on "a method of cinematography to produce stereoscopic solid effects" and "a means and method of displaying pictures." The word "Multiplane" also is claimed to have been protected by the patent.

In addition to asking for an accounting for the more than $1,000,000 set forth as having been earned by the infringement of the patents claimed the suit asks an injunction to restrain further use of processes and phrase described.

Agent Sues Miss Farmer

Frances Farmer is defendant in a suit for $75,000 brought by Shepard Praube, producer, author and publicity agent, who alleges that Miss Farmer violated a contract with him by which he was to receive 10 per cent of the star's earnings for five years.

Miss Farmer claims that Praube is not licensed to act as a theatrical employment agent.

The Newsreel Parade

Movietone News
Vol. 20, No. 75
(20th Century-Fox)

The news breaks were available to make a lively and entertaining newsreel, and the opportunity was not missed here. While Mrs. Roosevelt dances the square dance, the President tells the Arthurdale, W. Va., schoolchildren why he permitted the tax bill to become law without his signature.

The aftermath of the near-tragedy in the sinking of the excursion boat *Mandalay* in New York harbor is "hot news," while such material as the handful of Civil War veterans parading on Memorial Day, the much publicized Parisian duel, which has been excellently photographed, and pilots stunting at an Oakland air show form good audience material.

The arrival of the Kaiser's grandson and his bride, the annual competition of the Morris and Essex Kennel Club, the close finish of the Suburban at Belmont, and shots of the Indianapolis 500-mile auto race finish the reel. The crash of one car was caught at the end of the accident, but it still has a thrill. Running time, 10 mins. A.

News of the Day
Vol, 9, No. 273
(M-G-M)

An interesting combination of news events serves to make of this a bright and interesting reel, led by pictures of the rescued passengers alighting from a Coast Guard cutter after the near-disaster in the sinking of the *Mandalay,* excursion boat out of New York. The inane remarks of a "survivor," obviously hand picked, seriously detract from a good piece of news coverage.

Mrs. Roosevelt is seen doing the square dance at Arthurville, W. Va., and the President is shown visiting the farms there, but, strangely, there is no footage on the President's address explaining his tax bill stand. Pictured also are the annual and colorful Morris and Essex Kennel Club dog show, the mass madness of allegedly human beings at a "swing" carnival at Randall's Island Stadium, New York, and the much-publicized theatrical duel in Paris. The sporting division covers the Indianapolis motor classic, with the camera barely getting in at the end of a fatal crash, and the running of the "Suburban" at Belmont, with its whisker finish. Running time, 10 mins. A.

Paramount News
Issue No. 86
(Paramount)

The two best numbers of the issue are the wreck of the *Mandalay* and the Belmont Park race won by Snark. In the former the upper deck of the *Mandalay* is shown above water after the vessel has sunk and crowds of spectators and police awaiting the return of the refugees to the Battery are shown. A Coast Guard officer says there was no panic. In the Belmont Park race there is some fine action and good comment by Bill Slater.

The Indianapolis auto race shots are disappointing. The arrival of the winner in the paddock and the fast moving cars as they whirl around the track are presented, but there is no shot of the accident.

Other scenes show the two Morgans of the TVA board speaking at the Congressional investigation, long and medium shots of the Paris duel, the arrival of the Kaiser's grandson and his bride on the *Europa.* Running time, 9 mins. J.

RKO Pathe News
Vol. 9, No. 90
(RKO)

Varied material, well photographed, narrated and edited, makes this an interesting and entertaining release. Subscribers will be supplied with 100 feet of film on the Indianapolis Memorial Day auto race, which was made up just after prints were shipped to exchanges, and this subject will add just over one minute to the final running time of the reel.

President Roosevelt's speech on the tax bill at Arthurdale, W. Va., last week is well presented and is followed by the high school social evening staged for the town's distinguished visitors the same day. Mrs. Roosevelt is caught by the camera enjoying an old fashioned square dance, which will probably be equally enjoyed by theatre patrons.

Other subjects include the recent duel of a French playwright and his critic near Paris; the Essex, N. J., dog show; England's air force combining raiding practice with slum destruction by bombing, New York swing dance fans having an afternoon of it in the out-of-doors, and Snark's victory in the Suburban Handicap at Belmont Park last Saturday. Running time (without Indianapolis race), 7 minutes. K.

Universal Newsreel
Vol. 10, No. 671
(Universal)

Right on the nose with spot news events, this release contains the high spots of the more newsworthy happenings over the weekend. Four are in the front rank of audience attention getters: The Indianapolis auto races; the air meet at Oakland, Cal., in which there is some fancy flying and a crackup; President and Mrs. Roosevelt at the Arthurdale, W. Va., model community, and the sinking of the *Mandalay* in New York Bay.

The balance moves at a fast clip and includes New York's Memorial Day parade, with emphasis on the few remaining Civil War vets; Prince Ferdinand and his bride arriving on their honeymoon; Jersey City police hustling Representative Jerry O'Connell to safety; actual shots of the duel between Henri Bernstein and the critic who offended him; the running of the Suburban Handicap at Belmont, which is a fine shot, and a dog show. Running time, 9 mins. F.

Dinsdale to Morner

A. Dinsdale today will join Morner Productions, Inc., as vice-president in charge of production. His activities will cover live radio programs, electrical transcriptions, sound slidefilms and industrial pictures. He was formerly production manager of Audi-Vision, Inc.

ITOA Asserts Circuits Must Lead on Duals

(*Continued from page* 1)

ber. Not long ago we pointed out to him that 'Dead End' was double featured in a first run situation at a low admission price and, in addition, $1,000 was given away.

"Sidney Kent, president of 20th Century-Fox knows that his best pictures are double featured by RKO in its first run theatres. It is plain common sense that the subsequent runs can hardly play these pictures after they have been milked dry by the circuits."

The Independent will be distributed to I. T. O. A. members at a meeting at the Hotel Astor today, appearing in a new format. The lead editorial calls for a "united front" of exhibitors in helping defeat the Pettengill bill and asks that exhibitors dispatch letters or telegrams to their Congressmen "outlining the meretricious nature of the legislation."

Seek Rate Reduction

Lower electric rates for air conditioning and ventilating systems in New York theatres are being sought by the I. T. O. A., which has retained M. A. Shaw, a technical expert, to handle the matter before the Public Service Commission.

There has been one hearing before the commission. Another is scheduled for tomorrow, and a conference has been held with officials of the Consolidated Edison Co. John Manheimer, secretary of the I. T. O. A., and David Weinstock, chairman of the special committee, are working with Mr. Shaw in submitting the proposal. If it is accepted, it will mean a saving for most of the theatres located in the metropolitan area, according to the I. T. O. A.

Cincinnati Bishop Hits "Birth" Film

(*Continued from page* 1)

local Catholic churches to tell parishioners not to attend the showing. He expressed the hope that the city would appeal the recent decision of Common Pleas Judge Charles S. Bell, who granted an injunction restraining city interference after City Manager C. O. Sherrill had banned the film on its opening day unless the actual birth scenes were deleted and attendance limited to patrons over 18 years of age.

City Manager Sherrill said he was "undecided at the present what action would be taken on an appeal of Judge Bell's decision."

Hicks, Lange West On English Lineup

(*Continued from page* 1)

British production activities to Adolph Zukor, chairman of the board, and William LeBaron, in charge of production.

The overseas production plans are subject to change until they have been approved by the production officials, it was said. Mr. Hicks and Mr. Lange will be at the studio about three days, returning to New York late next week.

U.A. to Start Regional Meet Here June 13

(*Continued from page* 1)

The schedule will be followed at the Chicago meeting.

Among the home office executives who will attend the New York meeting, in addition to Mr. Schaefer and Mr. Smith, are Murray Silverstone, chairman of the executive committee; Arthur W. Kelly, vice-president in charge of foreign distribution; Harry D. Buckley, vice-president in charge of exchange operation; Harry Gold, Jack Schlaifer, Monroe Greenthal, Harry J. Muller, Paul Lazarus, Charles Steele, Seymour Poe, Paul O'Brien, Nat Thompson, Ed Raftery, Phil Dow, Jack Wrege, Steve McGrath, Robert Hilton, Samuel Cohen, Carl Krueger, George Harvey, Myer Beck, James Mulvey, Ben Washer, Emanuel Silverstone, Lowell Calvert, Harry Kosiner and Morris Helprin.

District managers who will attend the eastern meeting are Charles Stern, Moe Streimer, Bert M. Stearn, Thomas P. Spry, Robert M. Mochrie and H. M. Masters. Branch and office managers and salesmen from the following exchanges will attend: New York, Buffalo, Philadelphia, Washington, Cincinnati, Cleveland, Indianapolis, Pittsburgh, Boston, New Haven, Atlanta, Charlotte, Dallas and New Orleans, and the Calgary, Montreal, St. John, Toronto, Vancouver and Winnipeg offices.

At the Chicago meeting, in addition to home office officials, will be J. D. Goldhar and Ben Fish, district managers, and branch managers and salesmen from Chicago, Detroit, Los Angeles, Kansas City, Milwaukee, Omaha, St. Louis, Denver, Salt Lake City, San Francisco and Seattle.

New Goldstone Deal Would Fill G.N. List

(*Continued from page* 1)

films which Mr. Goldstone is financing, with two more to go.

Fine Arts Production Corp. has been organized to produce 26 films yearly for five years for G. N. distribution. The deal was signed by Edward Alperson and Loyd Wright, co-trustees, over the weekend. Two specials, budgeted at $400,000 and two at $600,000 will be included.

Mr. Alperson says a contract has been signed with Sam Friedman, Chicago business man, to produce about 12 features for G. N. this year.

Edward Peskay in Toronto

TORONTO, May 31.—Edward J. Peskay, vice-president of Grand National, is here for conferences with Harry J. Allen, Canadian general manager, regarding plans and policy for the coming year. An announcement will be available Wednesday.

G. N. Hearing June 13

LOS ANGELES, May 31.—June 13 has been set as the date for the hearing of a partial report on Grand National by Co-trustees Loyd Wright and Edward Alperson. Permission will be sought to settle claims aggregating $99,808 for $51,488.

▶ *Radio Personals* ◀

HENRY FRANKEL of WOR's artists bureau has booked Corinna Mura into the Michigan Theatre, Detroit, for the week staring Friday, and Sid Gary into Loew's State here for a week starting June 9. . . . June Meredith is taking a leave of absence from "A Tale of Today" under doctor's orders. Luise Barclay is replacing her in the show. . . . Louis Armstrong's orchestra has been booked for a week at the Apollo Theatre starting June 17. . . . Orchestra leaders Jimmy Dorsey and Bill Swanson and Miss Hyla Kiczales, general manager of the International Broadcasting Corp., have been appointed to the executive committee of the radio division of the Los Angeles Tubercular Sanatorium "Swing Fiesta."

State Court Upholds "Free Air" Principle

OMAHA, May 31.—The principle of "free air" has been established by a ruling of the Missouri Circuit Court which reversed a decision of a lower court in finding three staff members of WOW guilty of trespassing last fall.

The three, Foster May, news editor; Joseph Herold, assistant chief engineer; and Paul MacDonald, engineer, were arrested at the instigation of a rival station which was trying to keep WOW from broadcasting the National Cornhusking Contest at Marshall, Mo. Although only fined $10 and costs, the WOW men appealed because of the principle involved.

Dailies Drop Air Space

SAN FRANCISCO, May 31.—Effective tomorrow six Bay area daily newspapers will drop their radio columns and art layouts. A three-month trial period has been set by the publishers' association to prove the contention that "the public is not interested in anything but the log." Dailies affected are: *Examiner, Call-Bulletin, Chronicle,* and *News* here, and *Tribune* and *Post-Enquirer* in Oakland.

Quit Energine Program

Parks Johnson and Wally Butterworth yesterday resigned from the Energine-sponsored "Newsreel of the Air" program, effective after next Sunday's broadcast. The duo requested to be released from the show so they could give their entire time to the Molle "Vox Pop" program.

The Energine show will remain on the air, continuing in other hands.

Start Program on KPO

SAN FRANCISCO, May 31.—"Who's Dancing Tonight?" new version of the "man in the street" idea, featuring ad lib interviews with dancers at downtown St. Francis Hotel, is a new Sunday night KPO program, sponsored by Joseph Magnin Co., department store. Gene Clark handles the mike.

Will Review Telecast

NBC's televised screening last night of "The Return of the Scarlet Pimpernel" will be received in tomorrow's MOTION PICTURE DAILY.

Radio Sales Has Commission Plan Based on Volume

(*Continued from page* 1)

is necessary, consequently a lower sales expense is incurred. Inversely, smaller stations or stations in secondary markets call for greater sales effort and a consequent greater sales expense. I.R.S proposes to pass the resultant savings in sales expense back to the stations. A tentative sliding scale of commissions has been set up starting at 20 per cent and scaling down to eight per cent. The scale is as follows:

Gross Volume	% Commission
$350,000	8
300,000	8½
250,000	9
200,000	10
150,000	11
125,000	12
100,000	13
75,000	14
50,000	15
40,000	16
35,000	17
30,000	18
25,000	19
25,000 (under)	20

The scale will apply retroactively over a contract year. Thus, stations which have been paying 15 per cent and receiving $150,000 worth of national spot business, under the I.R.S. plan, would pay only 11 per cent. If gross business increases the following year to $200,000, there would be a rebate of one per cent due the station, as the $200,000 bracket calls for a 10 per cent commission.

Neville Miller Is Due to Head N.A.B.

(*Continued from page* 1)

report. In the event this is so, Mr. Miller will occupy a position in the radio world similar to that held by Will H. Hays in the motion picture industry.

Plans to reorganize the N. A. B. into an organization similar to the Motion Picture Producers and Distributors of America, which Mr. Hays heads, have been drafted.

Thornburgh to N.A.B.

HOLLYWOOD, May 31.—Donald W. Thornburgh, CBS vice-president here, will leave here Friday to attend the meeting of directors of the National Association of Broadcasters in Washington June 6.

Morgan Decca Artist

Russ Morgan's orchestra will become an exclusive Decca recording band in July under terms of a two-year contract negotiated with Decca by Consolidated Radio Artists. The contract calls for Morgan to make 48 sides annually.

Expand P. & G. Program

The station list for the Procter & Gamble show, "Story of Mary Marlin," has been increased from 26 to 49. The program is broadcast Mondays through Fridays at 3 P. M. on the NBC-Red. Compton is the agency.

Receivers Are Offered By Television Corp.

Television Corporation of America, independent manufacturer, has placed television receivers on sale at Macy's, Abraham & Straus and at Pesor's Department Store. The sets are on sale at $125 each for those with a three-inch screen and at $175 and $225 per set for those having a five-inch screen.

These are the first assembled television receivers offered for sale here.

NBC Discs in Guiana

"Five Minute Mysteries," NBC electrical transcription series, will be carried by one station in Georgetown, Demerara, British Guiana, for Nestle and Anglo-Swiss Condensed Milk. The order, for 54 platters, was placed by L. Rodriquez, export advertising manager for Nestle.

VARIETY
LOEW'S
THEATRES

WHN'S PROGRAM PLANNING IS A BIG PLUS

because . . .
WHN was named Showmanship Station No. 1 in New York by Variety...it knows the New York audience...

because . . .
WHN is affiliated with LOEW'S and through this huge chain of theatres keeps abreast of what the public likes in entertainment...

because . . .
WHN is affiliated with METRO-GOLDWYN-MAYER the world's greatest motion picture studio whose treasure chest of star talent is at the command of our Program Planning Department.

Get the complete story ...there is no obligation

WHN
DIAL 1010
NEW YORK CITY

Ride the crest of a tidal wave of national exploitation . . . timed to break during . . .

NATIONAL SHOWMANSHIP WEEK

JUNE 17-24

HAVE YOU JOINED THIS SHOWMAN'S PARADE FOR THE BIGGEST DAY AND DATE OPENING OF THE YEAR!

NEW YORK, N. Y.
Radio City Music Hall

SEATTLE, WASH.
Paramount Theatre

PORTLAND, ORE.
Broadway Theatre

PHILADELPHIA, PA.
Stanley Theatre

BALTIMORE, MD.
Century Theatre

ATLANTIC CITY, N. J.
Strand Theatre

BETHLEHEM, PA.
Globe Theatre

LANCASTER, PA.
Capitol Theatre

POTTSVILLE, PA.
Capitol Theatre

SCRANTON, PA.
Comerford Theatre

WILKES BARRE, PA.
Penn Theatre

WILLIAMSPORT, PA.
Rialto Theatre

YORK, PA.
Capitol Theatre

SHAMOKIN, PA.
Victoria Theatre

MAHANOY CITY, PA.
Victoria Theatre

CUMBERLAND, MD.
Maryland Theatre

HAGERSTOWN, MD.
Maryland Theatre

NORFOLK, VA.
State Theatre

ROANOKE, VA.
Grandin Theatre

MIDDLETOWN, N. Y.
Paramount Theatre

POUGHKEEPSIE, N. Y.
Stratford Theatre

TRENTON, N. J.
Capitol Theatre

NEWBURGH, N. Y.
Ritz Theatre

GREEN BAY, WISC.
Warner Theatre

FOND DU LAC, WISC.
Warner Theatre

WAUSAU, WISC.
Warner Theatre

BELOIT, WISC.
Warner Theatre

MONTREAL, CANADA
Capitol Theatre

WASHINGTON, D. C.
Capitol Theatre

NEW ORLEANS, LA.
State Theatre

ALBANY, N. Y.
Strand Theatre

MILWAUKEE, WISC.
Warner Theatre

BOISE, IDAHO
Ada Theatre

OGDEN, UTAH
Orpheum Theatre

LOGAN, UTAH
Roxy Theatre

BROCKTON, MASS.
Colonial Theatre

BURLINGTON, VT.
Flynn Theatre

BANGOR, ME.
Bijou Theatre

CONCORD, N. H.
Capitol Theatre

FALL RIVER, MASS.
Durfee Theatre

FITCHBURG, MASS.
Fitchburg Theatre

GREENFIELD, MASS.
Lawler Theatre

LEWISTON, ME.
Empire Theatre

MANCHESTER, N. H.
State Theatre

NEW BEDFORD, MASS.
Olympia Theatre

NORTH ADAMS, MASS.
Richmond Theatre

NEWPORT, R. I.
Opera House Theatre

PITTSFIELD, MASS.
Union Square Theatre

PORTLAND, ME.
Strand Theatre

PORTSMOUTH, N. H.
Colonial Theatre

GLOUCESTER, MASS.
Strand Theatre

LEXINGTON, KY.
Ben Ali Theatre

EL PASO, TEXAS
Plaza Theatre

FT. WORTH, TEXAS
Hollywood Theatre

GALVESTON, TEXAS
State Theatre

TORONTO, CANADA
Uptown Theatre

ATLANTA, GA.
Loews Theatre

LAKELAND, FLA.
Polk Theatre

SAN FRANCISCO, CALIF.
United Artists Theatre

SALT LAKE CITY, UTAH
Centre Theatre

BRISTOL, VA.
Cameo Theatre

PROVIDENCE, R. I.
State Theatre

ABBEVILLE, S. C.
Opera House Theatre

ANDERSON, S. C.
Strand Theatre

ASHEBORO, N. C.
Carolina Theatre

BURLINGTON, N. C.
Paramount Theatre

CHAPEL HILL, N. C.
Carolina Theatre

CHARLOTTE, N. C.
Carolina Theatre

COLUMBIA, S. C.
Palmetto Theatre

CONCORD, N. C.
Paramount Theatre

DARLINGTON, S. C.
Liberty Theatre

DURHAM, N. C.
Carolina Theatre

FAYETTEVILLE, N. C.
Carolina Theatre

FLORENCE, S. C.
Colonial Theatre

GASTONIA, N. C.
Temple Theatre

GOLDSBORO, N. C.
Temple Theatre

GREENSBORO, N. C.
Carolina Theatre

GREENWOOD, S. C.
State Theatre

HENDERSONVILLE, N. C.
Carolina Theatre

HICKORY, N. C.
Paramount Theatre

LEXINGTON, N. C.
Carolina Theatre

RALEIGH, N. C.
Ambassador Theatre

ROCKY MOUNT, N. C.
Center Theatre

CALGARY, CANADA
Palace Theatre

CINCINNATI, OHIO
Palace Theatre

COLUMBUS, OHIO
Broad Theatre

BUFFALO, N. Y.
Buffalo Theatre

DALLAS, TEXAS
Majestic Theatre

STOCKTON, CALIF.
Sierra Theatre

ASHTABULA, OHIO
Palace Theatre

E. LIVERPOOL, OHIO
State Theatre

NEWARK, OHIO
Midland Theatre

YOUNGSTOWN, OHIO
Paramount Theatre

ZANESVILLE, OHIO
Weller Theatre

SALEM, OHIO
State Theatre

MANSFIELD, OHIO
Ohio Theatre

SANDUSKY, OHIO
Ohio Theatre

COSHOCTON, OHIO
6th St. Theatre

COLORADO SPGS., COL.
Ute Theatre

PUEBLO, COLO.
Main Theatre

ALTOONA, PA.
State Theatre

BRADFORD, PA.
Sheas Theatre

ERIE, PA.
Sheas Theatre

HUNTINGTON, W. VA.
Palace Theatre

MEADVILLE, PA.
Park Theatre

NEW CASTLE, PA.
Cathedral Theatre

OIL CITY, PA.
Latonia Theatre

WHEELING, W. VA.
Virginia Theatre

CHARLESTON, W. VA.
Kearse Theatre

TULSA, OKLA.
Orpheum Theatre

ANDERSON, IND.
Paramount Theatre

VANCOUVER, B. C.
Capitol Theatre

JACKSONVILLE, FLA.
Arcade Theatre

MIAMI BEACH, FLA.
Lincoln Theatre

ST. PETERSBURG, FLA.
Florida Theatre

TAMPA, FLA.
Tampa Theatre

CLEARWATER, FLA.
Capitol Theatre

SARASOTA, FLA.
Florida Theatre

SACRAMENTO, CALIF.
Sierra Theatre

HOUSTON, TEXAS
Metropolitan Theatre

OKLAHOMA CITY, OKLA.
Midwest Theatre

BINGHAMTON, N. Y.
Strand Theatre

ITHACA, N. Y.
State Theatre

JAMESTOWN, N. Y.
Sheas Theatre

NIAGARA FALLS, N. Y.
Bellevue Theatre

ASHEVILLE, N. C.
Imperial Theatre

SALISBURY, N. C.
Capitol Theatre

SPARTANBURG, S. C.
Carolina Theatre

SUMPTER, S. C.
Sumpter Theatre

WILMINGTON, N. C.
Carolina Theatre

WILSON, N. C.
Wilson Theatre

WINSTON SALEM, N. C.
Carolina Theatre

SPRINGFIELD, ILL.
Lincoln Theatre

BLOOMINGTON, IND.
Princess Theatre

LAFAYETTE, IND.
Luna Theatre

MUNCIE, IND.
Rivoli Theatre

TERRE HAUTE, IND.
Indiana Theatre

LINCOLN, NEBR.
Lincoln Theatre

BRIDGEPORT, CONN.
Majestic Theatre

HARTFORD, CONN.
Strand Theatre

OTTAWA, CANADA
Capitol Theatre

WALTER WANGER'S

'BLOCKADE'

Madeleine **CARROLL** · *Henry* **FONDA**

with **LEO CARRILLO · JOHN HALLIDAY**

REGINALD DENNY • VLADIMIR SOKOLOFF • ROBERT WARWICK

Music by Werner Janssen. From the screen play by John Howard Lawson

Directed by **WILLIAM DIETERLE** • *Released thru* *UNITED ARTISTS*

ILE CO
NOT RE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 127 NEW YORK, THURSDAY, JUNE 2, 1938 TEN CENTS

RKO Action by End of Month, Odlum States

"ells Atlas Holders that New Setup Is Near

The "rehabilitation of RKO's financial structure" is expected to be completed before the end of the month," Floyd B. Odlum, head of Atlas Corp., said in a statement to Atlas stockholders made public yesterday.

Atlas is the proponent of the RKO reorganization plan which is now before a special master for creditors' hearings. The investment company, also, is one of the largest individual owners of RKO securities. Mr. Odlum's statement was made in connection with his report that the asset value of Atlas common stock declined rom $13.36 a share last Oct. 31, to $9.444 a share currently. No dividends were received by Atlas from RKO during the period because of the ompany's reorganization proceedings, the report noted.

Only one hearing on the amended plan of reorganization for RKO has been held, with the second scheduled for June 8. On the conclusion of hearings before the special master the plan will go to Federal Judge William Bondy for further hearings.

Super-Power Faces Stoppage by Treaty

WASHINGTON, June 1.—A Congressional curb on the use of super-power may be imposed through provisions of radio treaties with other American Governments now pending in the Senate Foreign Relations Committee, it was disclosed today.

Prohibitions upon the use of superpower were hinted at last month by Senator Homer T. Bone, Washington,

(Continued on page 14)

Over 100 Stations To Be at Hearings

WASHINGTON, June 1.—More than 100 broadcasting stations will be represented at the hearings to be held next week by the Federal Communications Commission on proposed new broadcasting rules, it was dis-

(Continued on page 14)

More Radio—P. 14

Universal to Try Unit Plan Of Production

No Executive Producer If Plan Succeeds

Universal will not appoint an executive producer to succeed Charles R. Rogers in the event current plans for inaugurating the unit production system materialize and are successful, it was learned yesterday following the arrival in New York from the coast of J. Cheever Cowdin, chairman of the board.

Mr. Cowdin spent three days at the studio in conferences with Nate J. Blumberg, Universal president; Cliff Work, vice-president and general manager of the studio, and Matthew J. Fox, vice-president. He stated on his return that the unit production plan was under consideration and left little doubt that it would be given a trial. Under the plan, all Universal producers whose records

(Continued on page 13)

Circuits Will Not Start First Move In Dual Bills Row

The dual bills Armstrong-Ross is on again.

Harry Brandt reiterates his stand that the I.T.O.A. has only just begun to fight against double bills, giveaways and other lures to the paying customers. He intimates strongly that if the "big boys" don't do something pretty soon they'll find out what a fight is.

His official statement released in *The Independent,* official organ of the I.T.O.A., puts the responsibility for

(Continued on page 6)

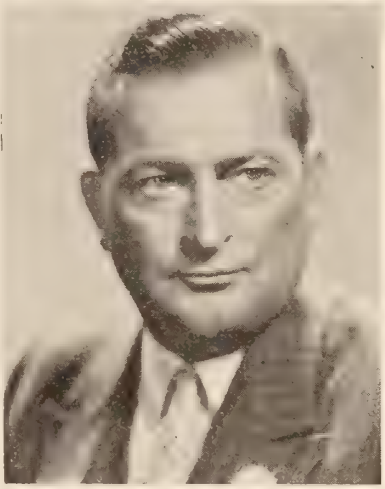
Peskay Heads G.N. Canadian Company

TORONTO, June 1.—Edward J. Peskay, vice-president in charge of distribution of Grand National, has been elected president of Grand National Films, Ltd., of Canada, and Harry J. Allen, vice-president, the election of officers completing the reorganization of the subsidiary.

Mr. Allen has been general manager of the Canadian company and will continue in that capacity. The com-

(Contiinued on page 13)

Sales Chief Dies



John D. Clark

Zanuck Says Film Industry Holding Own in Recession

The film industry has weathered the business decline better than others "because it has made an effort to overcome bad conditions and 20th Century-Fox has not been hurt as badly as other companies because the major calibre pictures we released came at the psychological time," Darryl F. Zanuck, 20th Century-Fox production chief, said yesterday before sailing on the *Normandie.*

Asked about the company's earning status in the first five months of this year, Mr. Zanuck said he preferred that the information come from the home office, but added that he was

(Contiinued on page 13)

Schenck May Leave For Europe July 1

Joseph M. Schenck, who had planned to sail yesterday with Darryl F. Zanuck but canceled the trip, now plans to leave for Europe about July 1, he said yesterday. However, this is still indefinite.

Joe Moskowitz, his assistant at the home office, will sail on the *Queen Mary* June 22 on his first trip to Europe, combining business with a vacation. He will meet Mr. Zanuck abroad and return with him.

John D. Clark Dies; Funeral Rites Friday

Sales Chief of 20th-Fox Started as Salesman

John D. Clark, general manager of distribution of 20th Century-Fox and an industry veteran, died early yesterday at Mountainside Hospital, Montclair, N. J. He was 47 years old. He had been ill for several months and underwent an operation for a liver and gall bladder disorder about one month ago at the Montclair Hospital. He was thought to have been recovering, when a relapse occurred on Monday.

Funeral services will be held at 3 P.M. tomorrow at the funeral parlors of Arthur K. Brown, Park St. and Claremont Ave., Montclair.

Out of respect to Mr. Clark's memory the home office and all exchanges of the company will be closed tomorrow afternoon.

At the hospital when Mr. Clark died, in addition to members of his immediate family, were Sidney R. Kent, president of 20th Century-Fox; Herman Wobber of San Francisco, who flew east a few hours before; Charles E. McCarthy, director of advertising and publicity, with Mrs. McCarthy; Felix Jenkins, general counsel of the company; E. W. Holmberg, Christopher Heidt and John J. McKeon.

In March, Mr. Clark attended product conferences on the coast with Joseph M. Schenck, chairman of the

(Continued on page 2)

Hearing Opens on North Dakota Law

FARGO, N. D., June 1.—The hearing on the constitutionality of the North Dakota theatre divorcement law opened here today in Federal court before three judges.

Presiding is Judge John B. Sanborn of St. Paul, a member of the

(Contiinued on page 13)

No Saturday Paper

In recognition of the widespread observance of Saturdays as holidays in the summer months *Motion Picture Daily* will not be published on Saturdays from June 4 to September 10, inclusive.

John D. Clark Dies; Funeral Rites Friday

(Continued from page 1)

board, Mr. Kent and Darryl F. Zanuck. From there he went to Kansas City to preside over the sales convention.

Mr. Clark is survived by his wife, one daughter, Jean Clark; two brothers, William J. Clark, sales manager of short subjects for 20th Century-Fox, and Alexander Clark of Cleveland, and a sister, Mrs. Jane Clark Johnson of Drexel Hill, Pa.

Mr. Clark's career in the film industry may be divided into two stages: the first with Paramount and the second with 20th Century-Fox.

He was born in Newark in 1890. After attending school in that city he went to the Staunton Military Academy, Staunton, Va., and the New Jersey Law School in Newark.

Philadelphia was the scene of his entrance into the business that was to be his career. He became a salesman for Famous Players-Lasky there. He apparently absorbed what there was to learn because it was not long before he became head of the branch there.

Knowingly or not, he was part of Sidney R. Kent's policy of gradual promotion by the "feed 'em from the bottom" system. In this way he soon became special representative for the company in the Midwest. He successfully handled his assignments there and was called to the home office, where shortly afterward he was appointed manager of Famous Players-Lasky Corp. sales activities in the western division. It became Paramount later.

With Paramount 13 Years

He was with Paramount for approximately 13 years when he entered the second phase of his career. Sidney R. Kent left Paramount to become head of the then Fox Film Corp. When he took over his new duties John D. Clark was his assistant. This was in 1932. In the years that followed he became general sales manager of the present firm.

About Thanksgiving Day last year Clark made sales history in the film industry when the 20th Century-Fox sales force under his guidance brought in, during the final week of the Kent Drive, business totaling $1,800,000. This figure broke the industry's standing mark by a margin of 17 per cent. During the drive Clark spurred the national sales force by visiting the office personnel in 22 cities. In May, 1937, the board of directors voted him a new five-year contract as general sales manager. He also was member of the board of directors.

Cancel Dinner to Arch Reeve

HOLLYWOOD, June 1.—News of the death of John D. Clark today forced the cancellation of the testimonial dinner to Arch Reeve, 20th Century-Fox advertising director, which was to have been held tomorrow night at the Victor Hugo Cafe. Mr. Reeve will leave for New York Friday.

The studio today will suspend operations for one minute at 11:00 A.M. (New York funeral time) in tribute to Mr. Clark.

Insiders' Outlook

JOHN D. CLARK's career in the film industry was unique in that during its 20-year span he was connected with only two companies—Paramount and 20th Century-Fox. This was a tribute to both his personality and his ability.

His personality was a curious blend of aggressiveness and charm. He was positive and acquisitive to an extreme in his business contacts, but a bubbling humor, fondness for social contacts and a reputation for frank honesty which he had developed over a period of years continually widened his circle of friends both among his customers and competitors.

S. R. Kent was attracted to him in Philadelphia, where Mr. Clark held his first job as a film salesman. He was one of Mr. Kent's chief aides from that time on. Their friendship was much deeper than the formalities of a business association, and the record they made together stands out as an achievement in this business of kaleidoscopic changes.

J. M. J.

Industry Leaders Unite in Mourning Passing of Clark

Industry leaders united yesterday in expressing a deep sense of loss at the death early yesterday morning of John D. Clark, 20th Century-Fox sales chief. Executives of all companies here and in Hollywood voiced their regret. Many of them were personal friends of Mr. Clark. The comments of some of them follow:

Sidney R. Kent—I am overcome by grief. John Clark not only was a business associate of many years, but also was a very close friend and I could not have had a greater regard for him had he been my own son. He was a young man of great ability, integrity and unswerving loyality and his death is not only a great personal loss to the great many people who knew him, but is also a grave business loss to our company and to the motion picture industry.

Joseph M. Schenck—His death is a great loss to our company. I think it is a great loss to the industry. He grew up with the exhibitors and in his business dealings with exhibitors he endeavored to satisfy them and create goodwill for the company. He was one of the bulwarks of our company. We feel the loss very deeply.

Darryl F. Zanuck—His passing is a terrible loss. He was head and shoulders above anyone in his capacity in the industry. It is hard to realize that John D. Clark is gone. Only six weeks ago he was in Hollywood conferring with us on the new season's production plans. He was ill then but not one thought this would happen. He will be missed tremendously.

Will H. Hays—The death of John Clark means more than sorrow at the passing of an old time friend. His associates and the entire motion picture industry will deeply feel his loss. His personality and ability marked him as one we can ill afford to spare.

Charles C. Pettijohn—The passing of John Clark removes from our motion picture family one of her favorite sons. He was respected and trusted by all who knew him. There is a mist in the air today—although the sun is shining—but we are not ashamed. He made of life a delightful and dignified preamble.

Jack Cohn—It is with profound regreat that I heard of the passing of John Clark, whom I have long admired for his capabilities as an executive and as a salesman, an admiration that was shared by most of the nation's exhibitors. In all his career, he demonstrated his vast knowledge of the film industry and I have long applauded his courage in sticking by his belief in what was right. Mr. Clark was the type of film executive whose passing is to be regretted. I know that he will be missed by all who knew him.

Nicholas M. Schenck—I was shocked to learn of the untimely death of John Clark. I know everybody in the industry will miss him.

Adolph Zukor—All of us will miss the man who has been a true friend from start to finish.

Leo Spitz—In the death of John Clark, 20th Century-Fox and the industry generally suffered a great loss. His loyal and devoted service to his company contributed in no small measure to the great success the company has achieved in the last few years. He was a loyal, faithful friend and I will feel his loss keenly.

Ned E. Depinet—In the passing of John Clark, our industry has lost a veteran who had thorough knowledge and complete understanding of its many ramifications and problems, and we who are engaged in the business have lost a true friend. John was a powerful force in the progress and advancement of motion picture distribution, and while he was a fighter for what he thought was right, his sense of fairness was never questioned. His vast army of exhibitor friends attest to that.

George Schaefer—Our industry can ill afford to lose a man held in such high esteem and affection as John Clark. I have lost a dear friend of many years. To his dear wife and wonderful daughter go my deepest sympathy. Theirs is indeed a great loss.

Al Lichtman—I had known John Clark for 25 years. He was always in the front rank of that small group of valiant men who have led industry from its early days to the great position it now occupies.

Albert Warner—We of the industry lose one of the ablest men and finest characters in the passing of John D. Clark, and I join his many friends and associates in an expression of profound loss.

Gradwell L. Sears—The passing of such a dominant personality as John Clark is an irreparable loss to the industry. We join his host of friends in mourning the loss of one whose character will make him long remembered.

J. Robert Rubin—I was shock[illegible] and distressed to hear of John Clar[illegible] death. I had known him since the organization of the original Metro Pictures Corp., with which he was associated. He was a most agreeable companion, with a wealth of good humor and, above all, a magnificent executive. The industry loses one of its best sales managers. My heartfelt sympathy goes out to his family.

Harry M. Warner—I am deeply grieved at the passing of John Clark. The industry loses a man of splendid character. His death creates a void which will be difficult to fill.

Nate Blumberg—News of John Clark's death is a great shock to me. I have known him for years. He was a fine friend personally and a fine, straightforward business man. His death is a severe blow to the industry.

Joseph Seidelman—John Clark combined a fine sense of humor with seriousness as did no one else in the business. It is a quality we all needed. We will miss him greatly. His death is untimely and shocking.

Jules Levy—I have lost a very dear friend of long years standing. The industry suffers the loss of one of its most able executives, which will be keenly felt.

Harry Cohn—The fine spirited leadership of John Clark, his warm

(Continued on page 6)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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20th Century-Fox presents

THREE BLIND MICE

And how it will run!

"Smart clothes . . .

"A chance to be seen at the right places . . .

"That's all we need to have a millionaire at our feet!"

Millions of girls have had the same dream . . .

Only these bright-eyed lovelies do something about it...

MILLIONS OF WOMEN WILL WANT TO SEE JUST WHAT!

AS ROMANTIC AS THE MONTH OF JUNE

... and that's when 20th gives it to you!

A NEW Darryl F. Zanuck hit . . . one of his brightest. A triple portion of love . . . with all its gay give-and-take. Breath-taking gowns in the latest mode. Resplendent luxury...rollicking fun! Everything that makes women take their men to your theatre!

Loretta Joel

YOUNG · McCREA

in

THREE BLIND MICE

with

DAVID NIVEN · STUART ERWIN
MARJORIE WEAVER · PAULINE MOORE
BINNIE BARNES · JANE DARWELL

Directed by William A. Seiter

Associate Producer Raymond Griffith · Screen Play by Brown Holmes and Lynn Starling · Theme Song: "Isn't It Wonderful, Isn't It Swell" by Pollack and Mitchell · Based on a play by Stephen Powys

Darryl F. Zanuck in Charge of Production

THE KEYSTONE
OF YOUR FUTURE

My Word

By Irene Kuhn

◆ Ted Peckham, Ye Young Escort Guide Service tycoon, gave his first party in the Bacardi Room yesterday in honor of his agent, Mrs. Florence Straus. Among the guests was Myra Kingsley, the astrologer, without whom, Peckham says, he never moves." Others invited were Alma (*Secrets of Smartness*) Archer, George Abbott, Lucius Boomer, Marion Cooley, Countess de Forceville, Duke de Verdura, Irene Hayes, Cholly Knickerbocker, Thyra Samter Winslow.

◆ George Dembow of National Screen Service, just arrived from the coast, took N. S. Vice-President Charles Casanave to lunch at Sardi's. Both sported new hats. . . .

Maurice McKenzie, Will Hays' assistant, has a greenhouse on his place at Stamford. The greenhouse has just disgorged millions of seedlings for neighbors' gardens in Hunting Ridge. . . . Earl Hudson, now associated with United Detroit Theatres, had a busy week. On May 25, his daughter, Margaret, gave birth to a 7½-pound boy, David Hudson Stuelin; on the 27th, his daughter, Pearl, was married to George Edwin Sheldrick, Jr. . . . Double congrats are in order.

◆ Shorts and Cheers Dept.—Unheralded heroes of the picture business . . . the boys who risk their lives to provide silver screen thrills. Les Roush, Paramount; Ben Schwalb, Columbia's New Sport Thrills; Jack Eaton,, Grantland Rice's Sportlights; Jim FitzPatrick, the world traveler for M-G-M released Traveltalks, who totes a 600-pound Technicolor camera across the African veldt, into the tulip fields of Holland, up the Rockies and wherever a picture makes a story; Andre de la Varre, the explorer-photographer; Jack Kuhne, 20th Century-Fox's Magic Carpet; Tom Meade, "Going Places," for Universal, and that dean of all travelers, E. M. Newman, at Warners.

◆ Nautical and Paint Job Dept.—Alan Freedman who had to scrape off the new paint job on his boat after thousands of May flies swarmed on it and ruined it, is ready to sell the boat for a nickel. He spent the weekend repainting it. Then he started the motor. The twin-screw propellers had been put on backwards, so when he gave it the gun it backed up on him and zip, the new paint job was scraped off again, the length of the boat. He hopes to get the boat ready for Labor Day.

◆ Charlie McDonald, division manaager in the RKO New York circuit, is in the market for a sweepstakes ticket on the next big race. He thinks RKO is surrounded with luck. Six RKO employes will benefit from the Derby which was run at Epsom Downs yesterday. Frederick Fabel, superintendent of the Albee Theatre Building sold half his interest to the English syndicate and collected $37,500; Clara Gimbel, in RKO's foreign office won $2,650 on Air Slow, a nonstarter; and three ushers in the Far Rockaway Strand divided a consolation prize of $500.

Hollywood Preview

"The Toy Wife"

(*M-G-M*)

Hollywood, June 1.—The role of "Mademoiselle Frou Frou" is cut to the measure of Luise Rainer and the House of M-G-M has given its double Academy winner everything her most devoted fan could ask for in the way of script, support and the utensils of production. Old New Orleans (circa 1850) is reproduced with painstaking fidelity both as to physical aspect and psychology of the period. The film falls naturally into the currently favored category of unrelieved emotional drama. With Melvyn Douglas, Robert Young, Barbara O'Neil and H. B. Warner in expert custody of the other principal characterizations the star would appear to have everything she needs to please her numerous admirers.

Zoe Akins' screenplay is an earnest work refreshingly free of the linguistic anachronisms marring most recent period plays, Merian C. Cooper's production is impressively veracious and Richard Thorpe's direction maintains a delicate type of suspense admirably. Miss O'Neil's performance is brilliant. Douglas and Young give realism to natively stilted characters. H. B. Warner and Alma Kruger handle secondary assignments with dignity and charm.

The misses Rainer and O'Neil are sisters, the latter in love with eligible Attorney Douglas, who loves the former, who is loved by Playboy Young. Miss O'Neil persuades Miss Rainer to marry Douglas. He tires of her irresponsible gaiety in five years and brings Miss O'Neil into their household. When Miss Rainer, known as "Frou Frou," learns her sister loves her husband, she runs away with Young. Douglas kills Young in a duel and Miss Rainer is turned out. Husband and sister find her ill and bring her home to die. The picture ends on this sombre note with the ladies present weeping happily.

Running time, 95 minutes. "G."

(Additional Reviews on Page 11.)

Grainger, Yates to Attend Toronto Meet

James R. Grainger, president of Republic Pictures, and H. J. Yates, head of Consolidated Film Industries, plan to leave Sunday for conferences in Toronto with Oscar Hanson, president, and other executives of Empire Universal Films, Ltd., Republic distributor in the Dominion.

Empire will hold a three-day sales convention in Toronto, starting today, and Mr. Grainger and Mr. Yates had planned to leave tonight, but deferred the trip in order to attend the funeral of John D. Clark. They will return Wednesday.

Levine Goes to See Son

Nat Levine, independent producer, just back from Europe, left yesterday for Culver Military Academy to see the exercises in which his boy, Arthur, in his second year there, takes part. Mr. Levine will be back in New York in 10 days to make some new deals. He prepared "Lord Jeff" and turned it over to M-G-M before his present Europe-New York trip.

Plan "Life" Stage Play

Plans are under way for the legitimate theatre presentation of "Life Dances On," (Un Carnet de Bal) next fall. S. S. Krellberg, owner of the Belmont where the film is now showing, is negotiating with Harry Baur, Marie Bell, Francoise Rosay and other members of the cast to come over here for the stage production.

Loew's Sets Dividend

The board of directors of Loew's, Inc., yesterday declared a dividend of 50 cents a share on the common stock, payable June 30 to stockholders of record June 16.

Conrow Sees Upturn Before Fall Season

Marked optimism over new season product and an impending business upturn is prevalent among key city exhibitors, according to L. W. Conrow, president of Altec Service Corp., who returned this week from a three-week trip to the coast and intermediate cities.

"Exhibitors with whom I discussed business trends were alike in feeling that they could look to an upturn in business beginning in August," Mr. Conrow said. "They are redoubling their exploitation efforts to counteract the current slump and outside interference aimed at their business from one source and another."

Cohn Plans No More Changes at Studio

Hollywood, June 1.—No changes in the Columbia studio executive setup will result from the return to the lot of Samuel J. Briskin, Harry Cohn, Columbia president, stated today. Mr. Briskin resumed his former executive post at the studio this week under long term contract.

Mr. Cohn stated specifically that Mendel Silberberg, B. B. Kahane and William Perlberg would continue in their present capacities.

Hays En Route Here

Chicago, June 1.—Will Hays, here to attend the annual stockholders' meeting of C. E. I. Railroad, motored to Sullivan, Ind., following the close of the meeting and this afternoon will leave there for New York. Mr. Hays made no comment while here concerning the film industry other than to inquire regarding theatre business in the area.

Purely Personal

RUBE JACKTER, Columbia assistant sales manager, and Hank Kaufman, manager of exchange operations, are expected back from the company's final regional sales meeting at San Francisco either today or tomorrow. A. Montague, general sales manager, is making a studio visit and will be back in New York the first of next week.

•

John W. Hicks, Jr., and Fred Lange, who had planned to leave for the Paramount studio with the company's British production plans today, have postponed their departure until tomorrow. They will be at the studio for only two or three days.

•

A. M. Noye, recently appointed Columbia's supervisor for Brazil, is in New York for home office conferences with Joseph A. McConville, foreign manager, before taking up his new post in Rio de Janeiro in a few weeks.

•

Movita and John Carroll, featured in Monogram's "Rose of the Rio Grande," arrived last night from New England following a personal appearance tour. They will be here a few days before returning to the coast.

•

Len Daly of the U. A. foreign publicity staff, will deliver two lectures on "The Influence of the Motion Picture in the Modernization of China" this morning at the Manual Training High School in Brooklyn.

•

William Underwood, Republic franchise holder in Dallas, is here for conferences with James R. Grainger. Irving Mandel, franchise holder in the Chicago area, has returned to his headquarters.

•

Lodewick Vroom, president of the Theatrical Managers, Agents and Treasurers Union, yesterday flew to the coast to sign the basic minimum agreement with a number of organizational heads.

•

Sam Burger, M-G-M traveling foreign sales representative, is back in town after visits to South Africa, China, Japan and the Dutch East Indies. He will be here for several weeks.

•

John O'Connor, RKO theatre head, will be back in New York this weekend from a trip to the coast and visits to intermediate operating centers.

•

Arthur De Bra of the M.P.P.D.A. underwent an emergency appendecitis operation at Mt. Vernon Hospital, Mt. Vernon, yesterday.

•

Al Selig has returned from Boston where he handled the campaign on "Moonlight Sonata."

•

Ralph Ritts, M-G-M booker in Indianapolis, is visiting here.

•

Gloria Swanson will arrive today on the *Europa*.

•

Lou Irwin is now located at 30 Rockefeller Plaza.

Film Leaders Pay Tribute to John D. Clark

(*Continued from page 2*)

friendship and invaluable contributions to the growth of our industry will be sadly missed by all who were privileged to know him.

Barney Balaban—The industry has lost one of its best loved personalities and we who were privileged to be his intimates during his long association with Paramount have lost a loyal friend whose passing is mourned by everyone of us who knew and loved him.

Neil Agnew—John Clark's untimely death brings to an end a friendship that was fine and sincere as the man himself. He will always live in the memory of those of us who had the good fortune to know him well.

A. Montague—Those of us who have had the privilege of knowing him and had had the opportunity of listening to his counsel know definitely that the industry is a better industry for his having lived among us. John Clark was a true friend, a grand fellow and a gentleman. We shall miss him greatly.

Harold Lloyd—All I can say is that the industry has lost a commanding figure and I have lost one of my dearest friends.

A. W. Smith, Jr.—John Clark was a fine man and a great constructive force in our industry. I know that my personal grief over his loss is shared with his thousands of friends.

Harry Gold—I was deeply shocked to learn of John Clark's death. He was one of the outstanding men in motion pictures, and the gap left in the industry by his passing will be a difficult one to fill.

Harry D. Buckley—John Clark was admired and respected throughout the motion picture industry for his sterling character, business integrity and warmth of human kindness. He has been an outstanding figure in distribution for many years. His passing is a distinct loss to the motion picture business and his legion of friends will mourn his passing.

H. J. Yates—I was deeply moved by word of the death of John D. Clark. I extend my sincere sympathy to his family, friends and associates. His passing will be felt throughout the entire industry.

James R. Grainger—I sincerely regret the passing away of John D. Clark. Mr. Clark and myself were very close friends and associates for a period of 20 years. I extend to his family my deepest sympathy.

Spyros Skouras—The motion picture industry suffered an irreparable loss in the passing of John Clark. Of all the men I have known, none impressed me as much as John for his love for his job and unswerving loyalty to his friends and business associates. His passing is mourned by his many friends and the industry in general. I share with his family and those who loved him the loss of one of the finest men I have ever known.

W. J. Hutchinson—I mourn the loss of John Clark not only as a business associate but as a friend. During my very short association with him I came to feel his great capacity for making and maintaining a friendship. While I have always been engaged in different fields of work, I have nevertheless had the opportunity to observe the sincere admiration and the deep devotion towards John Clark of all those directly associated with him.

John W. Hicks, Jr.—My happy business recollections of John Clark go back over a great many years. He was in every way a very swell fellow and a definite credit to the industry he so ably represented. I experience a very marked sense of loss in his untimely passing.

Circuits Will Not Start First Move In Dual Bills Row

(*Continued from page 1*)

removing double bills up to the circuits. They must make the first move, he says.

Circuit managers, available for discussion of the matter, indicated that they are not taking the Brandt fight seriously, and that double bills and giveaways will continue until and unless there is unanimous action by everybody to discontinue. And they mean everybody, they say.

A circuit official said that last year about this time two circuits took the lead in eliminating giveaways in their theatres. "Did the independents follow?" he asked. "They did not. Two circuits maintained a no-giveaway policy until September and when the other side didn't play they went back to premiums. When a man fools you once, shame on him. If he fools you twice, shame on you."

In reply to that, Harry Brandt said "Sure. Loew's and RKO maybe cut out giveaways between June and September. Between 40 other times I cut it out. Did they? No, they didn't. We independents are prepared tomorrow to stop all giveaways in all theatres if Loew's will do it.

Seeks Conciliation

"I'm hoping for conciliation, and I'm hoping that out of conciliation we'll get first run admission prices fixed so that we can stay in business. As it stands, first run pictures are shown at such a low admission price that we can't charge an admission price low enough to combat some circuits' policy.

"We're trying to be good boys," he said. "We're not trying to build a bonfire under the industry. But we're going to keep fighting to stay in business, and we're keeping our fight within the industry. But if the big fellows aren't smart enough to see what's happening we'll show them what a fight really is."

Douglas' Home Town Primps for Preview

Columbia City, Ind., home town of Lloyd C. Douglas, author of "White Banners," has been chosen by Warners as the scene for the world preview of the film version of the novel. Plans of S. Charles Einfeld, director of advertising and publicity, call for an elaborate debut at the Columbia City Theatre, preceded by a "welcome home" to the author, a street parade and a national radio hookup.

Lewen Pizor Sued by Milgrim of UMPTO

PHILADELPHIA, June 1.—David E. Milgrim, president of Affiliated Theatres Circuit, today filed a statement of claims in Common Pleas Court charging Lewen Pizor, president of the U.M.P.T.O., with libel. Mr. Milgrim is asking $50,000 damages, basing his action on a letter contributed by Mr. Pizor to *The Exhibitor,* local trade paper. Pizor has filed an answer and is asking a bill of particulars.

The specific origin of the dispute is Mr. Pizor's questioning of Mr. Milgrim's status as a member of the organization, alleging that Mr. Milgrim, though elected to the board of managers, had not paid his dues since 1934. Mr. Milgrim responded with an advertisement in the same paper, saying that he had made "certain payments," to the U.M.P.T.O. and had cancelled checks to prove it.

The belief here is that the quarrel has arisen from the fact that Mr. Pizor and Charles Segall are building a theatre in competition to the Walton, recently acquired by Milgrim interests. The U.M.P.T.O. membership angle comes from the possibility that the situation will reach the floor at a meeting. There has been no general meeting of the body—except for board of managers—in several months.

Upstate Allied Unit To Convene June 13

A meeting of upstate members of the newly formed Allied of New York unit will be held June 13 at the DeWitt Clinton Hotel in Albany. Max A. Cohen, chairman of the state group, and Abe Levy of Brooklyn, secretary, will attend.

E. Thornton Kelly of Allied of New Jersey is in the Albany area soliciting members for the New York group. Mr. Cohen says that 22 exhibitors have joined the organization in the last two weeks.

A meeting of the local branch of the unit in the New Amsterdam Theatre Building yesterday was featured by a report by Mr. Cohen on the national Allied convention in Pittsburgh recently. Plans for the state convention to be held in the fall are not set.

M-G-M Opens in Bombay

The newest M-G-M theatre abroad, the Metro, will be opened in Bombay on June 8. "Broadway Melody of 1938" will be the initial attraction. The house is a modern balcony and orchestra type with Carrier air conditioning, Simplex projection equipment and RCA High Fidelity sound. It also has two lounge bars. Other new M-G-M theatres have recently been opened in Sao Paulo, Brazil; Brisbane, Montevideo, Santiago, Chile, and Lima, Peru. Construction plans are under way in Perth and Adelaide, Australia; Amsterdam and Cairo.

Queries on Films Act

LONDON, June 1.—Tom Williams today in Parliament questioned Oliver Stanley, president of the Board of Trade, asking whether he is satisfied that the hours and wages of technicians working on the film "This Man Is News," comply with the Films Act. Mr. Stanley replied that no complaint had been filed.

Charles Is First in Ross Federal Drive

C. C. Charles, Minneapolis manager for Ross Federal Service, placed first in a national sales drive conducted as a testimonial to Harry Ross, president, on the company's eighth anniversary. The campaign was for increased theatre checking and market research volume.

Cash prizes were awarded to Mr. Charles, as well as Horace [illegible], Omaha manager, and Harold Kettle, Dallas branch head, for placing second and third. Other branches sharing in the honors were Oklahoma City, Washington, Des Moines, Denver, San Francisco, St. Louis, Memphis, New Haven, Detroit, Cincinnati, Salt Lake City and Pittsburgh.

Fred Rosevelt of the Cleveland office was general chairman of the drive. Regional chairmen were Walter I. Brown, Chicago; R. W. Thayer, New York; W. O. Anderson, Atlanta, and J. C. Bowles, San Francisco. Judges were Densmore A. Ross, director of branch operations; Frank X. Miske, controller, and C. B. Ross, research sales manager. Scott Faron handled promotion.

Bernerd, Russell to Testify in England

Issuance of a commission to take interrogatories in London of Jeffrey Bernerd, as managing director, and Edward Russell, as secretary and director, of Ideal Films, Ltd., was ordered by N. Y. Supreme Court Justice Samuel H. Hofstadter yesterday in behalf of Max J. Fink, defendant in the suit of Gaumont British Picture Corp. of America, assignee of Ideal Films, against him. Suit had been brought against Mr. Fink to recover the balance of money which he had allegedly collected from Columbia Pictures Corp. as attorney for Ideal Films for the distribution of "Charley's Aunt."

Fink, in his answer, claimed that the balance was due to him for legal services, and he will seek to substantiate this claim in his examination of Mr. Bernerd and Mr. Russell.

Lasky-Kohn Working On Radio-Film Idea

Jesse L. Lasky and Ralph Kohn are associated in a radio-film production venture which they are currently discussing with several major company officials here, it was learned yesterday.

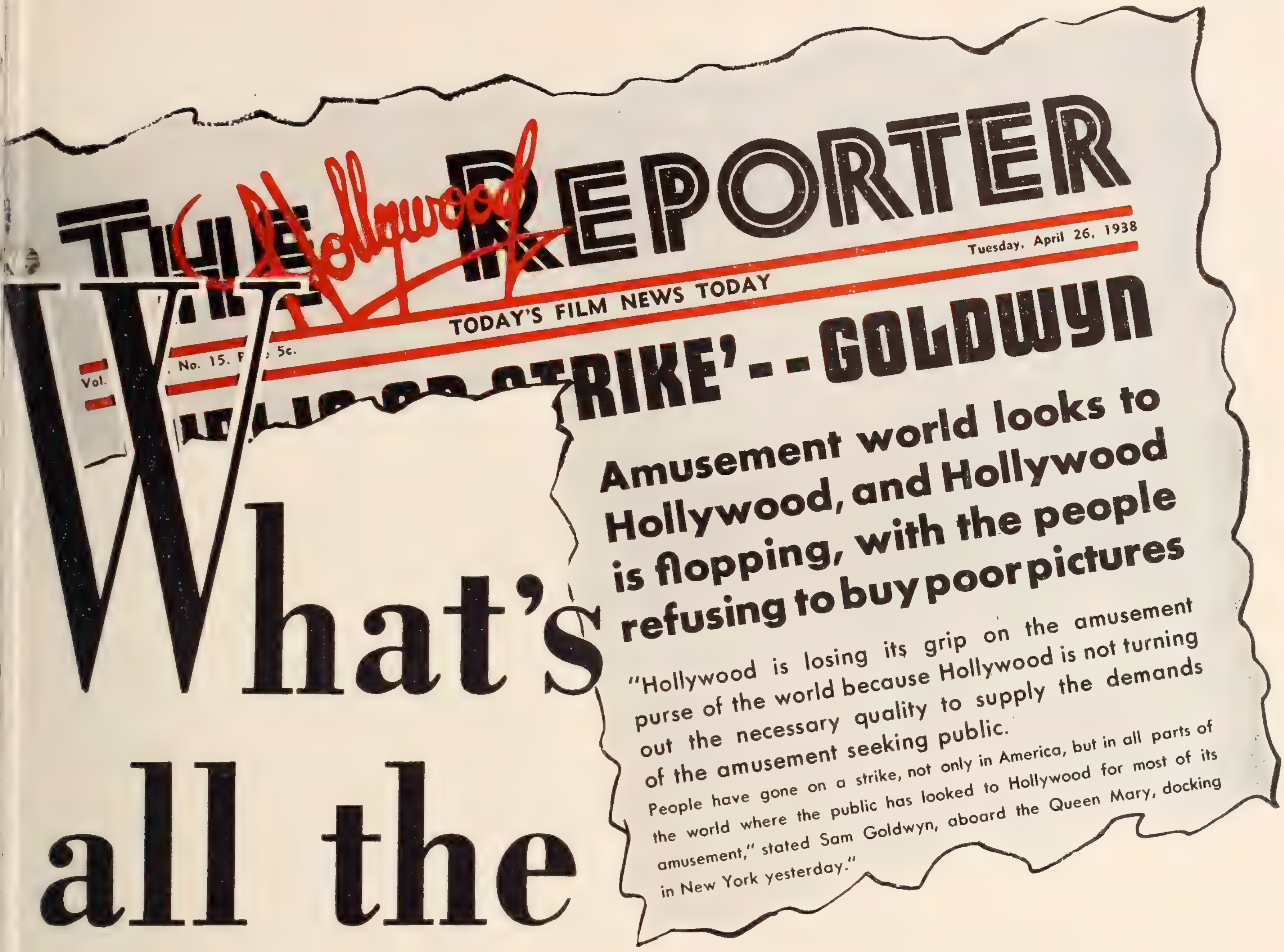
Employing an as yet undisclosed original idea for production of a series of radio programs supplemented by film productions, the project is reported to have been submitted to Paramount officials last week for consideration. Because of the reputed marketability of the idea itself, Mr. Kohn and Mr. Lasky are reluctant to discuss it in detail at this time.

Denies Freddi Retired

ROME, June 1.—Minister of Popular Culture Alfieri has denied here that Luigi Freddi, head of the Fascist Government's motion picture division, has been retired from his post.

Son Born to Forans

HOLLYWOOD, June 1.—A son was born Tuesday to Mrs. Dick Foran, wife of the actor.



THE Hollywood REPORTER

TODAY'S FILM NEWS TODAY

Tuesday, April 26, 1938

Vol. No. 15. P 5c.

RIKE'--GOLDWYN

Amusement world looks to Hollywood, and Hollywood is flopping, with the people refusing to buy poor pictures

"Hollywood is losing its grip on the amusement purse of the world because Hollywood is not turning out the necessary quality to supply the demands of the amusement seeking public.

People have gone on a strike, not only in America, but in all parts of the world where the public has looked to Hollywood for most of its amusement," stated Sam Goldwyn, aboard the Queen Mary, docking in New York yesterday."

What's all the SQUAWKING about ?

Let's LOOK at the Record! →

100 *Smash Hits* in 10 Months!

In the last ten months—that is, from the first of August, 1937 to May, 1938—Hollywood has produced more than 100 pictures in the smash-hit class—an average of 10 big pictures a month, each and every month. And that's only part of the story. Since the beginning of the '37-'38 season, Hollywood has turned out some of the top money-makers of motion picture history, and that includes the boom years. Any industry which can claim such money-making triumphs as Walt Disney's "Snow White"; Twentieth Century-Fox's "In Old Chicago"; Metro's "Test Pilot"; Warner Brothers' "Robin Hood"; United Artists' "Hurricane"; Universal's "Mad About Music"; Columbia's "The Awful Truth"; Paramount's "Wells Fargo" and dozens of others, is far from a sick business. We defy any other American industry to show a better record of enterprise, of success, during this past year, than the great business which gives us our bread and butter. The motion picture parade still marches on!

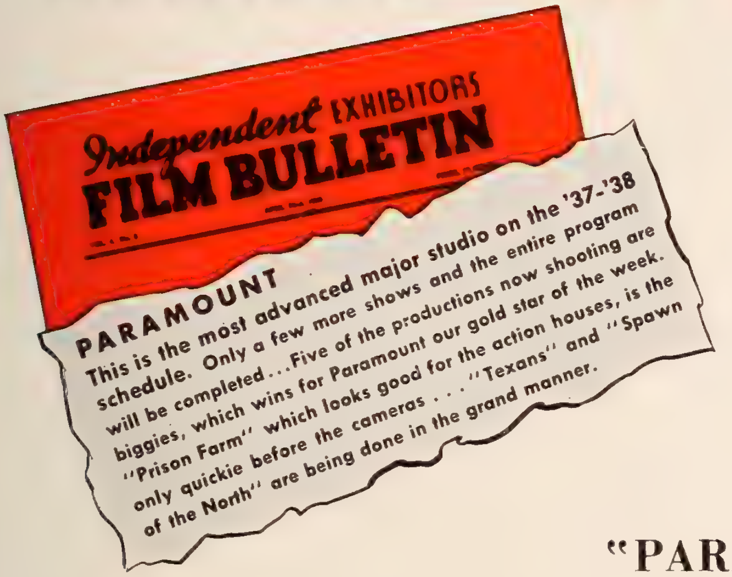
Paramount
Pictures

and PARAMOUNT *leads the parade!*

We are justly proud of the industry's record. We take our hats off to our co-workers in the business, and naturally we take considerable pride in our own record here at Paramount. In the past 10 months Paramount has delivered at least 20 pictures in the big-money class (pictures that made better-than-average money for exhibitors)—more than any other company in the business, as the books of thousands of theatres will show. Paramount has established a record for the consistent delivery of profitable pictures month in and month out. Paramount has kept the faith put in it by exhibitors.

Paramount will more than live up to its commitments for the 1937-38 season for . . .

PARAMOUNT is the most advanced major studio on the '37-'38 schedule!



Independent EXHIBITORS
FILM BULLETIN

PARAMOUNT
This is the most advanced major studio on the '37-'38 schedule. Only a few more shows and the entire program will be completed... Five of the productions now shooting are biggies, which wins for Paramount our gold star of the week. "Prison Farm" which looks good for the action houses, is the only quickie before the cameras . . . "Texans" and "Spawn of the North" are being done in the grand manner.

"PARAMOUNT is the most advanced major studio on the '37-'38 schedule," says the Independent Exhibitors Film Bulletin. We don't know how the other studios shape up but we do know that the Independent Exhibitors Film Bulletin is correct when it says "Only a few more shows and the entire program will be completed," for out of 13 pictures to be released in June, July and August, 11 have been shot; 2 are shooting; 7 are edited and ready for release and 4 are editing.

13 Pictures in 13 Weeks . . . THE BEST SUMMER PROGRAM IN PARAMOUNT'S HISTORY...for 7 out of the 13 are BIG PICTURES!

Read all about them on the next page! ➡

Paramount's

SMASH SUMMER SEVEN

1 **"YOU AND ME"**

A dramatic thunderbolt of love on parole, starring SYLVIA SIDNEY and GEORGE RAFT, with Barton MacLane and Harry Carey. PRODUCED and DIRECTED by FRITZ ("FURY") LANG . . . A solid smash to the heart that will be a welcome relief from screwball comedies to audiences eager to have something to sink their teeth in.

2 **"TROPIC HOLIDAY"**

with Bob Burns, Martha Raye, Dorothy Lamour, Ray Milland, Binnie Barnes, Tito Guizar. Directed by Theodore Reed . . . Paramount's "good neighbor" gesture to Old Mexico and to the hundreds of thousands of motion picture fans who want something new and different. Hilarious highlights—Bob Burns, an Oklahoma Senator and the Indians' choice throws the bull after Martha Raye (Martha the Matador) fights it. Lyric Lovelights—the romance of Dorothy Lamour and Ray Milland set to marvelous Mexican music.

3 **"PROFESSOR BEWARE"**

starring HAROLD LLOYD, with Phyllis Welch, Raymond Walburn, Lionel Stander, William Frawley, Thurston Hall, Cora Witherspoon. Directed by Elliott Nugent . . . Harold's best and fastest comedy in many years. Sneak preview audiences say so; studio executives say so; Fox West Coast preview reports say so. Here's a real ACTION-COMEDY—a welcome relief again from the screwball flood of recent months—and a summer treat for the kids.

4 **"GIVE ME A SAILOR"**

with Martha Raye, Bob Hope, Betty Grable, Jack Whiting, J. C. Nugent, Clarence Kolb. Directed by Elliott Nugent . . . What a title! What exploitation hooks in with it, and what an idea for a fast-moving comedy—AND THIS IS A COMEDY! Martha Raye, belle-ideal of the "if she could only cook" school, wins her way from the kitchen to the front pages of the world's newspapers as "the girl with the world's most beautiful legs," in eight exciting reels.

5 **"THE TEXANS"**

starring JOAN BENNETT and RANDOLPH SCOTT, with May Robson, Walter Brennan, Robert Cummings, Raymond Hatton, Robert Barrat, Harvey Stephens and a cast of thousands. A LUCIEN HUBBARD PRODUCTION. Directed by James Hogan . . . Paramount, the No. 1 producer of epic adventure pictures, tops them all with this stirring story of the Chisholm Trail—fights between the Yanks and Rebels, cattle stampedes, a dust storm, prairie fire, Indian fights and a red hot romance feature this MOTION picture.

6 **"SPAWN OF THE NORTH"**

starring GEORGE RAFT, HENRY FONDA, DOROTHY LAMOUR and featuring Akim Tamiroff, John Barrymore, Louise Platt, Lynne Overman. Directed by Henry Hathaway. Produced by Albert Lewin . . . A sockeroo! No picture like this has ever been made. Beautiful Alaska lends itself as the thrilling background to the most amazing and exciting acts of courage, revenge and love that have been on the screen this year. "SPAWN" is a story of the savage feuds that haunt the salmon-packed waters of the Alaskan coast and is replete with violent death, swift love and deeds of derring-do. This picture is "THE VIRGINIAN" of the great Northwest.

7 **"A FAREWELL TO ARMS"**

starring HELEN HAYES and GARY COOPER with ADOLPHE MENJOU. A FRANK BORZAGE PRODUCTION . . . This picture has the priceless attribute of timeliness. At this very moment Miss Helen Hayes is concluding a personal appearance tour of the key cities in this country, packing them in with her triumphant portrayal of Queen Victoria. At this very moment Gary Cooper stands at the very summit of his career, a glorious box office name. At this very moment Ernest Hemingway's mighty story of a man and a woman who dare to face with their love the challenge of a world gone mad with war, finds a receptive audience of human hearts everywhere. Those exhibitors who have already played "A FAREWELL TO ARMS" report better than average business in every engagement.

Short Subjects

"Tannhauser"

(Symphonic Films)

Hollywood, June 1.—Symphonic music has been presented on the screen before. But seldom, if ever, has it been presented as the "star" offering of a short subject. This Symphonic Films does with "Tannhauser," Wagner's music being played [illegible] the National Philharmonic Symphony Orchestra directed by Frederick Feher, who made a special arrangement of the opera. There is no story, no word of explanation. The music is offered solely for itself, the huge orchestra and the male chorus of about 40 voices subjugated to the strains of the Wagnerian classic.

Showmen playing this short may well take into consideration several items:

The popularizing of classic music programs via the radio—such as in programs of NBC's Toscanini, the Ford Symphony Hour, the Standard Oil Symphony hour on the west coast, the Philadelphia Philharmonic Symphonic broadcasts and others.

The appeal of the music of Wagner.

The presentation, without extraneous subject matter.

The reaction of the preview audience at the crowded Grauman's Chinese, where 2,500 persons, including 100 in the studio-press section, applauded. It is the first of a series of 30 two to four-reel classical music shorts of Symphonic Films. Running time, 16 mins. "G."

"Kennedy's Castle"

(RKO)

Edgar Kennedy almost commits murder before this comedy has run out. The familiar Kennedy exasperation slowly builds while he, his boss and two other fellows attempt to play poker while a bevy of females and a Chautauqua tenor give a concert. Kennedy winds up in the calaboose. Plenty of laughs. Running time, 17 mins. "G."

"Porky's Party"

(Vitaphone)

This series constantly maintains a clever departure from routine cartoon plots and business. Porky has a birthday. He gets a silkworm from an uncle in Hong Kong that makes brassieres, top hats, stockings and what have you to order. The guests become involved in many hilarious and awkward situations that have the virtue of being fresh. Good. Running time, 7 mins. "G."

"Stranger Than Fiction No. 50"

(Universal)

Here is another collection of odd customs, people and industries which almost always have a certain amount of appeal to audiences and consequently should prove satisfactory. Running time, 9 mins. "G."

"Sport Stamina"

(Columbia)

A collection of scenes of activities on running tracks, polo fields, skating rinks, basketball courts and numerous other athletic settings, with the accent on the participants' endurance. It is fair. Running time, 9½ mins. "G."

Hollywood Previews

"Mysterious Mr. Moto"

(20th Century-Fox)

Hollywood, June 1.—Thrills, excitement, suspense, dashes of comedy and moments of menaced romance are the constituents of "Mysterious Mr. Moto." The film is dominated by Peter Lorre, although well handled performances are turned in by Henry Wilcoxon, Erik Rhodes, Harold Huber, Leon Ames, Forrester Harvey, Lester Matthews, Mitchell Lewis, Karen Sorrell and Mary Maguire.

Mr. Moto's fight with crime takes him to London this time in pursuit of an international league of assassins. An undercover operative, he escapes from Devil's Island with Ames. Making his presence known to Matthews, head of Scotland Yard, he finds that the famous police force wants to wipe out the gang at once. Lorre, however, wants to delay action until he can make sure of the identity of the key figure. Various adventures and perils mark his path as well as that of Henry Wilcoxon, who has been marked for death before the climax wherein he accomplishes his mission.

The original screen play by Philip MacDonald and Norman Foster, while wild and woolly, is nevertheless logical and easy to believe. Foster, who also directed, concentrated on further developing "Mr. Moto" as a fabulous character and at the same time concerned himself with seeing that the film had a full quota of dime novel theatricals.

Running time, 62 minutes. "G."

"Air Devils"

(Universal)

Hollywood, June 1.—A stock picture, "Air Devils" follows a theme that has been told many times. A couple of ex-marines become members of a South Sea Island aviation constabulary. Fast friends, of course, they nevertheless are always squabbling a la those roles created by Victor McLaglen and Edmund Lowe. A girl in the case shows up naturally and while the heroes do everything to each other to demonstrate that each considers himself the only man for her, they nevertheless combine forces when the villain attempts to prevent the Government from building an air base on the island. Naturally, the heavy gets his just deserts and just as naturally neither of the squabbling pals wins the girl.

Larry Blake and Dick Purcell are the flying constables, Beryl Wallace is the girl and Charles Brokaw is the bad man. Others present in the action are Mama Clarke, Forbes Murray, Roy Mason, Paul Sutton, Al Kikume, Billy Wayne and Michael Visaroff.

Harold Buckley wrote the original and collaborated with George Waggner on the adaptation. John Fawlins directed. The usual thrill has been included in the chase and flying sequences.

Running time, 58 minutes. "G."

New York Preview

"Three on a Weekend"

(G. B.)

With "Three on a Weekend" the exhibitor should bear in mind past experience with films that are "different." He should be guided by evidences of taste evinced at the playing of films that appeal to the discriminating filmgoer. The technique introduced in "Grand Hotel" is utilized here. Consequently the production is a many-faceted job of story-telling. The threads of each dramatic cross-section of the story are ultimately drawn into a coherent skein. Performances, direction and colorful aspects of a weekend holiday at a seaside resort where Londoners flock in summer are handled with fine craftsmanship.

Margaret Lockwood is cast as a nurse in a maternity hospital whose patient dies in childbirth, leaving John Lodge, the husband, despondent. Miss Lockwood is affected by Lodge's demeanor, but goes off on a holiday with Hugh Williams, her fiance. At the beach she can't get her mind off Lodge and is a poor companion for Williams. Unable to get a hotel room, they sleep on the beach with hundreds of others. Next day Miss Lockwood's fear for Lodge impels her to dash back to London. En route she gets into awkward situations that pile up suspense. In the nick of time, with the aid of the police, she reaches Lodge and saves him from asphixiation. They are last seen in a hospital. The sub-plots of the story involve two girls, one of whom seeks beauty contest fame; a typical family outing and a haughty gold digger. The action is kaleidoscopic and holds attention.

Running time, 72 minutes. "G."

Short Subjects

"Come Across"

(M-G-M)

There are plenty of exciting dramatics as this "Crime Does Not Pay" number tells the story of how the FBI tracks bank robbers. The thieves do not have such an easy time of it either, they are hounded by the law on one side and have to shell out their ill-gotten gain on the other for protection and concealment. It's hard-hitting stuff that packs stirring emotional wallops in its preachments. Running time, 20 mins. "G."

"Polar Trappers"

(Disney-RKO)

Walt Disney's sparkling originality is demonstrated once again. Donald Duck and Goofy, Arctic trappers, pursue their art, until it pursues them. High spots are Donald's wooing of a penguin, because he is tired of beans, his playing Pied Piper to his intended victims, and Goofy's experience in the cave of icicles. A splended cartoon. Running time, 8 mins. "G."

"Krazy's Magic"

(Mintz-Columbia)

The clever utilization of the cartoon medium here for the utmost in fantastic effect should make this cartoon an exceptional item. The plot concerns Krazy Kat's harum-scarum adventures in a deserted magician's house where he takes refuge from a storm. The execution is highly imaginative. Excellent. Running time, 7 mins. "G."

"Rural Sweden"

(Fitzpatrick-M-G-M)

In beautiful Technicolor compositions this short covers historic spots along the Baltic, native customs and dances and sections near Stockholm. The comment is good and interest is held throughout. Running time, 9 mins. "G."

"Maids and Music"

(Nu-Atlas-RKO)

Ray Fabing and Her Ingenues and Janice Walker, a singer, give this short much musical appeal with excellent orchestrations of familiar numbers, acrobatic band conducting, dancing and good singing. It is patterned somewhat after the style set by Ina Ray Hutton. Running time, 10 mins. "G."

"Feed 'Em and Weep"

(Roach-M-G-M)

The Gang inveigles its way into a birthday party which is being given for the father of one of their playmates and generally makes everyone present distraught. The laughs, such as occur, should register favorably with this series' following. Running time, 11 mins. "G."

"The Big Birdcast"

(Mintz-Columbia)

Many well known radio personalities are pictured here as birds. Their familiar traits are satirically heightened. The total result is a strained effect which manages to be entertaining. In Technicolor. Running time, 7 mins. "G."

"Robin Hood" Hits $23,000 In Washington

WASHINGTON, June 1.—With a take of $23,000, the best week for more than a month, "The Adventures of Robin Hood" at the Earle topped the list. This was $4,600 over average.

Another adventure picture, "The Adventures of Marco Polo," at Loew's Palace also did well, taking $13,000.

Total first run business was $70,800. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending May 26:

"THE ADVENTURES OF ROBIN HOOD" (F. N.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Albertina Rasch Ballet and other acts. **Gross:** $23,000. (Average, $18,400)

"THE ADVENTURES OF MARCO POLO" (U. A.)
LOEW'S PALACE—(2,370), 25c-55c, 7 days. **Gross:** $13,000. (Average, $15,900)

"HOLD THAT KISS" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Sammy Kaye and orchestra, the Three Nonchalants, Crane Twins, Helen and Robert Williams with their dog, Red Dust. **Gross:** $19,500. (Average, $20,900)

"HER JUNGLE LOVE" (Para.)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,600)

"DANGEROUS TO KNOW" (Para.)
METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $3,800. (Average, $4,300)

"MAD ABOUT MUSIC" (Univ.)
(5 days, 4th week)
"VIVACIOUS LADY" (RKO)
(2 days)
RKO KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $8,000. (Average, $10,600)

Indianapolis Tips $9,000 to "Hood"

INDIANAPOLIS, June 1.—"The Adventures of Robin Hood" did powerful business of $9,000 at the Circle, double the normal take. It went to the Apollo for a second week. Everything else was under the line. The weather was rainy and qualifying trials at the Speedway preceding the 500-mile race, drawing 20,000 and more a day, gave stiff competition.

Total first run business was $23,800. Average is $22,500.

Estimated takings for the week ending May 27:

"VIVACIOUS LADY" (RKO)
"GOODBYE BROADWAY" (Univ.)
APOLLO—(1,100), 25c-40c, 7 days, 2nd week. **Gross:** $2,000. (Average, $3,000)

"THE ADVENTURES OF ROBIN HOOD" (F.N.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $9,000. (Average, $4,500)

"YELLOW JACK" (M-G-M)
"HOLD THAT KISS" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $6,000. (Average, $7,000)

"SINNERS IN PARADISE" (Univ.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: "Frisco Follies," with Four Franks, Les Ghezzis, Felovis, Toy & Wing, Six Kim-Loo Girls. **Gross:** $6,800. (Average, $8,000)

Title New Astaire-Rogers

HOLLYWOOD, June 1.—RKO has decided on "Carefree" as the final title of the new Fred Astaire-Ginger Rogers starring vehicle which is now in work.

Young Signs New Pact

HOLLYWOOD, June 1. — Robert Young has signed a new long term contract with M-G-M.

"Robin Hood" Gets $19,000, Philadelphia

PHILADELPHIA, June 1. — With "Adventures of Robin Hood" spinning a neat $19,000 for its second week at the Stanley, and the Earle grossing a like figure for "Hold That Kiss" and the Wayne King stage show, business stayed in the blue ink pool all week. Generally cool weather also helped to stave off the usual depressing effects of circus week.

"Vivacious Lady" got $15,000 for its week at the Boyd. "Crime School" was weak at the Fox with $12,500.

Total first run business was $79,800. Average is $72,600.

Estimated takings for the week ending May 26:

"DAVID COPPERFIELD" (M-G-M)
(Revival)
ARCADIA—(600), 25c-40c-55c, 4 days. **Gross:** $1,200. (Average, 7 days, $2,800)

"VIVACIOUS LADY" (RKO)
BOYD—(2,400), 40c-55c-65c, 7 days. **Gross:** $15,000. (Average, $14,000)

"HOLD THAT KISS" (M-G-M)
EARLE — (2,000), 25c-40c-55c, 7 days. Stage: Wayne King Orchestra, Bob Neller, Gower and Jeanne. **Gross:** $19,000. (Average, $14,000)

"CRIME SCHOOL" (W.B.)
FOX—(3,000), 40c-55c-65c, 7 days. **Gross:** $12,500. (Average, $14,000)

"DOCTOR RHYTHM" (Para.)
(2nd run)
KARLTON—(1,000), 25c-40c-55c, 7 days. **Gross:** $3,500. (Average, $4,000)

"KENTUCKY MOONSHINE" (20th-Fox)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 7 days. **Gross:** $3,600. (Average, $4,000)

"ROBIN HOOD" (W.B.)
STANLEY—(3,700), 40c-55c-65c, 7 days, 2nd week. **Gross:** $19,000. (Average, $14,000)

"TEST PILOT" (M-G-M)
(2nd run)
STANTON—(1,700), 30c-40c-55c, 7 days, 2nd week. **Gross:** $6,000. (Average, $7,000)

"Heaven," Calloway High in Milwaukee

MILWAUKEE, June 1.—The high take in just a fair week was Cab Calloway and his band on the stage and "Stolen Heaven" on the screen at Fox's Palace with a $9,000 gross. This was $4,000 to the good.

The only other house to break par was the Warner, where "Adventures of Robin Hood" and "Goodbye Broadway" did $5,500 in a second week, which was $500 above average. "Robin Hood" was shifted to Fox's Strand for a third week on a dual program with "Kentucky Moonshine."

Total first run business was $29,800. Average is $26,500.

Estimated takings:

Week Ending May 24:

"KENTUCKY MOONSHINE" (20th-Fox)
"HOLD THAT KISS" (M-G-M)
WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $7,000. (Average, $8,000)

Week Ending May 26:

"STOLEN HEAVEN" (Para.)
PALACE—(2,400), 35c-50c, 7 days. Stage: Cab Calloway. **Gross:** $9,000. (Average, $5,000)

"WHO KILLED GAIL PRESTON?" (Col.)
RIVERSIDE — (2,300), 25c-30c, 7 days. Stage: Girls, Gags and Gaieties. **Gross:** $4,500. (Average, $5,000)

"TEST PILOT" (M-G-M)
"DR. RHYTHM" (Para.)
STRAND—(1,400), 35c-50c, 7 days, 2nd week. **Gross:** $3,800. (Average, $4,500)

"ADVENTURES OF ROBIN HOOD" (F.N.)
"GOODBYE BROADWAY" (Univ.)
WARNER—(2,400), 35c-50c, 7 days, 2nd week. **Gross:** $5,500. (Average, $5,000)

Naval Gift

London, June 1. — The British Admiralty has received a gift of £20,000 ($100,000) from a group of English ship builders for the Royal Navy Film Corp., in recognition of the work of the men "on the lower deck" of the Royal Navy.

"Holiday" Is Sensation in 2 Coast Spots

LOS ANGELES, June 1.—"Holiday," on a double bill with "Reckless Living," was a bit of a sensation in an otherwise quiet week. It pulled $10,000, over par by $3,500, at the Hillstreet and $11,700, up by $4,700, at the Pantages.

"Adventures of Robin Hood" was still strong in its third week at Warners' Hollywood and Downtown. At the former the take was $14,500 and at the latter $15,500. "The Sheik," dualled with "Where There's a Will," showed that age hasn't dimmed it as an attraction. It took $5,365 at the 900-seat 4-Star.

Total first run business was $83,990. Average is $90,950.

Estimated takings for the week ending June 1:

"KIDNAPPED" (20th-Fox)
"ONE WILD NIGHT" (20th-Fox)
CHINESE—(2,500), 50c-75c, 7 days. **Gross:** $10,497. (Average, $12,500)

"STORM IN A TEACUP" (U.A.)
ESQUIRE—(900), 40c-55c, 7 days, 3rd week. **Gross:** $900. (Average, $2,500)

"THE SHEIK" (Para.)
"WHERE THERE'S A WILL" (G.B.)
4 STAR—(900), 40c-55c, 7 days. **Gross:** $5,365. (Average, $3,250)

"LENIN IN OCTOBER" (Amkino)
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,800. (Average, $1,200)

"HOLIDAY" (Col.)
"RECKLESS LIVING" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $10,000. (Average, $6,500)

"KIDNAPPED" (20th-Fox)
"ONE WILD NIGHT" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $10,928. (Average, $14,000)

"HOLIDAY" (Col.)
"RECKLESS LIVING" (Univ.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $11,700. (Average, $7,000)

"MAN'S CASTLE" (Col.)
"STOLEN HEAVEN" (Para.)
PARAMOUNT—(3,595), 30c-65c, 3 days. **Gross:** $2,800. (Average, $18,000)

"ADVENTURES OF ROBIN HOOD" (F.N.)
WARNER BROS. (HOLLYWOOD) — (3,000), 30c-65c, 7 days, 3rd week. **Gross:** $14,500. (Average, $14,000)

"ADVENTURES OF ROBIN HOOD" (F.N.)
WARNER BROS. (DOWNTOWN) — (3,400), 30c-65c, 7 days, 3rd week. **Gross:** $15,500. (Average, $12,000)

Name McCoy Receivers

WILMINGTON, Del., June 1.—Receivers to handle liquidation of the assets of Col. Tim McCoy and Associates, Inc., have been appointed in the U. S. District Court here, by Judge John P. Nields. Appointments were made after Col. McCoy and officials of the company failed to appear here to answer charges of bankruptcy. Receivers are Sybid U. Ward, Wilmington, and Edmund M. Toland and William H. Collins, both of Washington.

"Marco Polo" $13,000 Lead In Pittsburgh

PITTSBURGH, June 1.—"Adventures of Marco Polo" made the best showing in a week marred by 11 days [illegible] rain. The take at the Alvin was $13,000, over par by $2,000.

"Joy of Living," with Guy Lambardo and his orchestra on the stage at the Stanley, took $19,000, up by $1,000. "Test Pilot" held up to a par $5,000 in its third week at the Warner.

Total first run business was $44,200. Average is $46,500.

Estimated takings for the week ending May 20:

"COUNT OF MONTE CRISTO" (U. A.)
"LOVE ON A BUDGET" (20th-Fox)
ALVIN—(1,750), 25c-50c, 7 days. **Gross:** $4,000. (Average, $6,500)

"CRIME OF DR. HALLETT" (Univ.)
"GAIETY GIRLS" (U. A.)
FULTON—(1,700), 25c-40c, 7 days. **Gross:** $3,200. (Average, $4,500)

"ADVENTURES OF MARCO POLO" (U. A.)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $13,000. (Average, $11,000)

"JOY OF LIVING" (RKO)
STANLEY—(3,700), 25c-60c, 7 days. Stage: Guy Lombardo and his orchestra. **Gross:** $19,000. (Average, $18,000)

"TEST PILOT" (M-G-M)
WARNER—(1,850), 25c-40c, 7 days, 3rd week. **Gross:** $5,000. (Average, $5,000)

"Moonshine" Best In Omaha, $8,900

OMAHA, June 1. — "Kentucky Moonshine" and "Mr. Moto's Gamble" pulled $8,900 in seven days at the Orpheum for top gross of the week, besting weekly average by $1,700.

"Doctor Rhythm" and "Goodbye Broadway" started strong at the Omaha, but dropped off badly to end with $8,600 in seven days. Weekly average was topped by $3,100.

"Vivacious Lady" and "Law of the Underworld" were satisfactory in a second week at the Brandeis, drawing $3,700 in six days, barely average. Warm weather helped first run houses.

Total first run business was $21,200. Average is $16,700.

Estimated takings:

Week Ending May 24:

"VIVACIOUS LADY" (RKO)
"LAW OF THE UNDERWORLD" (RKO)
BRANDEIS—(1,200), 25c-35c-40c, 6 days, 2nd week. **Gross:** $3,700. (Average, $4,000)

Week Ending May 25:

"DOCTOR RHYTHM" (Para.)
"GOODBYE BROADWAY" (Univ.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $8,600. (Average, $5,500)

Week Ending May 26:

"KENTUCKY MOONSHINE" (20th-Fox)
"MR. MOTO'S GAMBLE" (20th-Fox)
ORPHEUM — (3,000), 25c-40c, 7 days. **Gross:** $8,900. (Average, $7,200)

Metro Buys Cronin Book

HOLLYWOOD, June 1.—M-G-M has acquired the film rights to Dr. A. J. Cronin's novel, "Three Loves." It will be added to the production schedule for the coming year.

Auto Lot for Comerford

WILKES-BARRE, June 1.—Comerford Amusement Co. has purchased property adjoining the new Comerford here and will clear it to provide a parking lot for patrons.

Universal to Try Unit Plan Of Production

(*Continued from page* 1)

warranted it would be placed in charge of their own production companies. Mr. Work will be in executive charge of the studio.

The Universal board chairman added that no further changes in the studio's executive setup are in view now, and was enthusiastic over the outlook for the company's new season product. Mr. Cowdin said he was not aware of any arrangements having been discussed for Mr. Rogers to release through Universal in the event he engages in independent production next fall.

The monthly meeting of the Universal board of directors will be held today.

Miller Conducts "U" Cincinnati Regional

CINCINNATI, June 1.—Dave Miller, district manager for Pittsburgh, presided at the Universal regional meeting at the Netherland Plaza here today for Cincinnati and Pittsburgh managers, salesmen and bookers who did not attend last week's Washington meeting. Selling policies and new season product were discussed.

Those attending besides Miller were: Joe Kaufman, Pittsburgh manager; Dave Barnholz, Lou Hess, Simon Feld, William Satori, Francis Guehl and Peter Quiter, all of Pittsburgh; Paul Kriger, Cincinnati manager; Nate Levenne, Sam Haber, Harry Young, George Gomersall, Frank Schrieber, Dave Schrieber, Walter Gibson, Florence Shoemaker, Howard Rouderbusch, Chas. Goodwin, Robt. Lonneman, Bob Banker, all of Cincinnati.

Mr. Miller left for Buffalo tonight to conduct a regional meeting there. It will be followed by sessions in Albany and Cleveland.

Wall Street

Small Gains Revive Board

	Open	High	Low	Close	Net Change
Col. pfd.	32⅜	33	32⅜	33	.....
Cons.	1⅛	1⅛	1⅛	1⅛	.....
Cons. pfd.	5¼	5¾	5¼	5¾	+ ½
E. K.	144	147½	144	147½	+3¼
E. K. pfd.	163	163	163	163	—2
G. T. E.	10½	10⅝	10½	10⅝	+ ⅛
Loew	39	39⅝	39	39⅝	+ ⅜
Para.	6⅝	6⅞	6⅝	6⅞	+ ⅛
Para. 1	73½	73½	73½	73½	—1½
Para. 2	8	8⅛	7¾	8⅛	+ ⅛
Pathe	4¼	4¼	4¼	4¼	— ¼
RKO	2	2	2	2	.....
20th Fox	18¾	20	18¾	20	+1
20th pfd	29	29	29	29	— ½
W. B.	4⅜	4½	4⅜	4½	+ ¼

Technicolor Rises on Curb

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	.....
Monogram	1⅝	1⅝	1⅝	1⅝	.....
Sonotone	1½	1½	1½	1½	.....
Tech.	21½	22¾	21½	22¾	+1
Univ. Corp.	2	2	2	2	.....
Univ. Pict.	3	3	3	3	—1

Loew Bonds Rise

	High	Low	Close	Net Change
Loew 3½s '46	100¼	99⅝	100¼	+ ⅝
RKO 6s '41	66½	66½	66½	.....
WB. 6s '39	72	71½	72	— ½

(Quotations at close of June 1)

Ginger Wants Record

Kansas City, June 1.—Virginia Katherine McMath wants legal proof that she was born in Independence, Mo., July 16, 1911. Ginger Rogers' request to Dr. Joseph T. Brennan, Jackson County health officer, is being referred to the State Health Department, Jefferson City, because no vital statistics record was kept in the state before 1912.

A birth certificate will be issued by the department providing the application is accompanied by affidavits of attending physician or close friends or relatives.

Broadway Grosses Show Good Gains

Business showed general improvement on Broadway this week, the holiday weekend proving a strong impetus. Attendance over the holiday ranged from a 25 per cent increase at the Paramount over last year's holiday period to a reported 100 per cent more at the Capitol, which had a weak attraction last year.

The Music Hall grossed $85,000 in the third week of "The Adventures of Robin Hood," the total run netting $277,000. Previous weeks accounted for $103,800 and $89,800, respectively.

"Crime School," the Strand's film, did $19,000 in its third stanza, against $41,000 for the first and $21,000 for the second. "Dr. Rhythm" gave the Paramount $38,000 in a second week, compared with $42,000 in the first. The second stanza of "Yellow Jack" at the Capitol garnered $19,500, following the first week's $26,000.

"Saint" and "Gangs" Stay

The Rialto is holding "Saint in New York" two extra days and anticipates $9,000 or slightly more for the nine days which will end tomorrow night. "Swiss Miss" will start at the Rialto on Saturday. "Gangs of New York" is being held a second stanza at the Criterion, delaying "The Sign of the Cross" to June 10.

"Son of the Sheik," at the George M. Cohan, is drawing well and may be held beyond a week, according to the management. "The Sheik," opposition revival at the Gaiety, is not faring as well as expected and bows out Friday night after a full week. The opening was big, $7,500 being claimed by the house as the gross for the first three days, up to Monday night. "Dr. Jekyll and Mr. Hyde," Paramount revival, goes into the Gaiety on Saturday.

Among the foreign films which are doing well is "Moonlight Sonata," at the Little Carnegie, which will start a fifth week today. An attendance of 50,000 persons is claimed for the first four weeks.

Suspend "U" Talent Unit

HOLLYWOOD, June 1.—Universal has closed its talent school for the summer with the expectancy of reopening it in September. Lionel Margolies, in charge of the school, is on leave of absence. Peggy Vaughn, his assistant, will be assigned elsewhere on the lot.

Peskay Heads G.N. Canadian Company

(*Continued from page* 1)

pany is being expanded. Mr. Allen said, and operations have been extended to Newfoundland under the supervision of Sam Jacobs of the St. John branch.

The personnel of the Dominion head office and the six exchanges will remain intact, said Mr. Allen. S. Ernest Pelson, who was elected secretary-treasurer and a director of the subsidiary, will come here from New York to act as controller. Other directors are Mr. Peskay, Mr. Allen and Sol Edwards, division manager at the home office. It is understood that Alex Adilman, who formerly held control of the Canadian company, has been asked to serve on the board.

Additions to the sales force will be made in Toronto and the Midwest. I. H. Allen, brother of the general manager and until recently Canadian general sales manager for Universal at Toronto, has been named Winnipeg sales representative.

Plan Profit Sharing

Mr. Allen, who has a minority interest in the company, said he will inaugurate a profit sharing plan for Dominion managers through an apportionment of company stock and will establish group insurance for employes.

The company plans sales meetings in July at Montreal and Calgary following a general sales convention in Hollywood late in June. The policy of the Canadian subsidiary will be to distribute selected foreign and independent films in addition to G. N. product. New offices have been opened in Calgary, where Hector Duncan is manager.

Edward J. Peskay returned yesterday from Toronto. He plans to leave today for Hollywood, where he will make his permanent headquarters.

Herman B. Freedman To Make 26 for G. N.

HOLLYWOOD, June 1.—Grand National, through Co-trustees Loyd Wright and Edward L. Alperson, today signed with Herman B. Freedman a deal by which the latter will produce 26 features for G. N. distribution. The first will be released August 15 and the others will follow at intervals of two weeks. The deal brings the minimum total of G. N. releases for the new season to 52.

Mr. Freedman left today by plane for New York to complete the financing of Film Corporation of America, his production company. He will return in 10 days to establish a staff at the G. N. studio.

Time Will Produce New Dutch Version

The Paris office of March of Time will begin the immediate production of a special Dutch version of the reel, to be called "De Loop der Tijden," for distribution in Holland and the Dutch East Indies.

The new edition will be the fifth for the reel, which is now shown in 11,374 theatres in 37 countries, according to Louis de Rochemont, producer. The reel is four years old.

Zanuck Says Film Industry Holding Own in Recession

(*Continued from page* 1)

optimistic about the company's performance this year.

A number of 20th Century-Fox executives, headed by Joseph M. Schenck and Sidney R. Kent, said goodbye to Mr. Zanuck before he sailed with Mrs. Zanuck and their three young children, Richard Darryl, Darryline and Susan. He said two of the seven weeks he will be gone would be devoted to work and the balance to a vacation.

How many of the five British pictures 20th Century-Fox will make during 1938-'39 will be released here "depends on how they turn out," and there are no plans at present to send any considerable group of Hollywood talent to the London studio, this depending on what is needed on a picture-to-picture basis, Mr. Zanuck said.

Will Confer with Kane

He confirmed, however, that Annabella, now in Hollywood, is scheduled for two English films. Virginia Fields is also to be sent over, as a support player. Mr. Zanuck will discuss further plans with Robert T. Kane, head of British production. He expects to return about August 1.

Harry Brand, studio publicity chief, is in Europe arranging for Mr. Zanuck's visits in London, Paris and Deauville and receptions in the British and French capitals to be given by exhibitor and industry groups.

Prints of "Josette" and "Kidnapped" are accompanying Mr. Zanuck and will be screened on board.

Hearing Opens on North Dakota Law

(*Continued from page* 1)

U. S. Circuit Court of Appeals, and with him are Judge Seth Thomas of Des Moines, also a circuit judge, and District Judge George F. Sullivan of St. Paul.

Plaintiffs are the American Amusement Co., the Minnesota Amusement Co. and Paramount Pictures, Inc. Defendants are the State of North Dakota, Governor William Langer, Alvin Strutz as Attorney General and state's attorneys in those counties where the plaintiffs operate theatres.

Heading the plaintiff's counsel is Thomas D. Thacher of New York.

The statute, against which a temporary injunction has been issued, forbids operation of theatres owned and operated by film producers or distributors.

In his opening statement, Thacher said the measure would destroy property rights, that it was not within the State's policing power, that there is no monopolity in production, distribution and exhibition of films nor any threat thereof. He branded the law as class legislation.

Francis Murphy, defense attorney, said the legislation could be construed to prevent the entrance of an "evil" into North Dakota, that the practice of producers owning theatres could with block booking methods in vogue threaten to destroy independents.

Banner LINES

A NEAT little war of television patent rights appears to be stewing, with an outbreak of hostilities expected practically any minute, now that Television Corp. of America has placed receiving sets on the open market in various metropolitan department stores. It will be a war between private, unaffiliated manufacturers versus the big outfits such as RCA, Philco and the others.

The big boys, particularly RCA, are said to feel that no private manufacturers can possibly place on the market television receivers, without in some manner infringing on one or more of the scores of television patents held by them.

▼

Wally Butterworth, radio director for Stack-Goble in New York, after five years with the agenc" will step out about Oct. 4 to enter into a free-lance partnership with Parks Johnson. The "Vox Pop" show will go with them, although Stack-Goble will retain the Molle account.

▼

Although it hasn't been announced officially as yet, Andre Kostelanetz will wind up his long term engagement on the Chesterfield series this summer, and there is a good chance that Paul Whiteman is washed up on the companion Chesterfield program. Replacement shows are now being thought up.

▼

Great Britain and the United States are in dispute as to which nation owns Canton Island, the dot of land in the South Seas, but over at NBC the matter has been settled. Last year NBC sent an expedition to Canton Island to broadcast a description of the total eclipse of the sun, and as a memento of that event NBC has a display on exhibition on the fourth floor of the NBC Building. The descriptive placard to the display refers to Canton Island as "British possession in the South Seas."

▼

Frank C. Waldrop and Joseph Borkin, experts on television and authors of "Television: A Struggle for Power," have never seen a television broadcast. At least that's what the publishers of the book say.

—JACK BANNER

Television Is Topic

Television will be the main topic at the annual convention of the Institute of Radio Engineers at the Hotel Pennsylvania June 15 to 18, according to program plans just made public. Discussions of television will be included in virtually every session, and the final day will be devoted almost exclusively to the subject.

Thorgersen to Air Fight

Ed Thorgersen, Movietone News sports commentator, has been engaged to do the color broadcasting of the Louis-Schmeling fight June 22, which will be broadcast over NBC.

Form Talent Agency

S. Kirby Ayers and Robert J. Prescott, formerly of CBS, have opened their own artist management company in New York.

Feature Film Is Televised By NBC-RCA for First Time

By JACK BANNER

Alexander Korda's "The Return of the Scarlet Pimpernel" on Tuesday evening became the first full length motion picture to go out on the television airlanes in this country. The picture was televised in the sixth floor studios of NBC in the RCA Building and broadcast over the network's television transmitter W2XBS, located in the Empire State Building. A small invited audience witnessed the televised screening in the studios, while a group of regular NBC and RCA observers, approximately 60 in number, viewed the show in their homes.

Technically, the experiment left little to be desired, for the film, cast upon the 7½ x 10-inch television screen, was almost as clear and well-defined as it is in the theatre. There were, it is true, occasions when the outer corners of the film were diffused with light, cutting off the corners of the picture, but this occurred infrequently. An NBC engineer explained this occurred during night scenes and when the actors appeared in dark clothing and in other "dark" spots in the picture. He said this could be compensated for, providing the television operator was familiar with the film's action and knew in advance when such scenes were due.

Show Runs 90 Minutes

The film ran for an hour and 30 minutes. The pictures were telecast on 46.5 megacycles, and the sound was broadcast on 49.75 megacycles. The reel was scanned at 30 frames per second. This compares with regulation motion picture film projection of 24 frames per second.

The picture was televised exactly as it is unreeled in the theatre, with no special editing, cutting, or other treatment. It was projected from the film scanning studio on the fifth floor of the RCA Building, thence by co-axial cable to the Empire State transmitter and from there telecast back to the RCA Building, and out into the ether, whence it could be picked up by anyone possessing a television receiver within an approximate 75-mile distance from the transmitter.

From the audience viewpoint, it was noted that during the first few moments of the film's unwinding, the spectators seemed to be interested out of curiosity, but as the moments wore on they settled back in their seats and followed the action much as they would in a regular theatre.

Action a Factor

The "Pimpernel" film was selected for the experiment from among several films, because of its fast action, it was stated, as it is believed that fast action pictures will hold the attention of a television audience more readily than pictures that depend on dialogue of psychological studies for their effect. Color pictures were not considered, as color will not "take" in the present development of American television.

The NBC and RCA observers who followed the film from sets in their homes will make a report on distance reception some day this week. Of those receivers, some are 50 miles or so removed from the Empire State Building.

NBC to Televise Play

Having televised a full-length motion picture, NBC will essay the televising of a stage production next. The production will be "Susan and God." The cast, including Gertrude Lawrence, will give a special performance before the television camera in the NBC studios Tuesday afternoon.

Super-Power Faces Stoppage by Treaty

(*Continued from page* 1)

a member of the Senate Interstate Commerce Commttee, during the hearings on legislation authorizing establishment of a Government propaganda broadcasting station.

Two radio treaties, one with the South American countries and another with Canada, Cuba and Mexico, have been given favorable consideration by the Senate Foreign Relations Committee, it was said today by Senator Key Pittman of Nevada, chairman, but will not be finally acted upon until after the committee has heard Senator Burton K. Wheeler of Montana, chairman of the Interstate Commerce Committee, on the inclusion in the agreement of provisions which would curb the use of superpower in American broadcasting.

To Honor Miss Kiczales

The Women's Clubs of America will honor Hyla Kiczales, general manager of WOV-WBIL-WPEN, for outstanding work in the Americanization of foreign elements, at a dinner next month.

Over 100 Stations To Be at Hearings

(*Continued from page* 1)

closed today with publication by the commission of a list of witnesses. The hearings will be conducted by a commission committee consisting of Commissioners Case, chairman; Craven and Payne.

In addition to the broadcasting stations, a number of organizations also will be represented, among them the National Committee on Education by Radio, through S. Howard Evans; American Civil Liberties Union, Sol. M. Alpher; National Association of Broadcasters, Philip G. Loucks; National Association of Regional Broadcast Stations, Paul D. P. Spearman; National Independent Broadcasters, Edward A. Allen, and Don Lee Broadcasting System, Horace L. Lohnes. NBC and CBS will present their views through representatives of key stations.

Indications are that the hearings will run through most of next week. Factual data compiled from questionnaires which have been sent out by the commission will be submitted at the beginning of the hearing, and the F.C.C. will also put several of its experts on the stand. All testimon will be given under oath, and bot commission and industry witnesse will be subject to cross-examination.

Radio Personals

DONNA DAE will be groomed a the personality to succeed th Lane Sisters in the Waring troup when they start their radio progran . . . Peter Higgins, the WKRC singer is on a two-week vacation here. . . Jayne Dover has been engage Billy Swanson's vocalist and wi heard bi-weekly on the air from L Conga. . . . John Barrymore an Elaine Barrie will do a man-and-wif act on the Cantor show, June 6. . . Clyde Lucas and orchestra will in augurate a summer broadcastin schedule from the Claremont Inn thi week via NBC. . . . Beverly Robert will be interviewed by Radie Harri over Mutual tonight.

+

Ted Herbert of the WOR sale staff was married to Florence Pear in Los Angeles and is now honeymooning in Yellowstone Park. H will return to his desk in a fev days . . . Freddie and Chelo, Argentine radio stars, are in New York t fulfill a series of engagements whic call for their participation in a specia short wave broadcast from Genera Electric's Schenectady station. The plan ultimately to go to Hollywood t appear in Spanish language pictures.

Dramatic Series to Return in the Fal

"Silver Theatre," a series of original dramas in which are feature screen players, will return to the net works next fall, in accordance with contract just set by Young & Rubi cam for 1847 Rogers Silverware C Starting date, time and network ar undecided as yet.

Rogers last year sponsored the "Silver Theatre" over the CBS network Sundays at 5 P. M.

WORL Tries Youth Serie

BOSTON, June 1.—A program serie prepared, produced, announced, an enacted by young people has been inaugurated by WORL. A second phas of the venture is a weekly publicatio to be written, edited, and distribute by and for the youth of Greate Boston. The program is experimenta and non-commercial.

Televise English Derby

LONDON, June 1.—A telecast of th Derby was shown at the Gaumon British Tatler Theatre here before a invited audience, using the Baird bi screen system. It was projected b the cathode tube method.

Fields to Be Guest

HOLLYWOOD, June 1.—W. C. Field will return as a one-time guest on th Chase & Sanborn series June 5.

Frankel Joins Gussow

Norman Frankel, formerly radio director for the Freitag agency, ha joined Gussow, Kahn & Co. in th same capacity.

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FCC Members Yield to Air Lobby: Payne

House Group Insists He Name Commissioners

Washington, June 2.—Charges by ommissioner George H. Payne that ellow members of the Federal Communications Commission had been susceptible" to an all-pervasive radio obby today drew sharp demands for lentifications from members of the House Rules Committee at a hearing 1 the Connery-McFarlane-Wigglesorth measures for Congressional inestigation of broadcasting.

Mr. Payne's charges were made as e appeared before the committee folwing Chairman Frank R. McNinch, ho had declared that the F. C. C. ivestigation of chain broadcasting and ionopoly would be exhaustive. At the utset, Mr. Payne said he did not

(Continued on page 24)

GB Has Television For Film Theatres

London, June 2.—Gaumont British nnounced today that Baird television r film theatres is now on the maret in commercial quantity. The eatre apparatus is being demonrated at the current conferences of e Cinematograph Exhibitors' Assoation, showing the running of the nglish Derby.

The Gaumont Tatler Theatre has een equipped for daily television ade showings.

FCC Monopoly Quiz To Study NBC Deal

Washington, June 2.—The Fedral Communications Commission toay broadened the scope of its monpoly investigation to include the conact entered into in November, 1932, etween Westinghouse Electric and Ianufacturing Co. and the National roadcasting Co.

The commission ordered that a earing be held with regard to the ontract, to determine whether it is 1 violation of the Communications ct and whether it is "in fact or in w" a lease. Details of the agreeent were not made available by the ommission.

More Radio—P. 24

Neely Admits His Bill Dead at This Session; Comments Bitter

Washington, July 2.—Admission by Senator Matthew M. Neely of West Virginia last night that there is no further chance of passage of his block booking bill this session was seen in Washington today as effectually ringing down the curtain on that legislation.

Outspokenly bitter over the situation, Senator Neely accepted the statement of Representative Clarence F. Lea of California that his Interstate and Foreign Commerce Committee would not have time this session to hold hearings on the bill and would not report it to the House without hearings.

That the measure would not move in the House was predicted in *Motion Picture Daily* when the Senate passed the bill May 17, when a canvass of the House committee showed there was not sufficient support for a demand for action to be successful.

Neely, however, has steadfastly hoped that outside pressure could be brought upon the House to force the bill to the floor, but with probably less than two weeks remaining of the session is apparently reconciled to defeat. He attributed the shelving of the bill to the moving picture lobby.

U.A. and Schaefer Talk New Contract

Hollywood, June 2.—Negotiation of a new contract with George J. Schaefer, United Artists vice-president in charge of domestic distribution, will be continued in New York in the near future, company officials stated here today.

Mr. Schaefer's current contract with the company has until next April to run. However, new terms were discussed during his recent visit here and, while they have not been agreed upon yet, there is nothing to indicate at this stage of the negotiations that a new contract will not be concluded in the near future, it was said.

Selling Meet Is Held By Empire Universal

Toronto, June 2.—Completing its first year as Empire Universal Films, Ltd., officials and branch managers across Canada gathered in the library of the Royal York Hotel today for the annual sales convention with President O. R. Hanson reviewing the highly successful record in his opening speech.

The principal speaker today was Arthur Lee, vice-president of G. B., but the original program was dis-

(Continued on page 22)

Loew's in Montreal To F. P. Canadian

Montreal, June 2.—Famous Players Canadian Corp. has taken Loew's, largest house in Montreal, as a unit of its circuit. Closing tonight, the theatre will remain dark "until further notice." Seating 3115, the house is

(Continued on page 22)

Many Will Attend Clark Rites Today

Representatives of all branches of the industry from many cities are expected to attend the funeral services for John D. Clark, 20th Century-Fox sales chief, who died Wednesday. It will be held at 3 o'clock today in Montclair.

The services will be at the Arthur K. Brown Funeral Home, 57 Park St. Burial will be at Mt. Hebron Cemetery, Upper Montclair, and will be private.

The home office, all exchanges in the United States and Canada and offices of subsidiary and affiliated companies

(Continued on page 22)

Wm. Green and Kent To Speak at IA Meet

Cleveland, June 2.—William Green, president of the American Federation of Labor, and Sidney R. Kent, president of 20th Century-Fox, will be the principal speakers at the 34th convention of the I.A.T.S.E., which will open here, June 6, and extend throughout the week. It is expected that 900 delegates will attend.

Other speakers will be Gov. Martin L. Davey. Mayor Harold H. Burton of Cleveland, Senator Robert J. Buck-

(Continued on page 22)

"Kidnapped" Gives Roxy $45,000 Week

"Kidnapped" gave the Roxy $45,000 in the week ending last night and is being held a second stanza. "Josette" will follow on June 10. Universal's "The Rage of Paris" is a future booking at the Roxy, but no

(Continued on page 22)

Roach Raises New Issue in Counter Suit

Charges Milestone with Damage to Story

Los Angeles, June 2.—Raising for the first time in local court history the unique legal question of whether the director of a picture is liable for damages done the script or story property by his failure to comply with studio orders, Hal Roach today filed a cross complaint in the suit brought against him by Lewis Milestone for $81,666 back pay and damages and demanded $339,000 from the director for expenses incurred through Mr. Milestone's alleged failure to obey studio orders and for damage done the story property.

Mr. Milestone charged in his original complaint that Mr. Roach abrogated the contract calling for him to write and direct "Roadshow," a novel by Eric Hatch, and owed him two weeks back pay plus penalties provided

(Continued on page 21)

Friedl Testifies As N.D. Trial Resumes

Fargo, N. D., June 2.—John J. Friedl, president of the Minnesota Amusement Co. and vice-president of the American Amusement Co., went on the stand today before the three-judge Federal statutory tribunal hearing the attack on the constitutionality of the North Dakota theatre divorcement law.

Friedl's testimony was intended to show that these companies with Paramount have no monopoly of exhibition in North Dakota and that films are in interstate commerce.

Late yesterday the court denied a defense motion for dismissal of the case, and A. J. Gerlach, state regulatory commissioner, testified regarding state licensing.

M-G-M Will Reissue Four Films in 1939

Hollywood, June 2.—M-G-M, in a surprise announcement today, disclosed plans for the reissuing of four of its feature pictures during the coming season. They are: "Mutiny on the Bounty," "San Francisco," "Rose Marie" and "The Champ."

The films will be reissued at the rate of one monthly during the summer of 1939. The first will appear in May.

My Word!

By Irene Kuhn

◆ The Elbow Room, as yet unnumbered but soon to be identified as 19 East 52nd St., adjoining the Berkshire, hasn't yet completed its exclusive membership of 500. The color scheme of the *sang de boeuf*, beige and copper facade is repeated in the interior decor, by Norman Bel Geddes. The board of governors consists of Henry Wise Miller, Grace Hendrick Eustis, Harold (Viking Press) Guinzberg, Hawley Truax and Joseph Hennessey, who started it all. Memberships, $25 for husband and wife or singles, are handed out after membership committee consisting of Alexander Woollcott, Ben Kaufman, Grace Eustis and Henry Miller pass on friends of members. Present membership, in the bar-less, music-less, eating and drinking club, is a melange of society, literary, radio, theatrical, film luminaries, and includes plenty of picture people, like Joseph Schenck, the Goldwyns, the Ralph Bellamys, Paramount Writer Charles Brackett, Howard Dietz, Charley McArthur, the Irving Berlins, Allen Campbell and Dorothy Parker, the Fredric Marches, Gregory LaCava, Harpo Marx, Douglas and Robert Montgomery, Bob Riskin, Wells Root, David O. Selznick, Bob Sherwood, Gary Cooper, Everett Crosby, the Albert Hackets, Walter Wanger, Ed Wynn. . . . Writers number Katharine Brush, Thornton Wilder, Dashiell Hammett and others. From the theatre are Ina Claire, Katharine Cornell, Russell Crouse, Marc Connolly, George Kaufman, Moss Hart, Gertrude Lawrence, the Lunts, Ben Hecht. Theatre management is represented by W. G. Van Schmus; publishing by William W. Hawkins (Scripps-Howard), Fred Ferguson (NEA), Edwin Knopf; radio contributes William Paley, David Sarnoff and John Royall; public relations has Ben Sonnenberg, Steve Hannagan.

◆ The Club opens for luncheon, is active at cocktail time, and gets a big dinner and after theatre supper business. Tipping is tabu. Merchandised on snob appeal basis, quiet and privacy. Newspapermen welcome, but flashlight snappers and keyhole kommentators are not greeted with hugs and kisses or even open arms. The elbow gets sharp for protection of members' private lives.

◆ Huddles in "21"—Jules Glaenzer, Marc Connolly, J. P. McEvoy, Crosby Gaige, Gilbert Seldes, Donald Deskey. Deskey may do sets for proposed fall musical McEvoy is collabing on with Arthur Schwartz.

◆ Jack Kriendler, "21" partner, is now on the high seas headed for Paris. He has a big checkbook with him because he's gone over to buy wine—protecting futures.

Lieber in for Bromberg

Hollywood, June 2.—Fritz Lieber has been assigned by 20th Century-Fox to play the role originally set for J. Edward Bromberg in "Ellis Island," in which Don Ameche and Arleen Whalen are co-starred.

Purely Personal

HENRY KING, 20th Century-Fox director, left Newark Airport yesterday, flying his own plane to Raleigh, N. C. He will continue on to Birmingham for the Air Carnival and will then fly to Florida for some fishing.

•

William Heineman, newly appointed western division manager for Universal, will arrive in New York from the coast tomorrow to establish his headquarters at the home office.

•

Mrs. Carrie F. Hall of Universal's home office still department will leave for the coast today to establish her headquarters at the studio.

•

Charles Light, Alexander Film Co. export manager and Mrs. Light yesterday observed their 13th wedding anniversary.

•

Cresson E. Smith, RKO western and southern sales manager, is en route to Chicago and the middle west on a business trip.

•

Julio Martin Amodio, 20th Century-Fox manager in Colombia, will sail for South America today on the *Santa Rosa*.

•

Kenneth Thomson, executive secretary of the Screen Actors' Guild, will arrive in New York by plane on Sunday.

•

Walton C. Ament, news editor of Pathe News, moved to his summer abode at Darien, Conn., yesterday.

•

Bill Strickland, former Monogram manager, now operates the Brown Derby, Film Row beanery.

•

Jesse L. Lasky is en route to Hollywood on a brief mission and is expected back here next week.

•

Willard S. McKay went to Gloversville yesterday for conferences there with Meyer Schine.

•

Sylvia Sanders of Standard Artists Bureau is celebrating her birthday today.

•

A. C. Blumenthal says he will return to the coast any day now.

•

Dwight Fiske is Europe-bound on the *New York*.

JEFFREY BERNERD, general manager of Gaumont British Distributors, Ltd., has postponed his departure for London to await the further recovery of Mrs. Bernerd, who was taken ill during her New York visit.

•

Capt. Harold Auten, foreign manager for Greater Union Theatres and associated companies in Australia, is not expected back from home office conferences in Sydney until the end of this month. He has been gone five weeks.

•

Carl E. Milliken, secretary of the M.P.P.D.A., and Mrs. Milliken have announced the engagement of their daughter, Edith L., to William E. Wade, Jr., of Passaic.

•

William Dover, 20th Century-Fox studio personnel manager, and Mrs. Dover will leave for a Bermuda vacation the *Queen of Bermuda* tomorrow.

•

Laura Hays, daughter of Arthur Garfield Hays and wife of Jean H. Lenauer, will produce a series of shorts based on a new type of newsreel.

•

George Eisele of Lee Balsly's ad sales department at 20th Century-Fox hit the high score of 107 in the *World-Telegram's* headpin tournament.

•

Sam Kestenbaum has returned from Cleveland and Bradford, Pa., where he launched campaigns for Artcinema's "Son of the Sheik."

•

Jean Hersholt tomorrow morning will leave for Callender, Ont., there to complete shooting on "Five of a Kind," Dionne quintuplets feature.

•

Paula Stone will leave for the coast in a day or two. Fred Stone is planning a summer stock revival of "Lightnin'."

•

Irwin Zeltner, Loew's State publicity director, is recuperating in Maine from a recent illness.

•

Charles Morla, Monogram manager in Latin America, is back from a business trip to Cuba.

•

Sabin Carr has moved to larger quarters at 729 Seventh Ave.

•

Earle Perkins has been ill.

Whitford Drake Returns

Whitford Drake, president of Erpi, accompanied by Mrs. Drake, returned from London yesterday on the *Europa*. Because his prolonged illness has prevented active contact with the affairs of his company, Mr. Drake declined to comment on recent industry developments.

Ohio May Cuts Total 21

Cincinnati, June 2.—The Ohio division of film censorship reviewed a total of 473 reels in May, from which 21 eliminations were ordered. This compares with 500 reels and 21 eliminations in April of this year, and 582 reels with 39 eliminations in May, 1937.

Set "Glorious Years"

"Sixty Glorious Years," a companion piece to "Victoria the Great," will be given worldwide distribution by RKO. The Herbert Wilcox Production recently went before the cameras at Denham, England. Featured are Anna Neagle, Anton Walbrook and C. Aubrey Smith. It is being filmed in Technicolor. The world premiere is planned for the Empire Exhibition in Glasgow. London and New York will have simultaneous openings in the early fall.

Pons-Kostelanetz Wed

Lily Pons and Andre Kostelanetz were married yesterday at the opera singer's home in Silvermine, Conn.

New Film Delivery Allowed in Memphis

Washington, June 2.—Establishment of motor film transportation service between the Memphis exchanges and the theatres in that territory was authorized today by the Interstate Commerce Commission in an order granting a certificate of convenience and necessity to the Film Transit Co.

Passing on the qualifications of the application, the commission in its decision pointed out that such service already is in operation in every other exchange district in the country, and that present express service in the Memphis area is not adequate to the needs of the theatres.

The proposed service will operate between Memphis and points in Tennessee, Kentucky, Mississippi, Arkansas and Missouri, furnishing the special delivery, pickup and forwarding services required by the exchanges and exhibitors.

Kenosha Admissions Reduced Five Cents

Kenosha, Wis., June 2.—Local houses, both first runs and subsequents, have reduced admission prices, the drop averaging five cents.

The first run Kenosha and Gateway have gone from 30 to 25 cents until 6 P. M. and from 40 to 35 cents thereafter. The Orpheum has dropped from 20 to 15 cents before 6 P. M. and 25 cents thereafter. the former top was 30 cents.

The Roosevelt has moved its early admission deadline from 6 P. M. to 7:15 P. M. and has dropped from 20 to 15 cents during this period, with the top remaining at 25 cents, while the Vogue's top has been whittled from 25 to 20 cents.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Examination Ordered In Laboratory Suit

N. Y. Supreme Court Justice Salvatore A. Cotillo yesterday ordered the examination before trial of the officers of H. E. R. Laboratories, Inc., Garrison Film Distributors, Inc., and Alladin Pictures Corp., defendants in a $150,000 suit brought by Lina Pictures Corp. At the same time Gus[illegible] A. Schwab, plaintiff in a comp[illegible]on suit for $5,000 against the same defendants, was ordered to file a bill of particulars of his claim.

Lina Pictures brought suit as assignee of Talking Picture Epics, Inc., charging the defendants with the illegal retention of negatives of 50 pictures. Mr. Schwab claimed in his suit that the defendants were illegally retaining the negative of "The Girl from Reeperbahn." In both actions the defendants denied the charges, asserting that they were entitled to the negatives by reason of a lien on them for services rendered.

Grace Moore Files Suit

Grace Moore Parera filed suit yesterday in the N. Y. Supreme Court against the Brunswick Record Corp. and asked the court for $50,000 damages for alleged breach of contract. The defendant in a cross suit countered for $15,000 damages, also charging a violation of the contract.

The plaintiff claimed that she entered into a contract with Brunswick in October, 1934, under which she was to make 12 double faced records. After making one record, the defendant breached the contract, according to Miss Moore. Brunswick claimed in its counter suit that Miss Moore refused to sing, after making the first record.

Peskay Goes to Coast

Edward J. Peskay, Grand National distribution head, left by train yesterday for the coast, expecting to arrive in about 10 days. En route he will stop off in Pittsburgh, Cincinnati and Atlanta for conferences with local staffs. The company plans a sales meeting in Hollywood late this month. District managers and others from the field will be called in.

"Hood" on Boston Dual

BOSTON, June 2.—"The Adventures of Robin Hood" opened today at the Metropolitan on a double bill with "Little Miss Thoroughbred." The film has been the subject of negotiations with M. & P. for several weeks. The deal was closed late this week and the show already booked was withdrawn to accommodate the Warner feature.

20th-Fox Sets Dividends

A cash dividend of 37½ cents a share on the outstanding preferred stock of 20th Century-Fox for the second 1938 quarter and a similar dividend of 50 cents on the common stock were voted at a meeting of the directors yesterday. Both are payable June 30 to stockholders of record June 17.

Santley to 20th-Fox

HOLLYWOOD, June 2.—Twentieth Century-Fox has signed Joseph Santley, writer and director, to a long term pact and has assigned him to direct "Down to Earth," with Jane Withers.

The Newsreel Parade

Movietone News
Vol. 20, No. 76
(20th Century-Fox)

Considering its length, a considerable amount of material went into the makeup of this issue. The items are lively and diverting with proper emphasis on the more serious side of the news.

The lead item is the visit of King Victor Emanuel of Italy to Tripoli. Then a gambling ship on the Pacific coast is shown and in succession the reel offers a sham battle in view of the Chicago skyline, the June Week activities at the Naval Academy at Annapolis, Lloyd George on his English farm observing the new irrigation system, Civil War veterans flying over Gettysburg, a night parade glorifying the age of electricity in Paris, mechanics putting the finishing touches on the 32-ton transport plane at the Douglas works, Parker Dam on the Colorado River nearing completion, a sporting piece on Lou Gehrig's 2,000th consecutive baseball game with scenes of his early triumphs, and sweepstakes winners who say their pieces with Lew Lehr popping on and off the sound track. Running time, 8½ mins. P.

News of the Day
Vol. 9, No. 274
(M-G-M)

This is a varied and interesting issue. Army sham battles, the June Week parade at Annapolis, aviation, sport and other events are taken care of effectively.

Following the Naval Academy flag ceremony, the aviation clip and the Chicago military maneuvers, the footage offers the King of Italy visiting Tripoli in company with Governor Balbo, a water divining rod in action on the English estate of Lloyd George, and the ensuing water supply when an underground source is located, Czechoslovakian girls in a gas mask drill that is cleverly handled, a kissing meter at Armour Tech with a pretty feminine subject ringing the bell, sweepstakes winners having their amusing say, a roller skating marathon in Hollywood and a motorcycle race in Richmond, with a crash and other thrilling moments. Running time, 8 mins. P.

Paramount News
No. 87
(Paramount)

Rather lacking in spectacular news material, this reel provides routine coverage for the most part. Of particular interest, however, are the excellent views of the enormous new 42-passenger air liner built on the coast. Likewise pictorially effective is the clip showing the French battle fleet massed in the Mediterranean, with detailed disclosure of the making of the smoke screen.

Pictures of the Cash home in Florida and of the Levine home in New Rochelle, N. Y., call attention to the latest news in the most recent kidnaping atrocities. Lou Gehrig is seen before and after his 2,000th baseball game, something of a record, even for Gehrig. King Victor Emanuel is shown on a visit to Tripoli, accompanied by Governor Italo Balbo; the latest arrival, a baby pigmy hippo, poses in the Washington zoo; President Roosevelt plays host to the ex-Kaiser's grandson and his bride at Hyde Park. Two other clips, one on the annual dog show at Madison, N. J. and the other on the "swing" carnival at Randall's Island, rate Paramount no praise. Both were carried in most reels' last issue. Running time, 9 mins. A.

RKO Pathe News
Vol. 9, No. 91
(RKO)

Some smart editing lends interest to this number. The first subject, a hail storm in the northwest, shows motorists examining the size of the ice balls, and other shots include the effects on gardens and trees and a snappy running comment.

The new giant airplane constructed at the Boeing plant as an experiment for all the principal American airlines is impressive. The camera has been moved about freely to convey an impression of the tremendous size of the ship and the beauty of its lines. An interesting clip shows children at a Pawling School being taught by actually doing things—running tractors, clipping sheep, gardening, building structures and laying stones in cement.

The inside of a Paris palace being renovated for the visit of the King and Queen of England is shown. Another subject is the footprinting and fingerprinting of babies and their parents in a maternity hospital. The two other subjects are a horse auction and ceremonies attendant upon Lou Gehrig's attainment of his 2,000th game without missing one. Running time, 9 mins. J.

Universal Newsreel
No. 672
(Universal)

Making the most of the material at hand, which, incidentally, is mostly of a light, feature nature, the Universal Newsreel editors deliver an entertaining release which holds the interest between chuckles.

Annual graduation ceremonies at Annapolis are in the lead position and make a pretty picture. Shots at the scene of the Cash kidnaping at Princeton, Fla.; the arrival in New York of a shipment of Spanish Loyalist silver, and shots of the completed "flying hotel," the huge DC-4 transport plane, are interestingly presented. The reel then veers to the amusing side with a glimpse of jubilant children watching a spinach crop being plowed under after its market had been shut off by a C.I.O. cannery strike, and preparations in Paris for a visit from the British royal family which include the polishing up of the royal bath tub. A visit of the King of Italy to his North African subjects and shots of Illinois' 33d Division war games at Soldiers' Field, Chicago, follow. A visit to a gambling ship anchored off California and the selection of a composite poster model by McClelland Barclay are diverting. The reel ends on an amusing note with some action scenes from a roller skating derby and interviews with recent winners of the Irish sweepstakes. Running time, 9 mins. K.

Drop Chorus Equity Merger With Actors

The long considered merger of Chorus Equity Association with Actors' Equity Association has been abandoned for the time being, members of the former organization will be informed at their annual meeting at the Center Hotel today.

When Chorus Equity lost the jurisdiction over night club and presentation house performers to the American Federation of Actors several months ago, plans for merging the Chorus group with Actors Equity were advanced and, until recently, it appeared that the merger might be consummated at today's meeting. The disposition now in both camps, however, is to permit Chorus Equity to continue on its own for the time being and, if it is successful in maintaining itself, no merger will be attempted.

Mrs. Edith Christianson, executive secretary of the chorus group, has tendered her resignation, effective June 20, and indications are that an appointment to fill the post will be made today. Scheduled for election at today's meeting are Paul Dullzell, chairman of the executive committee; Gerald Moore, recording secretary; Jack Barnes, Mary Brent, Margaret Henzel, Lili Mann, Helen Sanford, Norman Van Endburgh and Jean Woods as members of the executive committee for three years, and Thomas Scott and Phil Shaw, replacements on the committee for one year.

Other officers of Chorus Equity and the council of the organization are the same as those of Actors' equity.

Drop Hartford Vaude.

HARTFORD, June 2.—The Harris Brothers will discontinue vaudeville at the 4,000-seat State, operating weekends only with films during the summer. F. R. Abrams, publicity and advertising director, is off for a summer vacation, and will return in the same capacity in the fall.

Film Title Reversed

HOLLYWOOD, June 2.—The Goldwyn film, "The Cowboy and the Lady," will be released as "The Lady and the Cowboy."

Wall Street

Kodak Up 3⅛ on Board

	Open	High	Low	Close	Net Change
Col.	12	12½	12	12	+ ½
Col. pfd.	33	33	33	33	.....
Cons.	1⅛	1⅛	1⅛	1⅛	.....
E. K.	148¾	149¾	148¾	149⅛	+3⅛
E. K. pfd.	163	163	163	163	+1½
G. T. E.	11¼	11¼	11¼	11¼	+ ⅝
Loew	39¾	40⅛	39¾	40⅛	+ ½
Para.	6⅞	6⅞	6¾	6¾	— ⅛
Para. 2	8	8	8	8	— ⅛
Pathe	4½	4½	4½	4½	+ ¼
RKO	2	2	1⅞	2	.....
20th Fox	20¼	20¼	19½	19½	— ½
W. B.	4½	4½	4⅜	4½	.....

Little Trading on Curb

	Open	High	Low	Close	Net Change
Sonotone	1½	1½	1½	1½	.....
Tech.	23	23⅛	22¼	22⅜	— ½
Trans-Lux	2	2	2	2	.....

Bond Gains Predominate

	High	Low	Close	Net Change
Loew 3½s '46	100	99⅞	100	— ¼
Para. Pict. '47	71¾	71¾	71¾	+ ½
RKO 6s '41	68¼	68¼	68¼	+ ¼
W. B. 6s '39	71½	71½	71½	+ ½

(Quotations at close of June 2)

"Vivacious" Cleveland's $12,000 Win

CLEVELAND, June 2. — "Vivacious Lady," inaugurating a straight film policy at the RKO Palace, attracted outstanding first run business with a take of $12,000. Average is $8,000.

"Adventures of Robin Hood" held up during its second week at Warners' Hippodrome with a gross $11,500, which was $1,500 over par.

Total first run business was $39,000. Average is $37,000.

Estimated takings for the week ending May 27:

"BELOVED BRAT" (F. N.)
(4 days)
"BLIND ALIBI" (RKO)
(3 days)
ALLEN — (3,000), 30c-35c-42c, 7 days. **Gross:** $3,500. (Average, $4,000)

"ADVENTURES OF ROBIN HOOD"
(F. N.)
WARNER'S HIPPODROME — (3,800), 30c-35c-42c, 7 days, 2nd week. **Gross:** $11,500. (Average, $10,000)

"VIVACIOUS LADY" (RKO)
RKO PALACE—(3,100), 30c-35c-42c, 7 days. **Gross:** $12,000. (Average, $8,000)

"DR. RHYTHM" (Para.)
LOEW'S STATE—(3,500), 30c-35c-42c, 7 days. **Gross:** $9,500. (Average, $11,500)

"THE DIVORCE OF LADY X" (U. A.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days. **Gross:** $2,500. (Average, $3,500)

"Robin Hood" Big In Cincy, $15,000

CINCINNATI, June 2.—"The Adventures of Robin Hood" collected top money last week with $15,000 at the RKO Albee, up $3,000. It was shifted to the RKO Capitol.

"In Old Chicago" continued to click in its fourth week downtown, getting $3,300 at the RKO Grand where average is $2,750. "Kentucky Moonshine" balanced the $10,000 figure at the RKO Palace, and was moved to the RKO Grand. Business was fair at the other stands.

Total first run business was $45,900. Average is $58,700.

Estimated takings for the week ending May 26:

"THE ADVENTURES OF ROBIN HOOD" (F. N.)
RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $15,000. (Average, $12,000) Moved to RKO Capitol.

"KENTUCKY MOONSHINE" (20th-Fox)
RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $10,000. (Average, $10,000) Moved to RKO Grand.

"THERE'S ALWAYS A WOMAN" (Col.)
RKO SHUBERT—(2,150), 35c-42c, 7 days. **Gross:** $4,000. (Average, $12,000)

"VIVACIOUS LADY" (RKO)
RKO CAPITOL—(2,000), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,800. (Average, $6,500)

"DR. RHYTHM" (Para.)
RKO LYRIC—(1,400), 35c-42c, 7 days, 2nd downtown week. **Gross:** $4,000. (Average, $6,500)

"IN OLD CHICAGO" (20th-Fox)
RKO GRAND—(1,200), 25c-40c, 7 days, 4th downtown week. **Gross:** $3,200. (Average, $2,700)

"INTERNATIONAL SETTLEMENT"
(20th-Fox) (2 days)
"PORT OF MISSING GIRLS" (Monogram)
(2 days)
"WHEN THIEF MEETS THIEF" (U.A.)
(3 days)
RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,400. (Average, $2,450)

"SWISS MISS" (M-G-M)
KEITH'S—(1,500), 30c-40c, 4 days. Replaced by "Birth of a Baby" when city ban lifted. **Gross:** $2,000. (Average, 7 days, $6,500)

New York Previews

"You and Me"

(Paramount)

Fritz Lang's direction and production work on this film lifts a boy and girl drama from what appears to be the usual story into the realm of pungent entertainment with general appeal. An audience at the Paramount responded with visible and audible emotion as the story reached its high points of humor, marital comedy, romantic throbs and hard-hitting drama.

Sylvia Sidney and George Raft turn in fine performances. The pair is cast as paroled convicts who work in Harry Carey's big department store. They are in love and when Raft's parole is up he marries Miss Sidney. She is also on parole, but she keeps this knowledge from him. They are happy for an idyllic period as man and wife. But the truth leaks out and in disgust Raft walks out. He joins Barton MacLane and his mob, mostly made up of parolees in the employ of Carey and prepares to pull a robbery at the store. Warren Hymer tips off Miss Sidney. She enlists Carey's aid and confronts the backsliders at the right melodramatic moment. Carey leaves the group in her charge. She gives an illustrated lecture on the truth that crime does not pay and departs unreconciled with Raft. Carey forgives. MacLane is bumped off by the "boss." Miss Sidney, about to have a baby, is later found. She forgives Raft and is in turn forgiven by the parole officer. They are wed in style with the would-be crooks as attendants and their squawling baby present, attended by Hymer.

The casting for the support was expert. Hymer, George E. Stone, Roscoe Karns, Egon Brecher, Vera Gordon, Paul Newlan, Carol Paige and Guinn Williams give colorful, first order characterizations. The screenplay was fashioned by Virginia Van Upp from a story by Norman Krasna.

Running time, 91 minutes. "G."

"They Were Five"

(Lenauer International)

Fine direction by Julien Duvivier distinguishes this French film which tells the oft-told tale of sudden riches. The picture is enriched also by performances in the leading roles and in two lesser characterizations.

The scene is the slum district of Paris where five jobless men, one a political fugitive from Spain, share adversity gaily through their comradeship. A winning lottery ticket brings them undreamed of wealth. Rather than follow their individual schemes, which would mean separation, they pool their winnings and make a bid for security and happiness by buying an abandoned chateau which they make over into a country inn. Two love triangles develop in telling the story. One of the men departs when he fears his love for the fiancee of his comrade may disrupt their friendship; another of the men, who is having an affair with the estranged wife of his dearest pal, decides the woman isn't worth the spoiling of their dream about to come true, and returns to the remodeled chateau to supervise the final details prior to a gala opening.

Sincere performances are turned in by Jean Gabin, Charles Vanel, Raymond Aimos, Charles Dorat and Raphael Medina as the quintet. Micheline Cheirel is a charming fiancee, and Viviane Romance is excellent as the faithless wife.

The dialogue is in French, with English subtitles superimposed on the film. The picture should do well in theatres devoted to the showing of foreign product.

Running time, 78 minutes. "A."

(Additional reviews on page 21)

Virginia Unit to Meet

The summer convention of the M. P. T. O. of Virginia will be held at the Cavalier Hotel, Virginia Beach, June 13. Ed Kuykendall, M.P.T.O.A. president, will address the meeting.

Drop Denver Burlesque

DENVER, June 2.—After trying a modified burlesque show for a month, the Tivoli, dime grind, is returning to straight double bills with 10 and 15-cent admissions.

May Open on Sundays

NASHVILLE, June 2. — The City Council has passed on first reading an ordinance intended to permit Sunday operation of film theatres.

Sells Seattle Exchange

SEATTLE, June 2.—Jimmy O'Neal has disposed of his independent exchange, James O'Neal Enterprises, Inc., to Wayne Christy. He will become general manager of the Northwest division of the West Coast Automatic Candy Co. Christy will rename the business General Film Exchanges, and will continue to handle state rights product.

Cohen Leases Trend

The Trend, Bronx house, has been leased to Max A. Cohen by Berk and Krumgold, theatre realtors, for Home Theatres Inc. Terms of the lease call for an aggregate rental of $200,000 plus a percentage on gross receipts.

"Dr. Rhythm" Seattle Hit; Gets $8,700

SEATTLE, June 2.—"Dr. Rhythm," dualled with "Judge Hardy's Children," was by far the best gross of a dull week here. The $8,700 take at the Paramount was $2,700 to the good. The bill was held.

"Test Pilot" took $3,100 in its fifth week at the Blue Mouse in an extended run from the Paramount. "Vivacious Lady" and "Stolen Heaven" pulled $7,250 at the Fifth Avenue and the bill was moved to the Blue Mouse.

Total first run business was $35,300. Average is $36,500.

Estimated takings for the week ending May 24:

"TEST PILOT" (M-G-M)
BLUE MOUSE—(950), 30c-40c-55c, 7 days, 5th week, extended run from Paramount. **Gross:** $3,100. (Average, $4,000)

"VIVACIOUS LADY" (RKO)
"STOLEN HEAVEN" (Para.)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $7,250. (Average, $7,000)

"MAN'S CASTLE" (Col.)
"THE MAIN EVENT" (Col.)
LIBERTY—(1,800), 30c-40c-55c, 7 days. **Gross:** $3,800. (Average, $5,000)

"JOY OF LIVING" (RKO)
"ISLAND IN THE SKY" (20th-Fox)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Fifth Avenue. **Gross:** $3,350. (Average, $4,000)

"FOUR MEN AND A PRAYER"
(20th-Fox)
"THRILL OF A LIFETIME" (Para.)
ORPHEUM — (2;450), 30c-40c, 7 days. **Gross:** $4,950. (Average, $6,000)

"CALL OF THE YUKON" (Republic)
"BULLDOG DRUMMOND'S PERIL"
(Para.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Stage: Vaudeville. **Gross:** $4,250. (Average, $4,500)

"DR. RHYTHM" (Para.)
"JUDGE HARDY'S CHILDREN"
(M-G-M)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $8,700. (Average, $6,000)

"Marco Polo" Big In Montreal Start

MONTREAL, June 2. — "Adventures of Marco Polo" opened to stand-up business at the Orpheum to give it first place with $8,000. Average is $5,000. It was held over.

"Adventures of Tom Sawyer," on a double bill at the Capitol, accounted for $9,500, average, while "Test Pilot," solo attraction at the Palace, registered $8,000 for its second and final week, as compared with $11,000 par.

Total first run business was $40,500. Average is $40,500.

Estimated takings for the week ending May 28:

"ADVENTURES OF TOM SAWYER"
(U.A.)
"RECKLESS LIVING" (Univ.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9.500. (Average, $8,500)

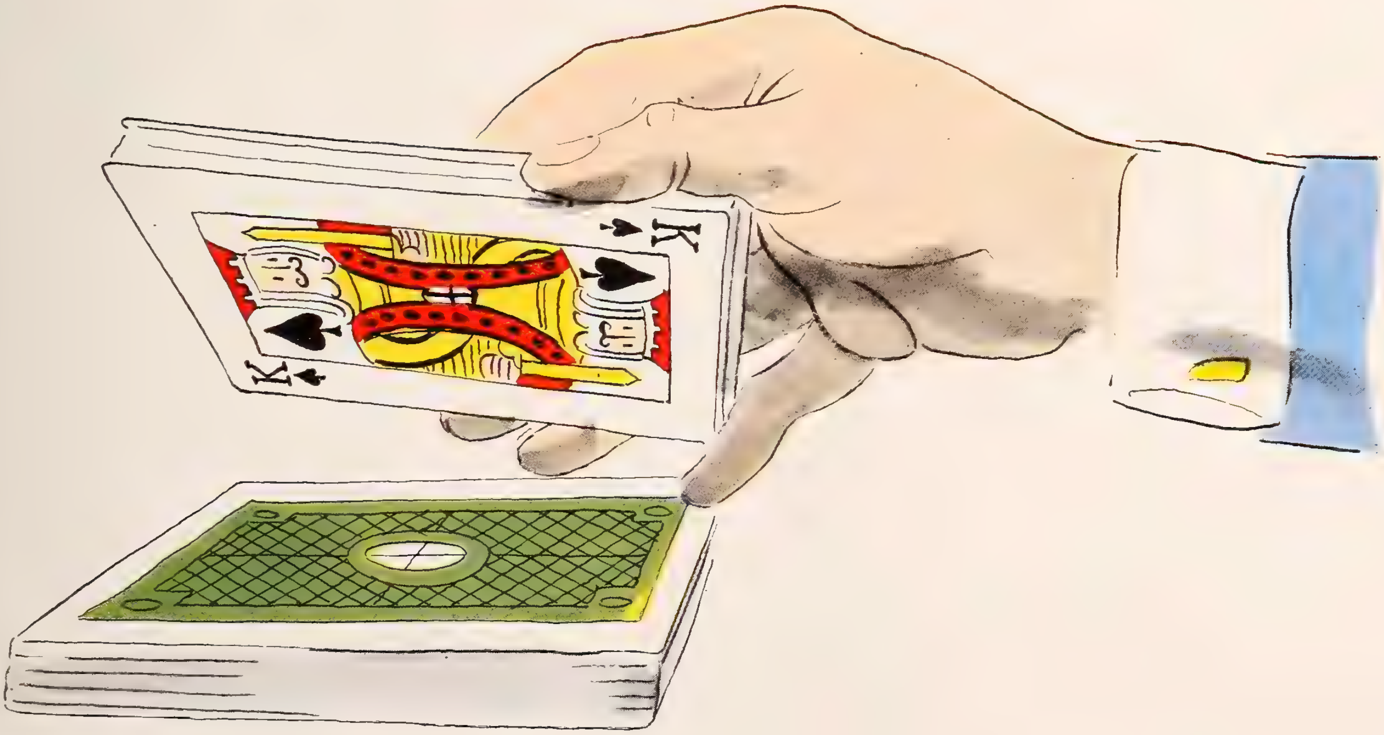
"THERE'S ALWAYS A WOMAN" (Col.)
"COUNSEL FOR CRIME" (Col.)
LOEW'S—(3,115), 25c-34c-40c-50c, 7 days. **Gross:** $7,500. (Average, $8,000)

"ADVENTURES OF MARCO POLO"
(U.A.)
ORPHEUM—(919), 25c-35c-50c, 7 days. **Gross:** $8,000. (Average, $5,000). Held over.

"TEST PILOT" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $8,000. Second week. (Average, $11,000). Previous week: $13,000.

"DR. RHYTHM" (Para.)
"BULLDOG DRUMMOND'S PERIL"
(Para.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,000. (Average, $7,000)

TRUST EVERYONE BUT CUT THE CARDS



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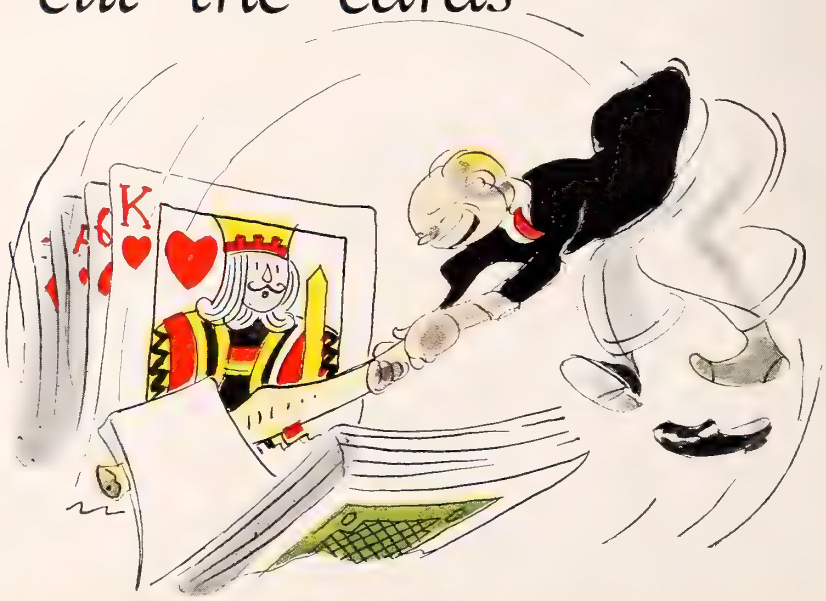

For example, ask him

—What pictures are they planning at the studios?

—What great properties do they own?

—What stars have they got that mean box-office?

—What *contracted for* promotion will they offer?

—What are they doing to earn the good-will of exhibitors?

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and it's typical of what
the whole trade is thinking!

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Frankly, Metro is just pursuing that line of reasoning which says that a satisfield account is the best account. We'll wager that the company will close its possibilities during the new season faster than ever before.

"Ask him about the Studio personnel—the producers who make the pictures—the directors, writers..."

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PICTURES

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To convey an idea of the importance at the Box-Office of many of the names below, often when another company borrows an M-G-M Featured Player, they advertise them as Stars!

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ELIZABETH ALLAN
JOHN BEAL
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BILLIE BURKE
LYNNE CARVER
JEAN CHATBURN
ALAN CURTIS
MELVYN DOUGLAS
BUDDY EBSEN
CARL ESMOND
REGINALD GARDINER
JUDY GARLAND
GREER GARSON
CHARLEY GRAPEWIN
VIRGINIA GREY
WILLIAM HENRY
FAY HOLDEN
HENRY HULL

RUTH HUSSEY
BETTY JAYNES
RITA JOHNSON
ALLAN JONES
GUY KIBBEE
MILIZA KORJUS
HEDY LAMARR
JACQUELINE LAURENT
DELLA LIND
ELEANOR LYNN
ILONA MASSEY
DOUGLAS McPHAIL
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FRANK MORGAN
CLAUDIA MORGAN
STANLEY MORNER
GEORGE MURPHY
DENNIS O'KEEFE
MAUREEN O'SULLIVAN
REGINALD OWEN
BARNETT PARKER
CECILIA PARKER

NAT PENDLETON
WALTER PIDGEON
EUGENE REYNOLDS
FLORENCE RICE
MICKEY ROONEY
LIONEL ROYCE
ANN RUTHERFORD
GALE SONDERGAARD
JAMES STEWART
LEWIS STONE
ROSE STRADNER
FRANCHOT TONE
HELEN TROY
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Richard Maibaum
Albert Mannheimer
Frances Marion
Charles McArthur
Jack McGowan
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Lorraine Noble
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Dorothy Parker
Marion Parsonnet

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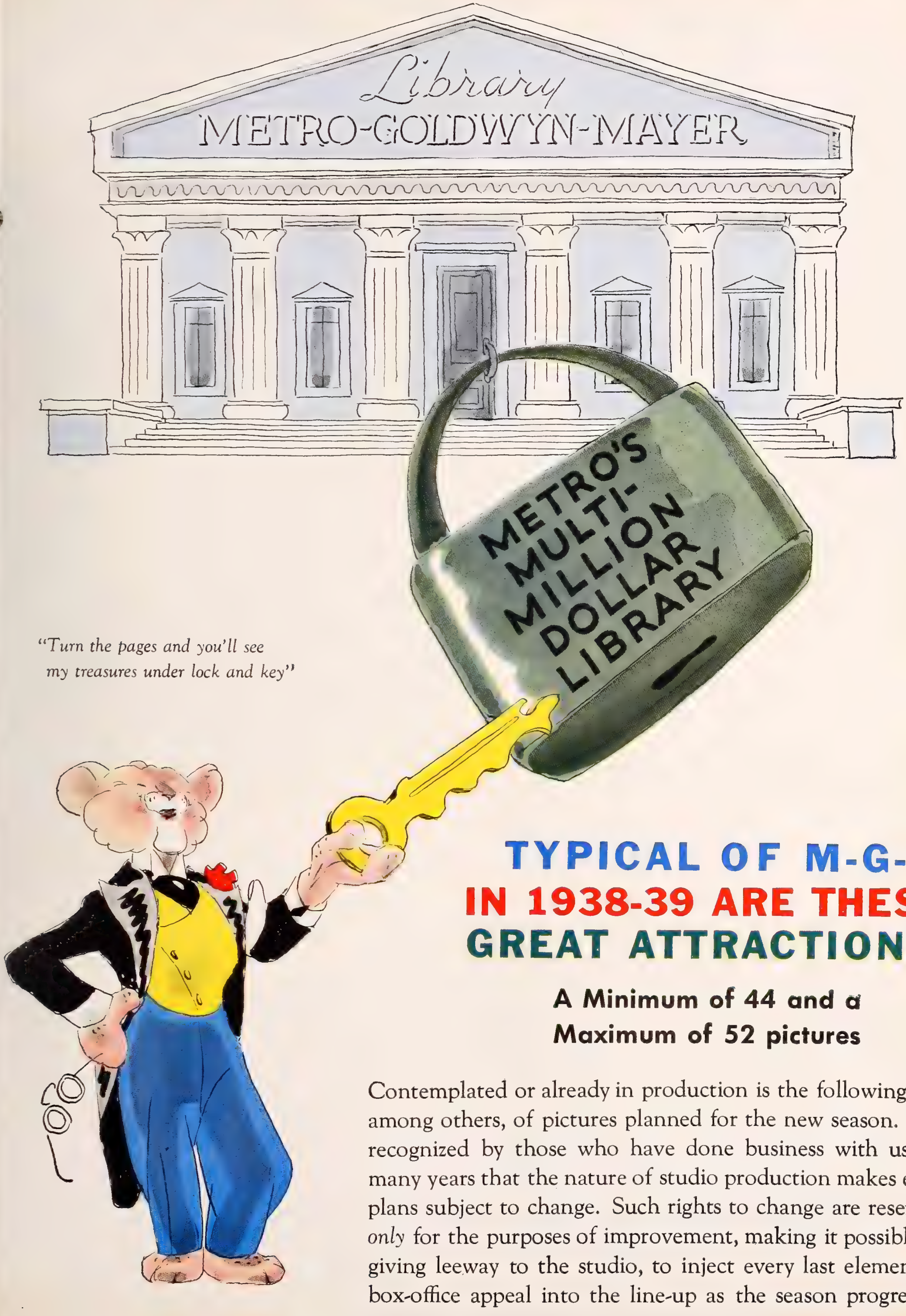

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TYPICAL OF M-G-M IN 1938-39 ARE THESE GREAT ATTRACTIONS!

A Minimum of 44 and a Maximum of 52 pictures

Contemplated or already in production is the following list, among others, of pictures planned for the new season. It is recognized by those who have done business with us for many years that the nature of studio production makes early plans subject to change. Such rights to change are reserved *only* for the purposes of improvement, making it possible by giving leeway to the studio, to inject every last element of box-office appeal into the line-up as the season progresses.

MARIE ANTOINETTE

Norma Shearer, Tyrone Power
W. S. Van Dyke, Director
Based in part on the novel by Stefan Zweig

As we go to press, M-G-M's production of "Marie Antoinette" has been seen practically completed in our private studio projection rooms. Time alone will confirm our brief statement here that it is one of the greatest motion pictures of all time, a production of unparalleled beauty and thrill, with a wealth of star name value, a monumental film that joins the company of M-G-M's immortal productions. The story of the little Austrian Princess waked from her innocent child-dreams, sold into marriage for reasons of State, seeking affection and finding it vicariously, plunging into riotous extravagances and dangerous intrigues as a release from her blighted marital life. In all her days Norma Shearer has never been so beautiful and so moving. Her performance looms certainly toward highest industry awards and thrilling box-office acclaim. Each of the cast delivers memorable work. Tyrone Power, handsomely exciting as the romantic and courageous young champion of the Queen; Robert Morley, who will win fame never accorded a newcomer by virtue of his superb picture of Louis. Morley gives infinite sympathy to the pathetic figure of the lonely and bewildered man who was King. John Barrymore, Anita Louise, Joseph Schildkraut, Gladys George—each one is marvelous. And when the cauldron of revolution boils over, you will see tense drama; breath-taking suspense will grip you. Director Van Dyke has fashioned his greatest! M-G-M's entire resources and renown have gone into the making of a truly staggering attraction.

NORMA SHEARER
TYRONE POWER
Marie Antoinette
M-G-M
ASTOR THEATRE
MARIE ANTOINETTE

The Industry's Next Great Attraction

NORTHWEST PASSAGE
(Technicolor)

Robert Taylor, Spencer Tracy, Wallace Beery
W. S. Van Dyke, Director
Novel by Kenneth Roberts

Best-seller dramatic novel of Major Robert Rogers, his search for the Northwest Passage, the romance of young Langdon Towne, artist, dreamer and soldier, and the girl he loves. All woven into the surge and thunder of early America.

IDIOT'S DELIGHT

Norma Shearer, Clark Gable,
Clarence Brown, Director
Pulitzer Prize Play By Robert E. Sherwood

Alfred Lunt and Lynn Fontanne scored a country-wide success in this story of an American hoofer who finds himself and a troupe of girl performers stranded in a European inn. He meets a former sweetheart who has become a celebrated woman of mystery entangled with a maker of war munitions.

SEA OF GRASS

Spencer Tracy, Myrna Loy
Novel by Conrad Richter

An epic drama of the settling of the West half a century ago, of a man who became known as the "czar of the cattle country" and his beautiful but restless wife who deserted him for the man who fought everything her husband stood for.

THE THIN MAN RETURNS

William Powell, Myrna Loy
W. S. Van Dyke, Director
By Dashiell Hammett

Dashiell Hammett's detective, Nick Charles, and his wife, visit New York, with Asta, the dog, and their baby, for there is now a baby in the family. A sensational murder occurs and Nick solves it.

THE CITADEL

Robert Donat, Rosalind Russell, Elizabeth Allan
King Vidor, Director
Novel by A. J. Cronin

For months top of the best-seller list! The struggle of idealistic young Dr. Andrew Manson against the reactionary "system" of medicine; his defeat by it; his dramatic rise above it at last, and his beautiful romance with his loyal wife Christine.

THE WOMEN

Norma Shearer
and Great Cast of Women Stars
Play by Clare Booth

One of the most popular comedy dramas in recent years, famed throughout the nation. An all-female cast delivers incisive dialogue, human drama and deep-rooted characterization. A story in which women see themselves with daring frankness and men earn plenty about women.

HOW TO WIN FRIENDS

All-Star Cast to be announced
By Dale Carnegie

From this 900,000 copy best-seller M-G-M scenarists are dramatizing a sprightly story in which Carnegie's teachings will be worked into drama, romance and laughter, as a sort of lesson in likability told in terms of entertainment.

HANDS ACROSS THE BORDER

Robert Taylor
Original story by Gene Towne and Graham Baker

Rivalry of the Military Academy at West Point and the Royal Military College at Ontario, Canada, for hockey supremacy. Hard-fought hockey duels and the gay fraternal associations that follow the international sports events.

I LOVE YOU AGAIN

William Powell and Myrna Loy
Novel by Octavus Roy Cohen

An amnesia victim recovers to find himself married to a beautiful woman and the last eight years of his life a complete blank. He learns he is wanted in his own city for embezzlement, is called upon to testify in a murder case involving his best friend.

STAND UP AND FIGHT

Wallace Beery
By Forbes Parkhill

A spoiled young man leaves the luxury of his Eastern birthright to go West to operate a stage line which he has inherited. He is waylaid and suffers many hardships before he can establish himself, prove his identity and claim the girl he loves.

A DAY AT THE CIRCUS

Marx Brothers

The Mad Marx Brothers get a job under the Big Top. Their trials and tribulations amid the acrobats, equestrians, lions and elephants. The action is back-stage and in the ring with a real circus which they proceed to turn topsy-turvy.

BOYS' TOWN

Spencer Tracy, Mickey Rooney

Story of Father Flanagan, and the unique organization he founded, in which several hundred boys govern themselves. Saving destitute boys from the paths of criminality by taking them off the streets in time.

SWEETHEARTS

Jeanette MacDonald, Nelson Eddy
Music by Victor Herbert. Book and Lyrics by
Fred De Gressac, Harry B. Smith and Robert B. Smith
Director, W. S. Van Dyke

Victor Herbert's tuneful operetta will present Jeanette MacDonald and Nelson Eddy in modern garb rather than period for the first time. They will play the modern roles of a musical comedy team of the New York stage.

GOODBYE, MR. CHIPS

Robert Donat
Director, Sidney Franklin
James Hilton's best-selling novel

The lovable story of an old Latin master who becomes a legend in the history of an English school through his understanding and long service and his heart-stabbing fragmentary romance.

THE GREAT CANADIAN

Clark Gable
Original story by Robert Hopkins and Vicki Baum

The exciting, intensely vivid life of a rough-and-tough hockey star. Women trail after him and he reciprocates every advance, but bars marriage. He signs a new contract forbidding marriage for three years and then he really falls in love.

BROADWAY MELODY OF 1939

Eleanor Powell, Fanny Brice, Frank Morgan, Judy Garland, Buddy Ebsen, Ray Bolger and others

The inner workings of a great broadcasting station serve to display the talents of Eleanor Powell, Fanny Brice, Frank Morgan, Judy Garland, Buddy Ebsen, Ray Bolger and others. A love story of the air waves, sparkling fun, tuneful music, spectacular sets.

FIDELITY

Joan Crawford
Story by Ursula Parrott

Finding a former sweetheart of her husband's in her home after an absence, a wife plans divorce. Then she too meets the man she loved when she was nineteen, just prior to marriage, and realization and forgiveness dawn.

THE WIZARD OF OZ

(Technicolor)

Judy Garland, Ray Bolger and others
By L. Frank Baum

The fantastic adventures of a young girl who finds herself in a magic kingdom inhabited by lovable little dwarfs. She meets many strange creatures and finally comes to the abode of the Wizard of Oz. A truly modern fairy tale.

MAIDEN VOYAGE

Male and Female Stars to be announced
By Ernest Vajda

On the maiden voyage of the world's newest and most magnificent steamer are a gay, charming millionaire and a mysterious, exotic girl. The millionaire intercedes when the girl is accused of a crime by a detective on board the boat.

BALALAIKA

Based on the European stage hit of that title

A young officer and a beautiful opera singer in Russia during the World War, and later the Revolution, fall in love, he not knowing her father is a Revolutionist, she not knowing his father is head of the Russian secret service.

THE GREAT WALTZ

Luise Rainer, Fernand Gravet, Meliza Korjus
The international musical success of the title ran for
a year at the Center Theatre in New York
Director, Julien Duvivier

The heart-warming story of the Johann Strausses . . . of young "Schani" Strauss and his love for beautiful young Resi, of his father's jealousy and Schani's ultimate triumph conducting the immortal "Blue Danube Waltz"

ONE YOUNG AMERICAN

Wallace Beery, Freddie Bartholomew
Novel by Frederick Hazlitt Brennan

A rich little boy idolizes an ancient river rat who presides over a number of other derelicts, all living on a deserted boat. When an investigator disappears, the river rat is held for murder, but cleared with the help of the young boy.

KIM

By Rudyard Kipling

Epic masterpiece of the mystery and romance that is India. The strange story of the white boy who led a native life until he was old enough to join the Indian secret service. Wild adventures in the mystic jungles of this occult land.

ARS GRATIA ARTIS
TRADE
MARK

"THE SIGN OF GOOD TIMES"

MADAME CURIE

By Eve Curie

Powerful best-seller tells the moving story of Marie Curie, who rose from oppressive poverty to become one of the greatest scientists of all time. The love that bound Marie to Pierre Curie was as flaming and consecrated as their devotion to science itself.

HE WHO GETS SLAPPED

By Leonid Andreyev

Story of a noble clown who was known as "He Who Gets Slapped," and his love for the sweet young girl who is coveted by the rich nobleman whom she detests.

IF I WERE YOU

By Guy Bolton and P. G. Wodehouse

The Earl of Broitwich's aunt gets him engaged to a society girl. The Earl and a barber change places in life, there's a love-tangle, the Earl marries the manicure girl, and the barber decides that a barber's life's the best for him.

THE NUTMEG TREE

Novel by Margery Sharp

Best-selling novel of a young widow who leaves her husband's stodgy family following his death. Later, when her daughter is about to make an unhappy marriage, the mother intercedes, sacrificing her own happiness for that of the girl.

SOLDIERS THREE

By Rudyard Kipling

Heart-warming story of three who have been privates in the Queen's army for 15 years. They break up a native plot which saves the fort.

THE AMERICAN FLAGGS

Novel by Kathleen Norris

The story of a young girl, daughter of a happy-go-lucky Irish family that has never known a moment of real security, who refuses to marry a millionaire, and when she does, she is forced to battle the snobbishness of the matriarch of the Flaggs.

AND SO—VICTORIA

Novel by Vaughan Wilkins

A steady best-seller! Story of Christopher Harnish, whose mother was a princess of England, and who is used as a pawn in a game of revenge, and fights valiantly against his uncles to save the throne for the future Queen Victoria.

DELILAH

Play by Ferenc Molnar

Story of a young Budapest couple, whose happiness is almost destroyed when the husband wins a lottery. A pretty waitress, eyeing the money, turns her charms on him, but the young wife triumphs through her knowledge of human nature.

DRAMATIC SCHOOL

Play by John Szekeley and Zoltan Egyed

A glimpse into the lives of students at the Royal Academy of Dramatic Acting in Budapest, and the ambitions, joys and disappointments of these young people, who form a caste by themselves apart from the rest of the social strata.

EXCURSION

Play by Victor Wolfson

Stage hit! A benign old sea captain, taking the excursion boat S. S. *Happiness* on its last trip between Manhattan and Coney Island, decides to lift his passengers from their humdrum existence by heading for a paradise island in the Caribbean Sea.

THE FORSYTE SAGA

Novels and Short Stories by John Galsworthy

Known the world over is the story of the Forsytes, English family of Victorian vintage and the "middle classes" springing from the soil, becoming merchant princes, branching out into the professions, marrying into great families.

ROSE OF ALGERIA

Music by Victor Herbert
Book and Lyrics by Glen MacDonough

War is imminent between the tribes of Algiers and the French; the beautiful sultana of one of the tribes is the only one who can save the situation. She demands the presence before her of a fictitious singer before agreeing to sign a treaty.

NATIONAL VELVET

Novel by Enid Bagnold

The intriguing story of a fourteen-year-old girl who trains her own race horse and, posing as a boy, rides him to victory in the Grand National.

THE RED MILL

Operetta by Victor Herbert
Book and Lyrics by Henry Blossom

Hilarious comedy of two Americans on their uppers in Holland and of the adventures they have while trying to save the innkeeper's daughter for her sailor-love rather than marry the statesman her father has picked out for her.

THE MISSING MINIATURE

Novel by Eric Kastner

A beautiful girl is commissioned to deliver a rare miniature, runs into a gang of crooks aboard train, and becomes involved in a romance with a young insurance executive sent along to keep an eye on her.

SARI

American Adaptation by E. P. Heath and Tom Cushing
of the Viennese Comic Opera by Julius Wilhelm
and Fritz Grunbaum. Music by Emmerich Kalman

Brilliant operetta, rich in Hungarian folksong, about a great Gypsy violinist who falls in love with a Gypsy girl. He realizes in time that he is too old for her and that it is his son, also a great musician, she really loves.

THE SHINING HOUR

International stage success by Keith Winter

Powerful love story of a man and woman to whom love comes only after each is already married. The conflict of emotions almost tears an entire family apart and is climaxed by a most stupendous decision on the part of the woman.

SPRING TIDE

Play by J. B. Priestley (under pen name of
Peter Goldsmith) and George Billam

Unable to meet her bills, but unwilling to dispossess her brood of talented young roomers, a good-natured London boardinghouse keeper organizes the youngsters into a cooperative acting group. When things look blackest, they come through for her.

THE SILENT KNIGHT

Play by Jeno Heltai

For a single kiss, a lovelorn knight promises to remain mute for three whole years. His silence is thought a malady and a reward offered to whosoever shall cure him, with death the penalty for failure. Finally the girl herself intervenes.

PRIDE AND PREJUDICE

Play by Helen Jerome from the novel by Jane Austen

Romantic comedy smash hit on the London and Broadway stage. The story of the courting of the three celebrated Bennett sisters, two of them by stiff-necked aristocrats who soon are "humanized" through the clever tactics of the eldest sister.

NINOTSCHKA

By Melchior Lengyel

A Russian girl, trained in the stark simplicity of the New Russia, sent to Paris on a mission, learns that love is not a mere businesslike arrangement and that romance cannot be thrown aside for sociological progress.

QUO VADIS

Novel by Henry Sienkiewicz

A story of the magnitude of "Ben Hur." A mammoth spectacle of the reign of the Emperor Nero, of the burning of Rome, and the persecution of Christians.

ROOSTY

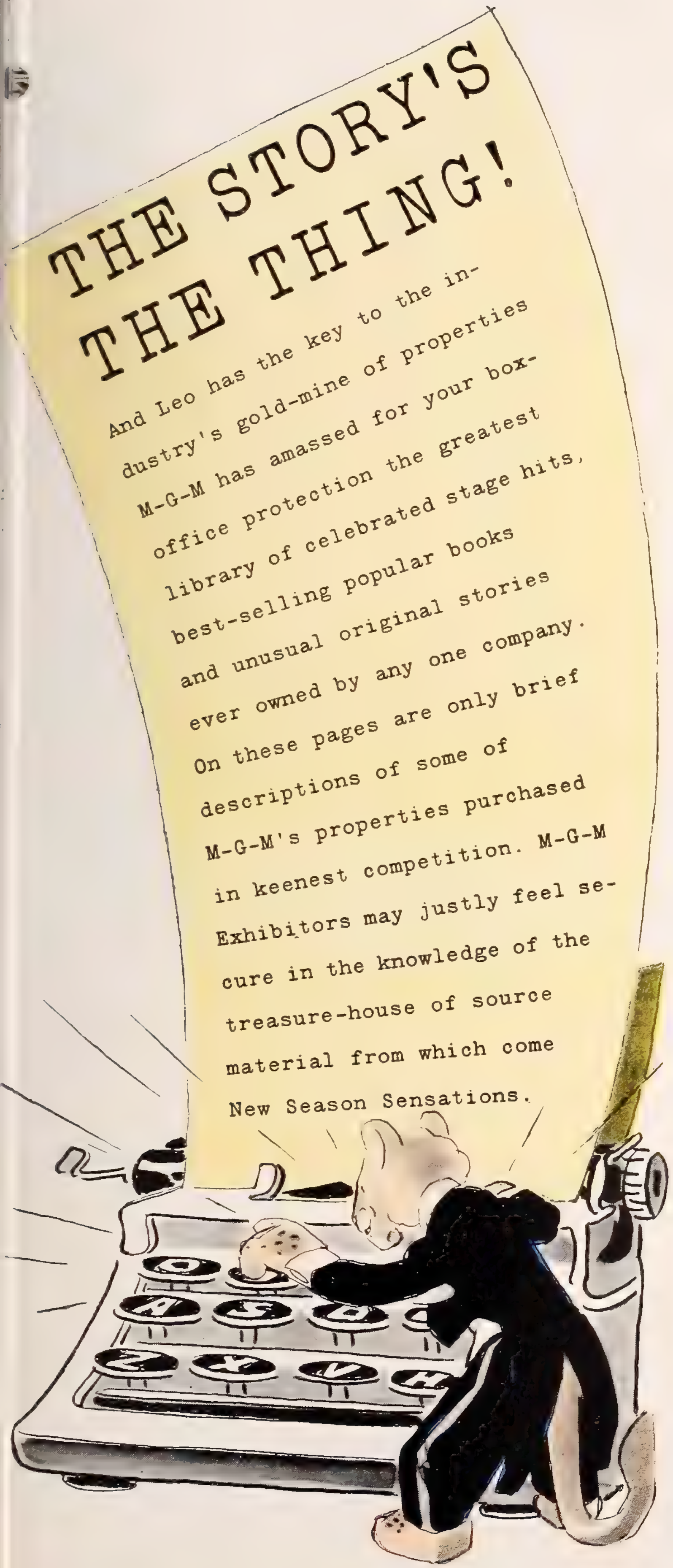
Play by Martin Berkeley

Roosty, fourteen, goes to live with a farmer when his father's gang is wiped out. The boy finds happiness until the father reappears, leaving the boy a choice between him and his new beloved friends.

NOT TOO NARROW, NOT TOO DEEP

Novel by Richard B. Sale

The powerful story of an escape from Devil's Island by a group of criminals of different types who are joined by a stranger whom they learn to look upon with awe. From him they learn the secret of true loyalty among mankind.



THE STORY'S THE THING!

And Leo has the key to the industry's gold-mine of properties M-G-M has amassed for your box-office protection the greatest library of celebrated stage hits, best-selling popular books and unusual original stories ever owned by any one company. On these pages are only brief descriptions of some of M-G-M's properties purchased in keenest competition. M-G-M Exhibitors may justly feel secure in the knowledge of the treasure-house of source material from which come New Season Sensations.

THE UNVANQUISHED

Novel by William Faulkner

Heroic story of an old woman who outwits Yankee raiders during the Civil War. Betrayed to her death, she is avenged by a young grandson. A dramatic tale of the U. S. of the 19th Century.

THEY SEEK A COUNTRY

Novel by Francis Brett Young

A young man condemned to a penal colony escapes from a convict ship and is rescued in South Africa by a Boer family. He falls in love with the daughter of his benefactor and they make their way back to a new life.

RAZZLE DAZZLE

Novel by Francis Wallace

A young gridiron star and his old coach build a team along conservative lines. The old coach beats the "razzle dazzle" system of the man who supplanted him after thirty years' service.

SPUR OF PRIDE

Novel by Percival Christopher Wren

An officer is cashiered out of the British Indian Army through false testimony of a jealous fellow officer. He disappears, but becomes an important factor in aiding Army authorities to anticipate native plans and raids.

20,000 LEAGUES UNDER THE SEA

Novel by Jules Verne

Famous story of the mysterious Captain Nemo, who pilots his submarine, the Nautilus, over the Lost City of Atlantis. The young scientist with him goes through many adventures with undersea creatures, is finally put ashore to resume his life on land.

M-G-M WILL ALSO RE-ISSUE 4 WORLD-RENOWNED HITS IN THE SUMMER OF 1939

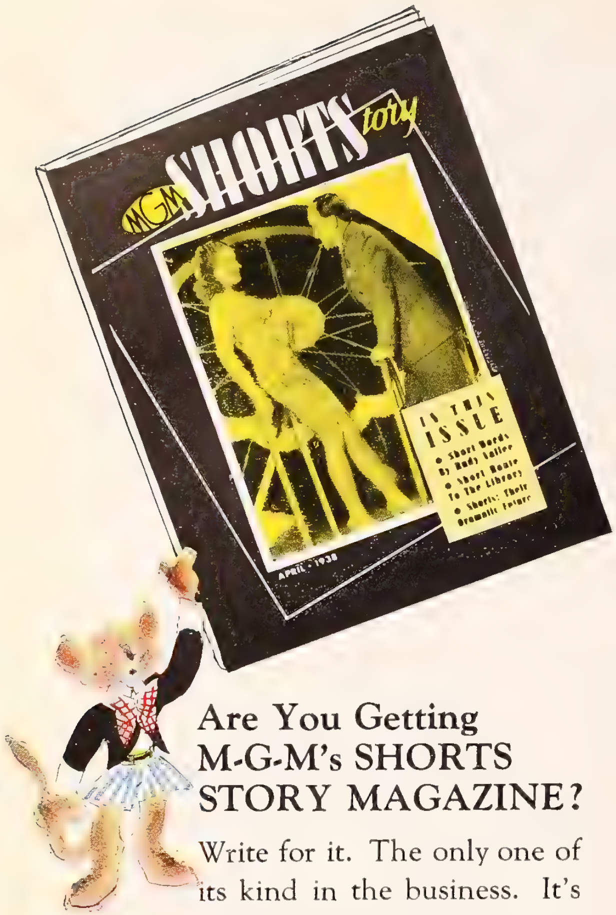
For the millions who missed them, for the millions who want to see them again, for the new generation of young film fans:

"MUTINY ON THE BOUNTY"
(Clark Gable, Charles Laughton and Cast of Thousands)

"SAN FRANCISCO"
(Clark Gable, Jeanette MacDonald)

"ROSE MARIE"
(Jeanette MacDonald, Nelson Eddy)

"THE CHAMP"
(Wallace Beery, Jackie Cooper)


M-G-M
SHORTStory
IN THIS ISSUE
• Short Words By Rudy Vallee
• Short Route To The Library
• Shorts: Their Dramatic Future
APRIL · 1938

Are You Getting M-G-M's SHORTS STORY MAGAZINE?

Write for it. The only one of its kind in the business. It's FREE and you'll add extra revenue to your box-office when you read it!

M-G-M's SHORTS STORY IN 1938-39

Every Short Subject produced by M-G-M is made *with a purpose* and not merely as a program filler. Analyze them and you'll find they have a box-office reason for being, smart promotion angles that mean additional receipts, news value that draws extra patrons, entertainment recognition that has been built up by consistent merit of each series. The practical value of M-G-M shorts is reflected in exhibitor opinion as expressed in trade press surveys and polls. Leo, Jr., invariably leads the industry. Most recent exhibitor vote is the Jay Emanuel Publications Annual Shorts Award which gave 5 out of a possible 10 to M-G-M ("Our Gang Follies of 1938"—Benchley's "A Night at the Movies"—"New Audioscopiks"— Pete Smith's "Tennis Tactics"— Fitzpatrick's "Hong Kong"). And, of course, in the Annual Academy Award M-G-M topped all others with 2 out of 5 (Crime Doesn't Pay "Torture Money"— Pete Smith's "Penny Wisdom").

M-G-M Shorts, produced with all the feature facilities of the Studio, not only add real entertainment high spots to your program but they do definitely account for extra dollars at the box-office. When the customer is deciding between two competing theatre offerings it's often an M-G-M featurette that convinces him you've got the better all-'round show!

92 TIP-TOP M-G-M SHORTS IN 1938-39

2 REEL SUBJECTS

6 M-G-M Musicals **6** Crime Doesn't Pay

Total 2 reel subjects **12**

1 REEL SUBJECTS

13	M-G-M Pete Smith Specialties
8	Robert Benchley
10	The Passing Parade (John Nesbitt, Commentator)
12	"Our Gang" Comedies
10	M-G-M Miniatures
12	Fitzpatrick Traveltalks (Technicolor)
15	M-G-M Cartoons

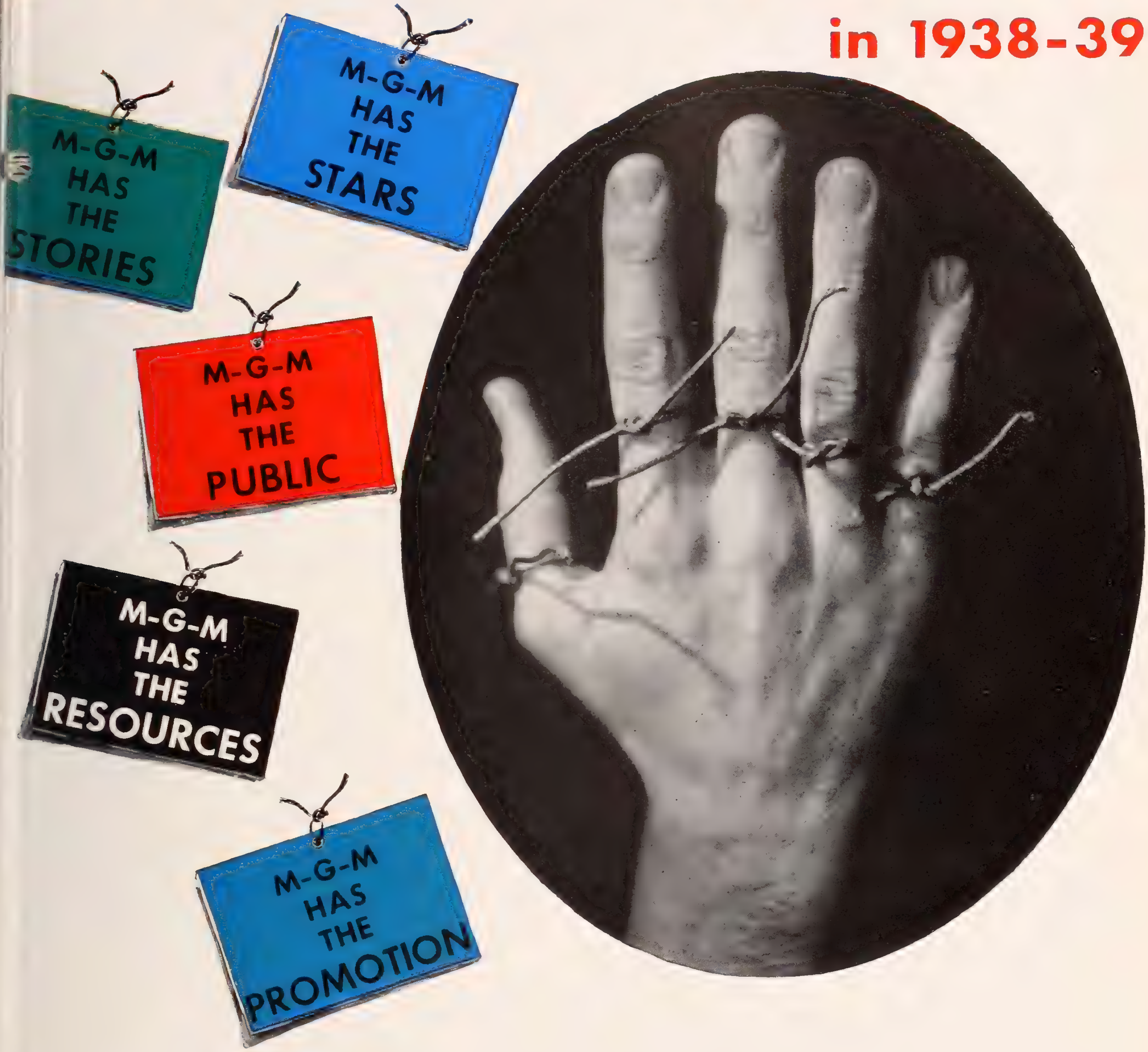
Total 1 reel subjects **80**

104 Issues of M-G-M's NEWS OF THE DAY—Twice Weekly

This Newsreel has shown the most improvement in every department during the past year. New features, new personalities, extended coverage have won for **NEWS OF THE DAY** the approval of fans and exhibitors alike.

5 THINGS TO REMEMBER

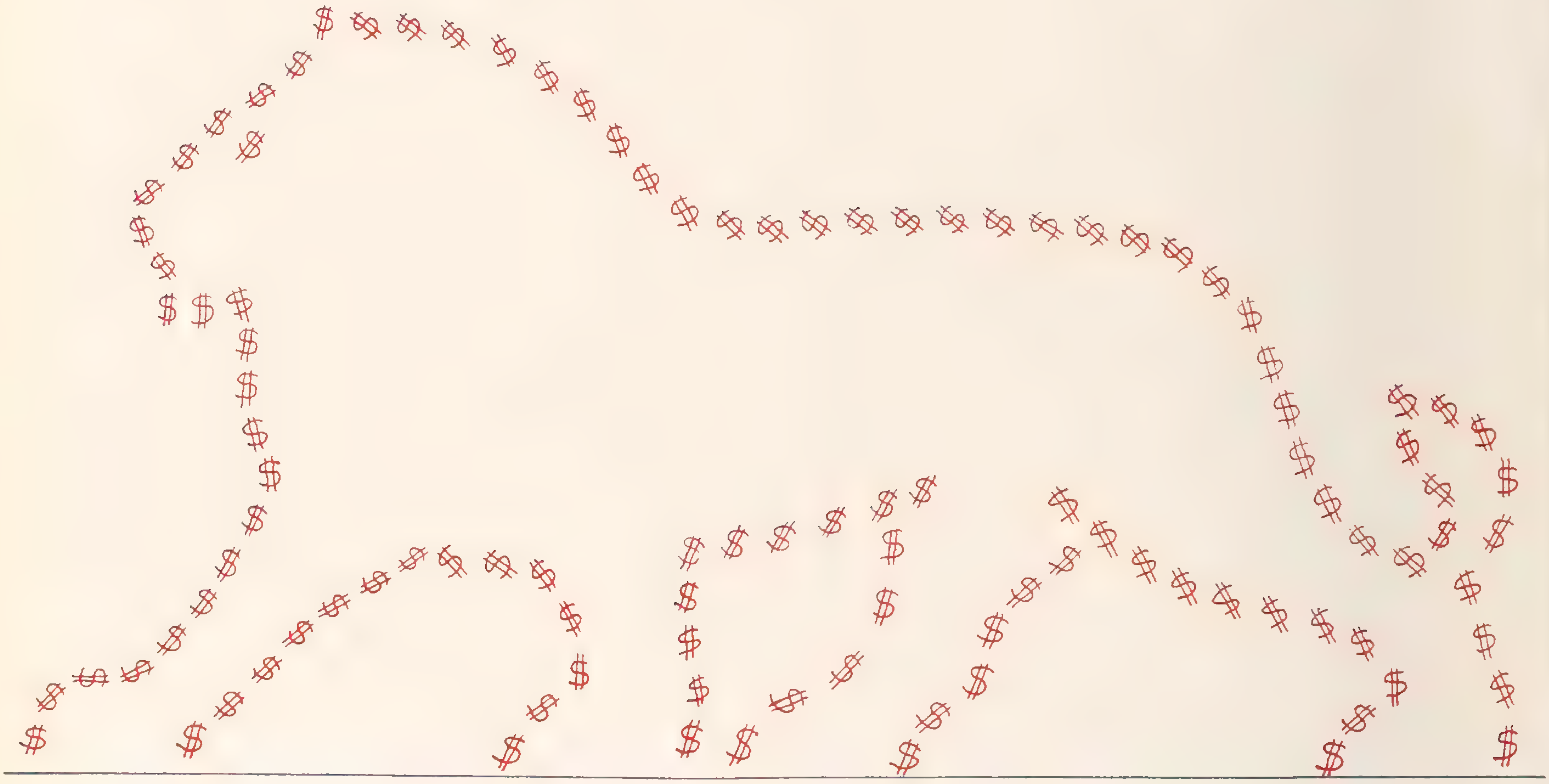
in 1938-39


M-G-M HAS THE STORIES
M-G-M HAS THE STARS
M-G-M HAS THE PUBLIC
M-G-M HAS THE RESOURCES
M-G-M HAS THE PROMOTION

For instance:

In addition to its vast newspaper and magazine campaigns, M-G-M is the only company that *guarantees* you a bill board campaign. M-G-M in 1200 cities has thousands of 24-sheet locations reserved for its great attractions. Those stands are hand-picked and *under contract* to M-G-M from Spring to Winter. It doesn't cost you a nickel but oh boy how it builds grosses. And only M-G-M does it! Other exclusive M-G-M cooperative activities: Largest *permanent* exploitation staff; a new Ballyhoo Tour to follow M-G-M's famed Travelling Studio; Semi-Annual Product Reels free; 6 million circulation "Screen Forecast" Magazine and many other forms of ticket-selling, direct-to-theatre cooperation.

AND SO . . .



Sign on the
dotted lion—

Roach Raises New Issue in Counter Suit

(*Continued from page 1*)

[illegible] the state labor law should final [illegible]ges not be paid on dismissal.

Roach's answer filed after court skirmishes over demurrers alleged that Mr. Milestone and Marc Connelly were hired to adapt the Hatch novel as a comedy of the high type and that Mr. Milestone was to direct. The studio, according to the complaint, was "lulled into a sense of security" by Mr. Milestone who worked 13 weeks on a story which turned out to be a "ludicrous comedy" and not the type of story wanted.

The further allegation is made that Mr. Hatch was hired to rewrite the Milestone-Connelly treatment and that Mr. Milestone refused to direct the new script. After ten days of conferences in which Mr. Roach attempted to persuade Mr. Milestone to change his mind, the director left the lot, the Roach suit avers.

Of the $339,000 demanded, the studio said $89,000 was paid Mr. Milestone and Mr. Connelly. The remainder of the sum is declared to be other salaries paid, studio expenses incurred and damages done to the story property. The picture has not yet been made.

Ricketson Writes Book

Frank H. Ricketson, Jr., who used to be a newspaperman, has written a detailed manual of motion picture theatre management, covering every phase of the subject from the exhibitors' point of view.

He makes plain at the outset that the sole purpose of theatre operation is to make money, and deals thoroughly with the "six fundamentals"—attractions, policy, operation and personnel, advertising, constructive stimulation and corporate and physical structure.

Following an exposition of these fundamentals, the book is divided into six parts covering each. Those six parts are divided into chapters examining and relating in detail the various aspects of the six fundamentals of operation.

He sums up in a concluding chapter "Where Are We Going?" reviewing the business from 1910. "Changes will come," he says, "changes in methods, instruments and technique; even changes in philosophies. . . . The hope and the belief is that, no matter what changes come in amusements and in the world, thousands of American men and women will then as now find justifiable pride in their vocation as showmen." I. K.

Remodel at Watertown

Watertown, Wis., June 2.—This city of 10,000 population is slated to get its second house shortly when Harry Perlewitz and Sam Ozonoff of Milwaukee complete remodeling of a store building on Main St. for a 500-seat house. Perlewitz is now operating several Milwaukee neighborhood houses, while Ozonoff was formerly associated with John Ludwig in the operation of the Roosevelt, another Milwaukee spot.

New York Preview

"The Slipper Episode"

(*French Film Exchange*)

A fairly entertaining and risque romantic comedy in the French style and a scenic tour of Switzerland, where most of the outdoor action takes place, is offered here. The combination of these elements should give the foreign film clientele satisfaction.

This film version of Tristan Bernard's novel depicts the adventures of a young woman who journeys from Paris to Locarno in order to deliver a slipper which an erring friend had left behind in one of her affairs. The guilty party's jealous husband has suspicions, not unfounded, and wants to know what became of the missing shoe. Betty Stockfield is the messenger. She enlists the aid of Roger Treville, and, with a chaperon, who is lost on the way, sets out for the mountains. En route the pair have various romantic difficulties and break out. Later Treville delivers the footgear and further upsets the scene. For, in the meanwhile, it had been replaced. But Miss Stockfield and Treville are reconciled and the picture has a romantic conclusion. There are a few sub-plots featuring a comical fisherman and the absurd antics of the jealous and dim-witted husband.

The outdoor locations and continental highway atmosphere are interesting. Helgal Films produced. Jean De Limur directed.

Running time, 78 minutes. "A."

Out Hollywood Way

Hollywood, June 2. — Shirley Ross and Bob Hope, who introduced the song "Thanks for the Memory" in Paramount's "Big Broadcast of 1938," will be teamed in a picture to be titled from the song. George Archainbaud will direct the Paramount picture, based on a play by Frances Goodrich and Albert Hackett.

"Rollin' Plains," first of the last two Tex Ritter pictures Grand National will distribute, went into production this week with Al Herman directing the Ed Finney production. In the cast are Harriett Bennett, Snub Pollard, Hobart Bosworth, Ernie Adams, Charles King, Lynton Brent, Horace Murphy, Karl Hackett and Ed Cassidy. . . . Paul Muni's next for Warners may be postponed because William Dieterle, who was scheduled to direct it, has been borrowed again by Walter Wanger to direct "Personal History," from the Vincent Sheean book.

+

Ben N. Judell is sending out pleas for story material for his two contemplated series—one for the Irish-Swedish series starring J. Farrell MacDonald and El Brendel, and the other, starring Buck, St. Bernard dog. . . . Bobby Breen's fall on the ice has caused injury which is holding up continuation of shooting on Lessers' "Breaking the Ice." . . . As soon as the picture is over, Irene Dare, five-year-old skating champion, is going on a personal appearance tour with 60 skaters.

Irving Rubine of Warners' publicity department has returned to Hollywood following a trip to New York for exploitation campaigns on "The Adventures of Robin Hood." . . . Lloyd Bacon has gone to New York for a vacation, before traveling to Pensacola, Fla., for locations on Warners' "Wings of the Navy.". . . Allan Jones has been cast opposite Eleanor Powell in M-G-M's "Honolulu."

+

Casting—Penny Singleton, James Stephenson and Charles Foy in "Unlawful," formerly titled "Lady Doctor," Warners. . . . Ian Hunter, Janet Kay Chapman and Anthony Averill in "Three Girls on Broadway," Warners. . . . Marjorie Reynolds has been signed for the feminine lead of Monogram's "Man's Country," starring Jack Randall. . . . Jackie Moran will play the title role in "The Barefoot Boy," which E. B. Derr will produce for Monogram. . . . John Barrymore in "Zaza," and John Miljan in "If I Were King," both Paramount. . . . Susan Hayward and Jan Holm in "Campus Cinderella," Warner color short.

+

Contract—M-G-M has extended the contract of Cecilia Parker. . . . Irvin Talbot, conductor, has been retained by Paramount for another option period.

+

Music—Richard Hageman has been signed by Paramount to write the original musical score for "If I Were King."

Thug Attacks Senecal

Toronto, June 2.—Police Departments of Ontario have been advised to be on the lookout for a criminal who got away after brutally assaulting Lucien Senecal, proprietor for many years of the Ottewan Theatre at Hawkesbury, Ont., very recently. The unknown decamped with cash to the amount of $200. When Senecal, who is a cripple, did not arrive home at the accustomed hour a search was instituted for him and, three hours after the attack, he was found lying unconscious and badly injured at the rear of a house.

Mary Healy to M-G-M

Boston, June 2.—Mary Healy who has been with the *Boston American*, is now with M-G-M here. She was at one time advertising director at the RKO Memorial.

Short Subjects

"That Mothers Might Live"

(*M-G-M*)

The discovery of the contributing factors to the spread of puerperal in maternity wards by Semmelweiss is dramatized in this film. It is the familiar story of genius permitted to go insane by vanity and disregard. But eventually the value of Semmelweiss' treatise is learned and the mortality rate of mothers decreases as a result. The story is told with fine emphasis and from an enlightened, appreciative viewpoint. Running time, 10 mins. "G."

"The Count of Ten"

(*RKO*)

The sporting fans will go for this subject, which tells in pictures the growth and development of the Golden Gloves, amateur boxing competition sponsored by various newspapers. The popular interest in the tournaments should make this number of the Pathe Parade series a particularly salable subject. There is plenty of action. Running time, 10 mins. "G."

"Katnip Kollege"

(*Vitaphone*)

A somewhat fantastic, but nevertheless entertaining cartoon in a standard sense is offered here. The action offers cats in college. They take a course in "Swingology." One fellow can't get rhythm and is consigned to the dunce chair. Later, he learns swing by watching the pendulum on a clock and acquits himself with honors. In Technicolor. Running time, 7 mins. "G."

"Stranger Than Fiction No. 51"

(*Universal*)

This number is perhaps the best of the series to date. There is real strangeness in the topics included in the footage. They range from a woman who has hair on her head over five feet long to a Burbank farmer who has made a pet of a full grown bull. Good. Running time, 9 mins. "G."

"Screen Snapshots 17-9"

(*Columbia*)

A Tom Sawyer celebration in Culver City, the "Snow White" village on Wilshire Blvd., dedication of a Lon Chaney memorial bench; Leo Carrillo's ranch and the Academy Award dinner. Treated in the usual way, it should have the usual reception. Running time, 9½ mins. "G."

"Snow Gets in Your Eyes"

(*M-G-M*)

A snappy romance with light musical touches set in a department store is offered here. The story concerns the romantic difficulties a sausage seller has with his girl who has eyes for the expert skier on the store's slide. He learns to ski, too, wins an inter-store competition, gets his girl and a promotion. Breezy and pleasantly innocuous. Running time, 20 mins. "G."

Many Will Attend Clark Rites Today

(Continued from page 1)

will close at noon today. The studio in Hollywood will cease all activity for one minute at the time of the funeral, which will start at 11 o'clock Pacific Coast time.

Services will be conducted by the Rev. Dr. Henry K. Post, pastor of the Christ Reformed Church of Newark. A quartette will sing "Crossing the Bar" and "Beautiful Isle of Somewhere," two of Mr. Clark's favorite hymns.

Pallbearer List Large

Honorary pallbearers will include men who were friends of Mr. Clark for many years: Sidney R. Kent, president, 20th Century-Fox; Joseph M. Schenck, chairman of the board; Leo Spitz, president of RKO; Spyros Skouras, head of National Theatres; Herman Wobber, 20th Century-Fox district manager in San Francisco; Will H. Hays; A. R. Boyd, Philadelphia theatre owner; William Sussman, 20th Century-Fox eastern division manager; W. C. Gehring, central division manager; W. J. Kupper, western division head; Charles E. McCarthy, director of advertising and publicity; W. C. Michel, executive vice-president; Hermann Place of the Chase National Bank and a 20th Century-Fox director; Leon Netter, vice-president of Paramount Theatres; Felix Jenkins, general counsel; M. B. Shanberg, of Miami Beach, retired theatre owner; Harold Lloyd; Jack Sichelman, assistant to Mr. Clark; Lew Lehr; Frank Buehler and Earl Forte, Philadelphia exhibitors; and personal friends outside the business, including Stanley Miller, P. J. Crowhurst, Lyle Wilkins, John Skehan, Henry Fitt, E. W. Holmberg, Thomas McWalters and Thomas Markey.

Telegrams of condolence and floral tributes from many friends throughout the country have been received at Mr. Clark's home, 159 Upper Mountain Ave., Montclair, since his death early Wednesday morning became known.

Field Men to Attend

Twentieth Century-Fox district managers from the field are in New York or en route here to attend the funeral. Mr. Wobber of the west coast, Moe Levy of Minneapolis, Harry Ballance of Atlanta, and James P. O'Loghlin of Toronto are here. Expected are Edgar Moss, Philadelphia; Tom Bailey, Boston; George A. Roberts, Cleveland, and Ward Scott, Kansas City, as well as Ira Cohn and Clyde Eckhart, branch managers in Pittsburgh and Chicago, respectively.

The company's board of directors yesterday adopted a resolution expressing its "profound sorrow" and stating that Mr. Clark's "accomplishments and character have made a lasting impression" on the affairs and personnel of the company.

"His thorough grasp of the motion picture industry and its problems, his ability, vision and courage, complemented not only by his integrity and loyalty but also by his human, lovable personality, made him one of the outstanding men of the industry." The directors recorded their "appreciation of Mr. Clark's services and character" and extended their sympathy to his family.

Word of Mouth Advertising Does It, Newspaper Finds

KANSAS CITY, June 2.—That word of mouth advertising is one of the dominant factors in effecting a patron's decision to see a film is shown by a group of interviews published by the Wichita *Beacon.*

"The commotion created by the I.T.O.A. of New York, which blasted away at stars who draw high salaries in spite of their lack of box-office appeal," the *Beacon* said, has movie folk arguing over just what makes a motion picture a box-office success. The *Beacon* sent its inquiring reporter to the movie-goers themselves to learn what is the most effective lure: star, critics' reviews, title or director of picture, double feature, admission price, accompanying entertainment, or what have you.

Thirty-two Wichitans were interviewed. Approximately a third of them indicated they go to see certain pictures because they hear friends or acquaintances comment on them favorably.

Comments Grouped

Some of the comments:

"I look for the name of the star." "If I hear enough talk about a picture, favorable or unfavorable, I go to see it." "I hear friends or women in the shop talking about pictures which they think are good." "Naturally other people tell about the picture they saw the night before, and this, too, attracts my attention." "When Shirley Temple is in the picture, my daughter informs me of the fact. When Wallace Beery is in the picture my two boys tell me." "My wife picks out the shows I attend." "If someone tells me a picture is good I will attend it in preference to one I have heard no comment about." "If I hear a lot of favorable comment about a show I usually go see it." "I don't like double bills because I get tired of sitting." "I hear friends talking about pictures they have seen, and occasionally make my selections from what they say." "My wife picks them for me." "Epics don't appeal to me. The movies should be confined to entertainment." "I keep watching the newspapers and other publicity organs and the picture that gets the biggest play is the one I go to see. I figure it must be good or it wouldn't get so much advertising." "I hear fellows talking about certain pictures around the drug store." "Generally I hear a picture commented on. . . ."

Wall Services Today

Funeral services for David V. Wall, stage and film actor who died Wednesday, will be held today at the Holy Trinity Church on West 82nd St. Burial will be at Philadelphia. Mr. Wall was 68 years old. He appeared in silent films opposite Mary Pickford and worked for Famous Players and Pathe. He is survived by his wife, Mrs. Margaret Wall.

Reopens Resort Theatre

ATLANTIC CITY, June 2. — The Astor has reopened here after $35,000 worth of alterations, including air-conditioning, a new illuminated front and 700 new seats. Harry I. Waxman is the owner.

'Twas All in Fun

Kansas City, June 2. — John Wolfberg, operator of the suburban Strand, is running a series of unique give-away advertisements. No. 1 read: "Free to the Ladies—a Honeymoon Special Collapsible Ironing Board. With the regular 20c ticket a chance on the new Non-chip Enamel Bathtub. (We're Just Foolin', Folks—ALL WE HAVE IS GOOD PICTURES.)"

One woman came to the box-office and asked for the ironing board, and left when she was told the advertisement was a gag.

Loew's in Montreal To F. P. Canadian

(Continued from page 1)

owned by Mansfield Theatres, Ltd., subsidiary of Famous Players.

Business in this house has been bad except when stage vaudeville was presented and such units are not always available. House history was made last year, however, when "100 Men and a Girl" registered a big success in its 10-week run.

Wm. Green and Kent To Speak at IA Meet

(Continued from page 1)

ley of Ohio, D. W. Tracy, president of the International Brotherhood of Electrical Workers; Representative William D. Schulte, Rev. J. W. R. MacGuire, C.S.V., and Rabbi Jacob Tarshish of New York.

Charter Several Firms

ALBANY, June 2.—Recent incorporations here include:

Port Jervis Theatres Corp., 200 shares, no par value. Directors are Simon H. Fabian, Samuel Rosen and Mary Becker, New York.

Creative Cinema Corporation, 100 shares, no par value, by Joseph L. Abraham, Robert H. Judkovics and Julia Weisberg, New York.

Square Enterprise, Inc., $20,000, shares $100. Directors are Solomon Dershowitz, Maxwell Eisenhart and P. Ben Kaufman, 401 Broadway.

West Coast Sound Studios, Inc., has changed its capital to 5,000 shares, 1,500 shares preferred at $10, 3,500 shares of common, no par value.

Manager Transferred

OKLAHOMA CITY, June 2.—Forrest Swiger, manager of the Tower, suburban first run, is the manager of the Criterion, succeeding Frank McCabe, resigned. Frank Cossota, assistant at the Criterion, has gone to the Tower. Paul Rice, treasurer of the Criterion, will be assistant.

Takes Coast House

SAN FRANCISCO, June 2.—Paul Aglietti, former manager of the Roxie, Temple, Plaza and Star here, has taken over the Roxie in Sacramento.

Selling Meet Is Held By Empire Universa

(Continued from page 1)

rupted because of the death o John D. Clark, of 20th Century-Fox Various executives were detained i New York to act as pallbearers.

Friday is Republic Pictures Day o the convention floor while Universa will hold the spotlight on Monda with Educational also having a p In attendance today was Ge R. Giroux Field, representative o Technicolor, beaming with enthusias over the success of "Snow White" an "Robin Hood."

Those who are to make appearance at the meeting include Nate Blumberg and William Scully of Universal. Herb Yates of Consolidated and James Grainger of Republic

The company was organized as Empire Films in 1932 after a preliminar start as Ideal Films, Ltd., with Mr Hanson always at the helm. It broadened into the present firm with Universal distribution taken over fo Canada last summer. Vice-president of Empire Universal is Paul Nathanson, son of N. L. Nathanson, head o the Famous Players circuit.

"Kidnapped" Gives Roxy $45,000 Week

(Continued from page 1)

date has been set for the opening of the picture.

The Criterion did a big $13,000 with "The Gangs of New York" and the attraction is being held, which is unusual at this theatre. Two Paramount revivals are scheduled, "The Sign of the Cross" on June 10 and "Farewell to Arms" early in July.

"The Sheik," at the Gaiety, is expected to finish the week tonight with about $11,000, which is very good for the house. It is being held for an indefinite run, probably two more weeks, and Harry Brandt is considering booking other Rudolph Valentino films for the Gaiety. "Son of the Sheik," at the George M. Cohan, also will be held.

Cincy Ban on Bingo Aids Suburban Spots

CINCINNATI, June 2.—The ban on Bingo, imposed by City Manager C. O. Sherrill, and effective tomorrow, looked upon by exhibitors as an aid to business, now appears destined to find suburban repercussions which will react to the detriment of the local theatres.

Municipal authorities of nearby suburbs declare that no prohibitive action is contemplated in connection with games now in progress, and the consensus of opinion is that new Bingo locations will be opened beyond the city limits, resulting in a general exodus of players who previously patronized local affairs.

John Hazza at Toronto

TORONTO, June 2.—John Hazza of Calgary, western district manager of Famous Players Canadian, is paying his annual visit to Toronto. His trip was timed to coincide with the horse racing at Thorncliffe track where a number of his horses are running in feature handicaps. Another Calgary visitor in Toronto is Jack Barron, veteran proprietor of the Grand.

Brings Three INDISPENSABLES

THREE indispensables of the modern motion picture negative film: speed . . . fine grain . . . photographic quality. Eastman Super X brings these essentials to the industry in abundance, with special emphasis on the most vital of them all . . . photographic quality. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

FCC Members Yield to Air Lobby: Payne

(*Continued from page* 1)

agree with the chairman and that only a Congressional probe would develop the basis for new legislation which both commissioners said was necessary.

Explaining the investigation planned by the commission, Mr. McNinch said the groundwork is now being laid and that hearings, probably to run four to six weeks, would begin in July after the super-power inquiry, which opens next week and is expected to last two or three weeks, is out of the way.

Reading from a prepared statement, Mr. Payne embarked upon a sharp attack upon the broadcasters, declaring that competition is rapidly disappearing; that two or three powerful chains are in control of radio; that programs have been fixed at a "dead level of mediocrity" so as to appeal to the greatest number of people and are so bad that they are driving "intelligent people away from their receivers."

Cites Capital Lobby

The whole effort of the broadcasters is to make money, he charged, and a radio lobby has been active in Washington to which, he alleged, the commission has been "susceptible."

Continuing with his statement, the commissioner said the F. C. C. has not the money or facilities for a proper investigation, that new legislation is necessary to meet the situation, and that the inquiry should be made by Congress.

Members of the committee repeatedly returned to the question of lobbying, Representative Martin Dies of Texas declaring the committee should have more than "generalities" if it is to determine whether a Congressional probe shall be ordered, and the hearing ended with announcement by Chairman O'Connor that on June 7 it would call Mr. Payne back into executive session, together with other members of the commission, to give details of lobbying activities.

CBS at N. E. A. Session

The CBS department of education has completed a group of programs to be presented in connection with the annual convention of the National Education Association, which will be held in New York, June 25-30. On June 29, CBS will present "American School of the Air" in cooperation with a group of high school students as an aid to education.

Kyser Program Renewed

Kay Kyser's program for the American Tobacco Co. has been renewed for another 13 weeks, effective July 6. The program is heard on the NBC-Red. Lord & Thomas is the agency.

Dayline in WHN Deal

Hudson River Dayline has purchased time on WHN for spot announcements, starting immediately. The contract, for eight weeks, was placed by Platt-Forbes of New York.

Name Transamerican As Agent for WMCA

Transamerican Broadcasting & Television Corp. yesterday was appointed exclusive representative of WMCA in all territories except the North Atlantic states, which are covered by Intercity stations associated with WMCA.

The agreement provides for the appointment by Transamerican of special sales representatives in Chicago and other western cities to handle accounts seeking eastern outlets through WMCA facilities. The arrangement will not affect the present sales setup of the station in the New York area but is merely an extension of sales services. Intercity and local time will be cleared through the New York office as usual. Extended network and market coverage beyond the Intercity influence will be handled by Transamerican.

Examiners' Hearings Are Dated by F. C. C.

WASHINGTON, June 2.—The Federal Communications Commission has assigned dates for examiners' hearings on a number of broadcasting applications as follows:

June 24: Applications of the Roberts-MacNab Co., for a 1,310-kilocycle station at Livingston, Mont., with 100 watts power night, 250 watts day; and WBLK, Clarksburg, W. Va., for increase of day power from 100 to 250 watts.

June 30: Applications of Inland Empire Broadcasting Co., for a 1,370-kilocycle, 100-watt station at Pasco, Wash., and KMED, Medford, Ore., for increase of power from 250 to 1,000 watts.

July 13: Application of KID, Idaho Falls, Ida., for change of frequency from 1,320 to 630 kilocycles and increase of day power from 1,000 to 5,000 watts.

Sept. 16: Applications of George H. Payne for a 1,440-kilocycle, 500-watt station at San Jose, Cal., and KWTO, Springfield, Mo., for increase of time from day to unlimited and change of power from 5,000 watts day to 1,000 watts night, 5,000 watts day.

Holds Letter Contest

CINCINNATI, June 2. — To determine program popularity, as well as territorial coverage, WLW is conducting a two-week letter writing contest on "My Favorite Program and Why." Every hour announcers will ask listeners to submit a 50-word letter on the subject. The best letter will entitle the writer to a seven-day vacation in Cuba as guest of the Cuban National Tourist Commission, in cooperation with which the trips have been arranged.

Drop "Vox Pop" Series

BOSTON, June 2. — A "vox pop" series from the lobby of Loew's State has been discontinued, at least temporarily. Dick Bates and Bob Perry carried on the daily series for Victor Coffee.

Harris Is Transferred

Innis Harris, for seven years with the New York office of Erwin, Wasey & Co., most of the time in the radio department, has been transferred to the agency's Philadelphia office.

Sport Writers Vote On Announcers' Aid

ALBANY, June 2.—Members of the Eastern League Baseball Writers' Association are balloting on the subject of furnishing information concerning base hits, errors, etc., to Western Union telegraphers employed by N. W. Ayer, agency for Atlantic Refining, and to radio announcers broadcasting play-by-play accounts.

Thus, the knotty problem reached the third and decisive stage. It all began a few weeks ago when Sports Editor Sam Nash of Binghamton, president of the writers' group, asked official scorers in other cities to withhold information from telegraphers until certain questions had been settled.

Ayer officials refused to pay the $2 per game bid for Western Union telegraphers, while the telegraph company similarly declined. The sports writers generally do not blame the Ayer executives, since the agency is buying the service, which presumably includes intelligent, accurate coverage.

Official scorers in Albany, Trenton and Wilkes-Barre have been furnishing the information without a hitch. However, as members of the association, scorers in those cities will be guided by results of the balloting now in progress.

Esso Editors on Visit

Forty Esso editors from stations along the Eastern seaboard were guests of the Standard Oil Co. on a visit to New York yesterday. James Donan, advertising manager of Esso, was host to the editors, and Ed Williams, vice-president of United Press, and Harry Marschalk of Marschalk & Pratt, Esso agency, assisted in entertaining the radio news editors.

Set Rogers Show Time

The time, starting date and the number of stations for the returning "Silver Theatre" program for 1847 Rogers Bros. Co. have been set. The series will begin Oct. 2 and Sundays thereafter from 6 to 6:30 P. M. over 43 stations of the CBS network. The presentations will consist of original radio dramas featuring screen players. Young & Rubicam is the agency.

Junior Birdmen on Air

The Junior Birdmen of America, an independent national youth organization devoted to the interests of young people in aviation, will have a weekly radio series over the NBC-Red network beginning June 11, and weekly each Saturday from 5:45 to 6 P. M. Frank Hawks, president of the organization, will act as program director and commentator.

New NBC Series Ready

A new air series, "Aunt Abbie Steps Out," will be presented once a week over NBC starting Sunday at 11:05 A.M. on the Red. The program is written by Innis Osborne, and the cast will include Irene Hubbard and Joy Hathaway.

P. & G. Adds Stations

Procter & Gamble is adding stations for several of its programs on NBC. "Ma Perkins" has added eight, "Pepper Young's Family" has added 10 and "Vic and Sade" has taken on 12.

▸ *Radio Personals* ◂

RICO MARCELLI, the band leader, has been admitted int Local 802 of the Musician Union after being in New York for si months. He came here from Chicag where he was successful on th and in theatres. . . . Irving Lehrer i no longer with the George Clarke organization, marking Irving's "umpteenth" change in the press agent circuit. . . . Bert Wheeler, now at th Casa Manana, will appear as guest o the beer program on CBS, Monda night.

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Philadelphia

Norman Sickle, erstwhile head o KYW's dramatic department, is no doing a six times weekly script sho on WFIL. . . . The American Schoo of Chicago has signed for 100 one-minute announcements over WIP Buchanan & Co. placed the account . . . Bill Dyer, who handles the Phillies ball game on WCAU, is preparing a dramatized sports show for a fall airing. . . . The Sky Way Beverage Co. has signed for three quarter-hours weekly for 13 weeks ove WIP. . . . Pat Henry has returned t the local airlanes after a 13-week commercial stunt at WNEW, New York Alec Biddle, socialite, has joined the WFIL announcing staff. . . . Bob Knox, formerly of WHAT, is wit the WCAU announcing corps.

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San Francisco

Pacific Coast Borax has renewed "Death Valley Days," coast edition for 52 weeks through June, 1939, on KPO and the coast NBC Red net. . . . Bill Specht, tenor, and KFRC amateur hour winner, has his own spot Thursdays on KROW. . . . Johns-Manville has taken a five-minute spot on KPO Mondays through Thursdays, indefinitely, using Gabriel Heatter transcriptions. . . . Jerry Kilgore, KPO announcer, is now spieling in Detroit. . . . Gerald J. Norton, former account executive of Allied Advertising Agencies here, has joined the KYA sales staff. He replaces Dan Weldon, now at KPO. . . . Jerry Lester, night club master of ceremonies, is auditioning for a local airshow.

Lift Broadcast Ban

BRIDGEPORT, June 2.—The current restriction on baseball broadcasts on WICC schedules has been lifted on all Boston broadcasts of American League games. The new ruling marks the end of the ban of American League baseball broadcasts over a station located within 50 miles of home territory." This, however, will not affect the restriction of broadcasts of the National League.

WBOW Moves Studios

TERRE HAUTE, June 2.—WBOW, operated by Banks of Wabash, Inc., as an NBC outlet, has moved to new studios at Sixth and Poplar Sts. The new location provides three modern studios on the second floor. The first floor is to be used for general offices and the third floor will eventually be used as clubrooms. William W. Behrman is the manager.

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43. NO. 129 NEW YORK, MONDAY, JUNE 6, 1938 TEN CENTS

Philadelphia Appeal to Be Filed Shortly

awyers to Act Tuesday Or Wednesday

Major distribution companies will le a writ tomorrow or Wednesday king the U. S. Supreme Court to view the findings of the U. S. Cir- it Court of Appeals in Philadelphia hich held that anti-double feature auses in exhibition contracts are egal.

The distributors' petition is being epared by Morris Wolfe, Phila- lphia attorney for Warners, and dwin Weisl, of counsel for Para ount, and will be completed in a day r two, it was stated officially over e weekend. The time for filing the etition expires Thursday.

The Supreme Court is expected to nsider the distributors' application r the writ of certiorari soon after it convenes in early October. If the igh court, on the basis of the appli-

(Continued from page 6)

Samuel Paley Sells 5,000 Shares of CBS

WASHINGTON, June 5.—Disposition April of 5,000 shares of CBS Class stock by Samuel Paley, Philadel- hia director, has been made known y the Securities and Exchange Com- ission in its semi-monthly summary f the transactions of officers and di- ectors in the securities of their cor- orations.

At the close of the month, the re- ort showed, Paley held 13,000 shares f Class A stock, 2,000 shares of Class and 26,000 Class B voting trust ertificates.

Fingers Crossed

San Francisco, June 5.—Joe Walters, staff announcer at KSFO, local CBS station, is the winner of the Garfinkel Cup, annually awarded to the "mike man" picked by radio editors as the season's "best announcer." Runnersup were Toby Reed of KFRC, Larry Keating and Abbott Tessman of KPO.

Tessman won the cup last year, then lost three commercials in the next three weeks. Walters is keeping his fingers crossed.

Screen Labels To Be IATSE Session Topic

Further Organizational Drive Contemplated

CLEVELAND, June 5.—Demand that the I.A.T.S.E. label be shown on every film and that the Alliance launch a campaign to organize all non-union workers in the industry and allied fields will be major issues at the 34th biennial convention of the union which will get under way here tomorrow. The conclave, termed by officials as the most important in years, will last all week.

The union label provision was made an I.A.T.S.E. regulation by vote of the 1936 convention in Kansas City, but so far it has not been enforced. Only a few companies have adopted the insignia, among them M-G-M and 20th Century-Fox, and delegates will demand that the international officers bring pressure on the others. The

(Continued on page 5)

Objections Filed To RKO's New Plan

Objections to the amended RKO plan of reorganization were filed with Special Master George W. Alger by more than a dozen attorneys representing creditors or security holders' committees, and individual debenture holders and stockholders, a checkup over the weekend revealed. Special Master Alger had set Friday as the last day for receiving objections to the plan.

Among those filing objections were White & Case for the principal unsecured creditors' committee; Joseph

(Continued from page 6)

Fessler Leaves Erpi For Motiograph Job

CHICAGO, June 5.—Frank D. Fessler, formerly connected with Erpi as a development engineer, has resigned and taken a similar position with Motiograph, Inc.

During his association with Erpi, Mr. Fessler was in charge of engineering projects for the improvement and manufacture of theatre apparatus. Prior to entering the sound film field he worked for the Westinghouse Manufacturing Co.

SUMMER RELEASE LIST TOTALS 110

Trend Apparent Toward More Big Pictures During Period

A total of 110 films is definitely dated or in prospect for summer release by 11 distributors, and this number may be boosted between now and Labor Day, when the fall season starts, it is shown in a checkup by MOTION PICTURE DAILY.

The trend toward starting the new theatre year early in August instead of September, which has been under way among some major companies in the last two years, will be intensified this summer, it is indicated by release dates definitely or tentatively set.

A large percentage of the films exhibitors will receive during the next three months appears to have strong box-office potentialities, if cast names, story properties, production budgets and advance information from Hollywood are reliable indicators.

Distribution heads of several principal companies agree that the old policy of holding all outstanding pictures for September release, though completed much earlier, is passé, maintaining that it is to the advantage of distributors as well as exhibitors to deliver a number of "big" pictures

(Continued on page 5)

Industry Leaders At Clark Funeral

A representative cross-section of the industry's executive roster in the east and the field made up the bulk of the 450 persons who attended the funeral services for John D. Clark, 20th Century-Fox sales chief, held Friday afternoon at the Home for Services in Montclair.

The services, which lasted 40 minutes, were simple and impressive. Rev. Dr. Henry K. Post, pastor of the Christ Reformed Church, Newark, gave the invocation, scripture reading and prayer, and Rev. Dr. Thomas T. Travis of the Watchung Congregational Church, Upper Montclair, gave the address.

Two of Mr. Clark's favorite hymns, "Crossing the Bar" and "Beautiful

(Continued from page 6)

Georgia Trust Action Won by Distributors

ROME, GA., June 5.—Three major distributors, defendants in a suit involving $53,500 for alleged violation of the anti-trust laws, won a victory in Federal District Court here Friday, when Judge E. Marvin Underwood directed a verdict in their favor.

The defendants in the case were Republic Pictures, Vitagraph and 20th Century-Fox. The suit, similar to several others filed by independent operators, was considered a test of prevailing methods used in the distribution of films in Georgia.

Plaintiff in the case was Mrs. B. Smith, proprietor of a Rockmart, Ga., theatre.

Plaintiffs Question Friedl in N. D. Case

FARGO, N. D., June 5.—Plaintiffs on Friday further developed their case in the third day of the hearing before three Federal statutory court justices on the theatre divorcement act of North Dakota. Attorneys clarified the stand and purposes of the state in enacting the measure.

John J. Friedl, president of the Minnesota Amusement Co., and vice-president of the American Amusement

(Continued on page 5)

Dave Garber Named To "U" Studio Post

HOLLYWOOD, June 5.—Dave Garber, RKO plant superintendent for the past three years, has been named manager of Universal studio operations under Val Paul, studio manager.

Dave Weiss, of the RKO studio accounting department, succeeds Mr. Garber as plant superintendent. He was formerly with Grand National, but resigned his position when the company entered 77B.

It's Here!

Bridgeport, June 5.—Matt Saunders, manager of the Loew-Poli Theatre, has installed television equipment for demonstration in his lobby, inviting patrons to broadcast and see their own images on a screen erected at one end. The stunt received several newspaper stories.

Weekend Developments in Radio—Page 7

My Word!

By Irene Kuhn

◆ Julia McCarthy, Daily Newshawk, discovered Lucinda Reichenbach's cupcake comeback. Mrs. Reichenbach, after two unsuccessful dress shop ventures, one with Peggy Fears, the other alone, went to visit her family in Decatur, Ill. Her brother, Harry Millard, is sports editor on the local paper and at the events she saw she noticed the craving for sweets. It gave her an idea. She dug up a famous local recipe and returned to New York, where, from a small apartment in Flushing, she is making delicious devil's food cup cakes with yummy chocolate icing. She is baking and selling dozens daily to a local dealer and is already getting more orders than she can fill out of one oven.

◆ Radio scripter Edith Meiser is on Grosse Ile, Detroit, doing a "how to" book which will give hints from Max Factor to girls who yearn to be glamorous on a few dollars a year.

◆ Arthur Mencken, socialite newsreel cameraman, who covered the war in China for Paramount, and came through without a scratch, is relating how he almost broke a leg getting out of a London cab. Mencken wrenched several tendons and is still limping, but is looking around for more and better adventures.

◆ Encouragement and Inspiration Dept.—Lester Atwell, a successful commercial artist in his early twenties, decided he'd write short stories. He sold the first one he wrote, and since then, July, 1937, has sold seven out of a total of nine dashed off. The *SEP*, *Collier's* and other pop mags are bidding for his services.

◆ The *Newark Sunday Call* runs a feature on local residents who look like movie stars. . . . There's a popular Irishman 'round town, name of John Brennan, who is assistant sales manager for Bourjois, Inc., and Barbara Gould Cosmetics. He used to be a policeman.

◆ Robert Allerton Parker, former dramatic critic, and intimately associated with the theatre since 1910, is doing a comprehensive work which will be a history of the revolution of popular entertainment. The book will show what has happened to popular amusements since 1900 as a result of the invention of motion pictures, radio, etc.

◆ Dick Frollich, son of Louis Frollich, lawyer for Gloria Vanderbilt in the custody case, has given up his editorial job on the *Daily News* to sail for London and work for Alexander Korda, from whom he expects to learn all about the motion picture business.

◆ Monogram Pictures Corporation introduced Movita, South American film star, and John Carroll, to the press and a large handful of potential fans at a cocktail party at the Ambassador Friday.

Purely Personal

J. A. McConville, Columbia foreign manager, and Rube Jackter, assistant sales manager, were hosts to a group of co-workers at Lindy's over the weekend on the occasion of McConville's 25th wedding anniversary and Jackter's 10th. Guests included Abe Schneider, Louis Astor, Lou Weinberg, Louis Barbano, Max Weisfeldt, Mort Wormser, Max Cohn, Arnold Picker, A. H. Noye and Sidney Bruckner.

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Robert Gillham will leave for San Antonio in about a week to make arrangements for the coming premieres there of "Tropic Holiday" and "The Texans." From San Antonio he will go on to the coast for a visit at the Paramount studio.

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A. Montague, Columbia general sales manager, is expected at the home office today following a studio visit. Rube Jackter arrived in New York over the weekend from San Francisco.

•

Lucius Henderson, film and stage player, will be tendered a testimonial dinner by Edwin Milton Royle and a group of prominent theatrical folk at the Hotel Piccadilly June 10.

•

Alfred Hitchcock, G. B. director, and his wife, the former Alma Reville, scenarist, will arrive today on the *Queen Mary*. Olga Petrova, former film actress, is also on ship.

•

J. J. Fitzgibbons, operating head of Famous Players Canadian, returned to Toronto over the weekend following a visit to the Paramount home office.

•

Sidney Bruckner, traveling auditor in Europe for Columbia, sailed on the *Statendam* Saturday for London, where he will establish headquarters.

•

John O'Connor, RKO theatre head, returns to his office today following a two-week inspection trip to the coast and way stations.

•

Truman H. Talley, producer of Movietone News, will return June 15 on the *Conte di Savoia* from a European survey.

•

Ralph Kohn plans to leave for the coast as soon as Jesse L. Lasky returns here. The latter is expected in a day or two.

•

Arnold Vogelsang has been named art director of the local slide-film production unit of the Jam Handy organization.

•

Oscar A. Doob of Loew's is moving to his summer home at Little Neck, joining the film colony there.

•

Ben Kalmenson, Warner western and southern sales manager, is on a three-week tour of his territory.

•

Ed Peskay, Grand National sales chief, changed his plans about leaving for the coast at the last minute.

•

Diana Ward, British radio singer, will arrive on the *Ile de France* today.

One Cat, 50 Cents

Omaha, June 5.—"One cat, 50 cents," read an item under petty cash on the Brandeis Theatre's expense sheet to the home office in Chicago.

"What became of the old one?" came back the home office.

It died.

Nathan Gordon Dead

Boston, June 5.—Nathan Gordon, 66, one of the original sponsors of First National and known here principally for his efforts in the building of the Olympia theatre circuit, now a part of M. & P., died here on Friday following a long illness. He leaves a wife, a daughter and two sons.

U. A. Producers Meet

Hollywood, June 5.—United Artists producers convened on Friday at the home of Samuel Goldwyn. Mutual production objectives were discussed.

Beach Novels to Sherman

Hollywood, June 5.—Harry Sherman on Friday completed a deal for the film rights to four Rex Beach novels. Among them are "Frisco Belle" and "Slander Girl."

New York Critics Enjoyed "Vivacious"—And Say So

New York's daily newspaper film critics liked "Vivacious Lady," without an exception, and they said so in their reviews along this fashion:

Herald-Tribune— . . . One of the season's brightest comedies . . . adds up to altogether superior entertainment.

Journal-American—Light and gay . . . not only elegant comedy but a welcome departure . . . moves fast and there's plenty of action.

Mirror—Sprightly little light comedy. . . . They (Ginger Rogers and James Stewart) are an attractive, romantic team.

News— . . . The brightest and funniest of the season's comedies. . . . Situations are hilariously funny.

Post—This department is a push-over for Ginger Rogers, James Stewart and Charles Coburn.

Sun—It is just funny, consistently and delightfully. . . . "Vivacious Lady" is a bright spot.

Times—"Vivacious Lady" comes like a veritable deluge of wit in the prevailing drought of comedy.

World-Telegram— . . . Is a pert, brisk, eminently entertaining, satinly variation of the old bedroom farce.

Openings, Transfers Closings in Indian

Indianapolis, June 5.—Changes the Indiana theatre field include t closing of the Capital, Clinton, and t Star, Geneva, and the acquisition the Gregory circuit of Henry Muelle State in Anderson. Ill health of M Mueller forced him to relinquish t house.

E. B. Sorenson of De Kalb has taken the Roxy, Boswell, and Milan, in Milan, has been open under the direction of W. J. Haney

Redecoration and remodeling h been completed at the offices of t Associated Theatre Owners of I diana on Film Row here. D. D. L of Rockville has been added to t membership roster.

W. B. Chorine on Tou

Ethelreda Leopold, from the chor of Warners' "Gold Diggers in Paris left by plane yesterday for a tour the country to herald the coming the feature in each situation where s appears. She will make the first her scheduled 18 stops in Albany t day.

Music Score for "Sheik

Paramount will provide a speci musical score for "The Sheik," a will reissue the synchronized pictu nationally June 15, it was stated F day by Neil F. Agnew, vice-preside in charge of distribution. The film now playing at the Gaiety.

League Medal for "Pol

"The Adventures of Marco Pol has been awarded the 1938 gold med by the Motion Picture Division of t League of Nations, according to cabl advices received Friday by the Unit Artists home office.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Pu lisher; J. M. JERAULD, Managing Edit JAMES A. CRON, Advertising Manager. EI TORIAL STAFF: Charles S. Aaronson, Jack B ner, Al Finestone, Thomas Fitzsimmons, Sher A. Kane, Irene Kuhn, Joseph Priore.

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"MAGNIFICENT OBSESSION"

936

THE BRILLIANT AUTHOR WHO TWICE THRILLED ALL THE WORLD NOW GIVES YOU HIS GREATEST MASTERPIECE!

"GREEN LIGHT"

1937

"WHITE BANNERS"

1938

LLOYD C. DOUGLAS'
Best-Seller and Cosmopolitan Magazine Serial

with CLAUDE RAINS · FAY BAINTER
JACKIE COOPER · BONITA GRANVILLE
HENRY O'NEILL · KAY JOHNSON · JAMES STEPHENSON
Directed by Edmund Goulding · Music by Max Steiner
Screen Play by Lenore Coffee, Cameron Rogers, Abem Finkel
A COSMOPOLITAN PRODUCTION

Warner Bros.
Make It your Big-Show
Follow-Up for
'Robin Hood'
'Crime School'
'Gold Diggers in Paris'

Ad. Libs

Uninvited Guests

Bill Ferguson tells of the consternation when guests at a Junior Chamber of Commerce dinner in Phoenix found two uninvited guests at a table. They were dummies, spotted as a gag for "Swiss Miss." Bill blames Jim Schiller of his staff and Manager Carolina Brunson of the Rialto for the stunt. They won't mind taking the blame.

* * *

Some Boss

It's getting so that all you have to do to be an associate producer is to work for Bob Gillham, Paramount's chief of advertising and publicity. Three of his former staff now are on the coast: Bill Pine, with Cecil B. DeMille; Lou Smith, with Frank Lloyd, and Bill Thomas, with Harold Hurley.

* * *

Tribute

The June 4 issue of *Dynamo*, 20th Century-Fox sales department house organ, is devoted entirely to tributes to the memory of John D. Clark. Herewith this column expresses its admiration of the dignified, carefully prepared edition, done in short space of time available. To Roger Ferri, its editor, a salute.

* * *

On the Cover

The RKO publicity department takes passing pleasure in the statistics which aver that Ginger Rogers and James Stewart, stars of "Vivacious Lady," have their photos on the covers of no less than four fan magazines for June. The four magazines are read daily by so many people, multiplied by the price of a dozen, and subtracted from the temperature the day before yesterday. It's great fun!

* * *

Profit March

A smart stunt was the one pulled by Herb Brown, Loew's Brooklyn publicity man. He organized a costume parade of 1,500 kids, members of a recently formed Tom Sawyer Club, and with the cooperation of Manager Simon of the Alpine in Bay Ridge and his assistant, and a local merchant, hooked two bands and sound trucks on to the parade. Costume prizes, candy and banners advertising the current show at the house were part of the props. P. S.—Saturday matinee went over the top with a bang.

* * *

Headache

Bud Getchall, who is doing an exploitation stint for Al Margolies on G. B.'s "Three On a Weekend," says he planned a weekend giveaway package consisting of a small first aid kit, and called the Bayer aspirin people to inquire about obtaining a quantity of their product. The man at the other end had difficulty understanding him. "I don't feel so good," he said, "I've got a splitting headache."

New York Preview

"Blockade"

(Wanger-United Artists)

Here is a drama of romance, espionage, intrigue and combat, set against a background of the Spanish Civil War, and presenting Henry Fonda and Madeleine Carroll in the chief roles, he as a peace-loving farmer turned Loyalist soldier, she as a spy by compulsion.

John Howard Lawson's original screenplay resolves itself into a preachment against the attacks on non-combatants in modern warfare, and emerges as highly favorable to the Loyalist cause in that war, and as an indictment of the tactics of the enemy (Insurgent) forces. There are, therefore, unquestioned political implications in the finished picture, which may be expected to have an effect on the selling of it as a piece of screen merchandise.

The direction of William Dieterle places strong emphasis on the horrible effect of the bombing of the innocents of war, the women and children far behind the battle lines and on the blockading of food ships.

In support of the cast leaders are Leo Carrillo as Fonda's loyal friend, John Halliday as the chief of the espionage agents, under whose thumb Miss Carroll is forced to operate, and Reginald Denny, who, as a newspaper correspondent, attempts to inject some measure of humorous relief into a narrative which is starkly tragic for the most part.

Fonda is shown as a farmer who loves his land as the film opens on a quiet and attractively tranquil countryside. There by accident he meets Miss Carroll, traveling by car to meet her father in a neighboring town, and they are mutually attracted to one another.

Then, suddenly, the scene is changed, and the countryside is plunged into war. Fonda rallies the farmers to defense, becomes a Loyalist officer engaged in counter-espionage work, and is instrumental in the capture of Miss Carroll, the death of her father. The central dramatic episode, of course, is the blockade of a Loyalist town, its people starving. The work of spies is largely responsible for the sinking of ships attempting to penetrate the blockade with supplies. Finally Miss Carroll, overwhelmed by the tragedy she finds among the women and children, betrays her employers, and with Fonda's aid, arranges a safe passage of the blockade. She is freed, he promoted—and the war goes on.

Running time, 83 minutes. "A."

Overseas Preview

"Le Quai des Brumes"
"The Foggy Quay"

(Ciné-Alliance-Films Victoria)

Paris, May 28.—This tragic melodrama, whose action is developed in a 24-hour period at the French harbor of Le Havre, is powerful but depressing entertainment. Based on a novel by the well known French author, Pierre Mac Orlan, it has been artistically produced and is performed flawlessly by a first class cast.

The central character is Jean Gabin, a deserter soldier, who, on the eve of embarking for South America, meets a lonely girl, Michèle Morgan. They fall in love. The repulsive, criminal and jealous guardian of the girl annoys her and Jean kills him. When escaping to his boat, Jean is shot to death for revenge by a gangster enemy of Gabin.

The foggy and heavy atmosphere, which has a symbolic meaning, is one of the features of this beautiful film, only comparable to such films as "Anna Christie" or "Winterset." The 30-year old French director, Marcel Carné, once a film journalist, and assistant to René Clair and Jacques Feyder, has given here the best of the talent promised in his two previous films. Dialogue and screenplay are excellent, and the photography by E. Schuftan deserves high praise for its artistic value.

Jean Gabin, the most popular French actor of the moment, and Michèle Morgan, a beautiful and moving 18-year old French girl who is already considered among the best feminine French players, give magnificent performances in their first co-starring parts. They make a perfect romantic team. Michel Simon, as the girl's guardian, and Pierre Brasseur, as the coward killer, are excellent.

It is too bad that such art and talent have been used for such a thin and sordid story, with not a decent character. Obviously the film will be at odds at least partially, with the American Production Code. However, this stirring film, which depicts the distress of fallen human beings, in which there is a blend of violence, sweetness and poetry, ought to attract class audiences, because of its photographic and artistic quality.

Running time, 90 minutes. "A." Autre

Short Subjects

"Under Water"

(RKO)

This is a fine example of pho
graphy with interesting subject m
ter. It is done on green tinted f
with all the scenes made at Sil
Springs, Fla. The early part of
reel shows girl and men swimm
above and below water. Belo
surface they shoot arrows at mo
fish—and actually hit some of the
Some of the underwater shots are
beautiful as landscapes.

The second half of the reel is
voted to water polo—also at Sil
Springs. The things the players
to each other both above and bel
the surface are a riot. It combi
action and humor. It was supervi
by Frederic Ullman, Jr.; prepared
Frank Donovan; edited by Fos
Travis, and described by Joe Bolt
Running time, 10 mins.

"Forget-Me-Knots"

(Vitaphone)

This is an expertly fashioned t
reel musical featuring Bernice Cla
and the Gae Foster Girls. The st
on which the show hangs concerns
forgetful characteristics of Eug
Sigaloff, Miss Claire's manag
husband, who forgets he is marri
Much amusing comedy takes pl
before he eventually remembers w
he has a string tied to his fing
Miss Claire is in good voice and
entire production is up to the sta
ard of the Brooklyn studios. Go
Running time, 21 mins. "G."

Ohio's Theatre Tax Battle Near Clim

Columbus, June 5.—The Indep
dent Theatre Owners and thea
men from all sections of the state
using every means in their power
block legislation increasing the adn
sions tax at least three-fold, foll
ing a report of the legislature's spe
relief investigating committee.

The committee recommended t
municipalities and local subdivisi
be permitted to pay their share
Ohio's $13,000,000 relief burden d
ing the remainder of the year by le
ing local excise taxes. Two indust
which would be hardest hit by
passage of such legislation are t
atres and utilities.

Legislators conceded that the c
mittee report will have an import
bearing on any future action wh
the General Assembly will take
solving the relief problem. The o
other alternative was the granting
permission to municipalities to is
bonds against anticipated delinqu
tax collections.

The committee hit this practi
branding it "mortgaging of the
ture."

Goldstone to Continu

Hollywood, June 5. — Phil Go
stone will continue as associate p
ducer on the Renfrew of the Moun
series which Criterion is making
Grand National distribution, it
stated on Friday by Phil Kras
vice-president of G.N. Criterion
making three pictures for G.N.
lease and Mr. Krasne said that
series undoubtedly would be c
tinued for the new season.

Summer Film Release List Includes 110

(Continued from page 1)

n theatres need them to overcome summer slump."

Saying that Warners will have about a dozen films, all "big in entertainment values," in national distribution during the next three months, Gradwell L. Sears, the company's sales head, over the weekend declared:

"Cooling systems are not enough to bring audiences into theatres during the perspiration period. Exhibitors must have big attractions to offer their patrons, and Warners will do its part in serving this vital need."

Paramount, M-G-M, 20th Century-Fox and United Artists have been prominent among companies which have released major films in the last wo summers. These distributors, as well as Warners, RKO, Universal and Columbia, have scheduled pictures for this year which they believe will help defeat the seasonal bugaboo.

Releases dated or in prospect from June 1 to Labor Day follow:

Columbia (9)

June 17—"Holiday," Katharine Hepburn, Cary Grant; June 24, "Stagecoach Days," Jack Luden; "Highway Patrol," Robert Paige; July 1, "City Streets," Edith Fellows, Leo Carrillo; "Reformatory," Jack Holt, to be released in July or August. Now editing: "Gold Rush Days," Jack Luden; "South of Arizona," Charles Starrett. Now shooting: "You Can't Take It with You," Jean Arthur, James Stewart, Lionel Barrymore; "The Gladiator," Joe E. Brown; Edward G. Robinson, untitled.

M-G-M (12)

June 3—"Three Comrades," Robert Taylor, Margaret Sullavan; June 10, "The Toy Wife," Luise Rainer, Melvyn Douglas; June 17, "Lord Jeff," Freddie Bartholomew, Mickey Rooney; June 24, "One Woman's Answer," Virginia Bruce, Herbert Marshall; July 1, "Shopworn Angel," Margaret Sullavan, James Stewart; July 8, "Love Finds Andy Hardy," Mickey Rooney, Lewis Stone, Cecilia Parker; July 15, "Fast Company," Florence Rice, Melvyn Douglas; July 22, "The Crowd Roars," Robert Taylor, Maureen O'Sullivan, Frank Morgan, Edward Arnold; Aug. 5, "Too Hot to Handle," Clark Gable, Myrna Loy. To be released in August: "Listen Darling," Judy Garland, Billie Burke, Freddie Bartholomew; "White Collars" and "Stablemates," casts not yet set.

Monogram (6)

June 10—"Marines are Here;" June 24, "Romance of the Limberlost," Jean Parker, Eric Linden; July 8, "Man's Country," Jack Randall; Aug. 3, "Barefoot Boy," Jackie Moran; Aug. 24, "Wanted by the Police," Frankie Darro; Aug. 31, "Starlight Over Texas," Tex Ritter.

Paramount (12)

June 3—"You and Me," Sylvia Sidney, George Raft; June 17, "Prison Farm," Lloyd Nolan, Mary Carlisle; June 24, "Bar 20 Justice," William Boyd; July 1, "Tropic Holiday," Bob Burns, Martha Raye, Dorothy Lamour; July 8, "Return of the Fox," William Boyd; July 15, "Professor Beware," Harold Lloyd, Phyllis Welch, Raymond Walburn; July 22, "Booloo," Colin Tapley; July 29, "Orphan Annie, Detective," no cast announced; Aug. 5, "Give Me a Sailor," Martha Raye, Bob Hope, Betty Grable, Jack Whiting; Aug 12, "The Texans," Joan Bennett, Randolph Scott, May Robson; Aug. 19, "Bulldog Drummond in Africa," John Howard, J. Carroll Naish; Aug. 26, "Spawn of the North," George Raft, Henry Fonda, Dorothy Lamour, John Barrymore, Akim Tamiroff.

epublic (9)

June 6—"Desert Patrol," Bob Steele, Marion Weldon; June 10, "Riders of the Black Hills," the Three Mesquiteers; June 17, "Ladies in Distress," Alison Skipworth, Polly Moran; July 1, "Army Girl," Madge Evans, Preston Foster; July 8, "Durango Valley Raiders," Bob Steele. July releases to follow are: "Gold Mine in the Sky," Gene Autry; Ramon Novarro in untitled film; one Roy Rogers film; "Come on, Leathernecks," cast to be announced.

RKO (14)

June 2—"The Saint in New York," Louis Hayward; June 10, "King Kong," reissue; June 17, "Blond Cheat," Joan Fontaine, Derrick DeMarney; June 24, "Border G-Man," George O'Brien; July 1, "Having Wonderful Time," Ginger Rogers, Douglas Fairbanks, Jr.; July 8, "Crime Ring," Allan Lane; "Little Women," reissue, Katharine Hepburn; July 15, "Mother Carey's Chickens," Ruby Keeler, Anne Shirley; July 22, "I'm from the City," Joe Penner; July 29, "Ground Crew," Richard Dix, Chester Morris, Joan Fontaine; Aug. 5, a Bobby Breen film; Aug. 12, "Painted Desert," George O'Brien; Aug. 19, "Smashing the Rackets," tentative title, no cast announced; Sept. 2, "Room Service," Marx Brothers.

20th Century-Fox (14)

June 3—"Josette," Simone Simon, Don Ameche; June 10, "One Wild Night," June Lang, Lyle Talbot; June 17, "Three Blind Mice," Loretta Young, Joel McCrea; June 17, "Mr. Moto Takes A Chance," Peter Lorre, Rochelle Hudson; July 1, "Always Goodbye," Barbara Stanwyck, Herbert Marshall; July 8, "Panamint's Bad Man," Smith Ballew, Noah Beery; "We're Going to Get Rich," Gracie Fields, Victor McLaglen, Brian Donlevy; July 15, "Passport Husband," Pauline Moore, Stuart Erwin; July 22, "I'll Give a Million," Warner Baxter, Marjorie Weaver, Peter Lorre, Jean Hersholt; July 29, "Little Miss Broadway," Shirley Temple, George Murphy, Jimmy Durante, Edna Mae Oliver; Aug. 5, "Alexander's Ragtime Band." Others to come, not yet dated, are "Hello Hollywood," Jane Withers, Gloria Stuart; "Mysterious Mr. Moto," Peter Lorre; "Speed to Burn," Lynn Bari, Dennis Moore.

United Artists (6)

June 17—"Blockade," Madeleine Carroll, Henry Fonda; July 1, "South Riding," Edna Best, Edmund Gwenn; release dates not set after that date. Coming: "Algiers," Wanger film with Charles Boyer, Hedy Lamarr, Sigrid Gurie; "The Young in Heart," Selznick film with Janet Gaynor, Douglas Fairbanks, Jr.; "Over the Moon," Korda film with Merle Oberon, Rex Harrison; "Mutiny in the Mountain," Korda film with Sabu, Raymond Massey, Valerie Hobson, late August or early September.

Universal (10)

June 3—"Wives Under Suspicion," Warren William, Gail Patrick; June 17, "Afraid to Talk," Robert Wilcox, Dorothea Kent; July 1, "Danger on the Air," Donald Woods, Nan Grey; July 8, "The Rage of Paris," Danielle Darrieux, Douglas Fairbanks, Jr.; July 15, "Walls of St. Quentin," Glenda Farrell, Barton MacLane; July 29, "Letter of Introduction," Andrea Leeds, Adolphe Menjou, Edgar Bergen, Charlie McCarthy; Aug. 8, "Little Tough Guy," with the "Dead End" kids; Aug. 12, "The Missing Guest," cast not announced; Aug. 19, "That Certain Age," Deanna Durbin, Jackie Cooper; coming: "Rocket Ship," Larry Crabbe.

Warners (12)

June 3—"Little Miss Thoroughbred," Janet Chapman, Ann Sheridan; June 10, "Gold Diggers in Paris," Rudy Vallee, Rosemary Lane; June 17, "When Were You Born?" Anna May Wong; June 24, "White Banners," Claude Rains, Fay Bainter; July 8, "Cowboy from Brooklyn," Dick Powell, Priscilla Lane; July 15, "Men Are Such Fools," Wayne Morris, Priscilla Lane; July 29, "Secrets of an Actress," Kay Francis, George Brent. Coming: "Mr. Chump," Johnnie Davis, Lola Lane; "Racket Busters," George Brent, Gloria Dickson; "Valley of the Giants," Wayne Morris, Claire Trevor; "The Amazing Dr. Clitterhouse," Edward G. Robinson; "Angels with Dirty Faces," James Cagney, Pat O'Brien.

G.B. (6)

June 17—"The Show Goes On," Anna Neagle, Tullio Carminati; July 1, "Three on a Weekend," John Lodge, Margaret Lockwood; July 15, "Crime Over London," Margot Grahame, Paul Cavanaugh, Joseph Cawthorn, Basil Sidney; Aug. 1, "Evergreen," Jessie Matthews, reissue; Aug. 15, "Strange Boarders," Renee Saint-Cyr, Tom Walls; Sept. 1, "The Wheel Spins," Margaret Lockwood, Michael Redgrave, Paul Lukas, Dame May Whitty.

Favor Early Release

"Big pictures will do business regardless of the season of the year," says Neil F. Agnew, Paramount distribution chief. Nate Blumberg, Universal president and a veteran theatre operator, is convinced that the release of major films in the summer "is the thing to do to help exhibitors over the seasonal slump." A. W. Smith, Jr., United Artists sales head, believes that "big pictures get good grosses in August because vacationers are just back from the great outdoors and start looking around for entertainment."

Plaintiffs Question Friedl in N. D. Case

(Continued from page 1)

Co., two of the three plaintiff concerns, was interrogated at length by defense attorneys who apparently attempted to prove these points:

(1) That theatres affiliated with motion picture companies enjoy advantages over their independent competitors; that they can exert pressure to the detriment of the independents.

(2) That affiliated theatres enjoy tremendous bargaining power for the better pictures and are able to prevent independents from getting specific releases when they want them.

All of these allegations Mr. Friedl denied.

The defense also sought to establish that the "big eight" producers have a working agreement, splitting the United States so that they do not compete with one another.

"Isn't it true that if you chose to go into any town in North Dakota that you could get Paramount product away from anybody else playing in the town?" asked Defense Counsel Louis B. Schwartz.

"Definitely no," Friedl replied.

Indication that distribution executives of the major companies will be called to testify at the trial of the North Dakota "divorcement" law at Fargo, N. D., is seen in the fact that William F. Rodgers, M-G-M sales head, is to be a witness there today. He left New York Friday.

Tax Changes Urged For Atlantic City

ATLANTIC CITY, June 5.—Hollywood, Astor, Royal Palace and Lyric, smaller independent houses here, are asking the city to drop the $250 mercantile license tax on each theatre and substitute a charge of 15 cents per seat.

Spokesmen declare the present fee works out to an average of 12¾ cents per seat for all the theatres and piers in Atlantic City. They insist a 15-cent charge would lighten their own load, shift some burden to larger operators and increase the total city revenue.

Screen Labels To Be IATSE Session Topic

(Continued from page 1)

label is in the nature of a screen credit.

Delegates representing the Motion Picture Laboratory Technicians, Local 702, of New York, will also demand that the label be affixed to negative as well as positive prints.

It is estimated that there are 200,000 employes in the film industry, only about 60,000 of which are members of the I.A.T.S.E., and a resolution will be put before the convention authorizing the executive board to push a unionization drive among theatre employes, laboratories and other unorganized fields.

To Ask "Unity"

Delegates of Local 306 and the laboratory unit in New York will present resolutions asking for "trade union unity" and that the executive board call on its parent organization, the various A. F. of L., to make an effort to reconcile its differences with the C. I. O.

Another resolution will ask that the I.A.T.S.E. administration give the locals greater support and assist them in making their fields completely union.

A jurisdictional fight may develop between the New York operators and the laboratory unit. Local 306 demands jurisdiction over projectionists in the laboratories, while Local 702 claims that its jurisdiction extends to operators in laboratories who do inspection work. The laboratory unit concedes the claim of Local 306 to operators working in laboratories' projection rooms.

Program Outlined

All convention sessions will be held in the Public Auditorium. The program for the opening day follows: Call to order, John B. Fitzgerald, president, Local 27, stagehands' union; opening of convention, Harland Holmden of Cleveland, vice-president in charge of west coast activities; invocation, Rev. Father Leonard T. Gerity, pastor of St. John's Church, Summitville, O.; welcome to Cleveland, Mayor Harold H. Burton; welcome to Ohio, Gov. Martin L. Davey; greetings from Cleveland Federation of Labor, by Albert Dalton, president, and Thomas A. Lenehan, secretary; greetings from Ohio State Labor Federation, Michael Lyden, president, Thomas J. Donnelly, secretary; welcome from Cleveland M. P. Exhibitors Association, John D. Kalafat, chairman, labor committee; address by Sidney R. Kent, president, 20th Century-Fox and chairman of the producers' labor committee; address by William E. Green, president, A. F. of L.; greetings from the local convention committee, Victor A. Wellman, chairman; presentation of life memberships in Local 160 to George E. Browne, president, I.A.T.S.E., and William Bioff, his west coast representative, by Mr. Holmden; benediction, Dr. Louis C. Wright, president, Baldwin Wallace College. Mr. Browne will preside at subsequent sessions.

Philadelphia Appeal to Be Filed Shortly

(Continued from page 1)

cation, agrees to review the case, a final decision might be had by the end of the year.

The anti-duals action, known throughout the trade as the Perelman case, has been in the Federal courts at Philadelphia for almost five years. It was instituted late in 1933 by Philadelphia exhibitors to test the legality of clauses written into exhibition license agreements which sought to prohibit the showing of a second feature on the same program with the picture being contracted for. The U. S. District Court which first heard the case decided it in favor of the complaining exhibitors. On appeal to the Federal circuit court at Philadelphia the lower court decision was affirmed. Distributors next asked for and were granted a rehearing of the case by the circuit court. A memorandum reversing the lower court was made public thereafter, but was recalled the following day by the high court with the explanation that it had been issued erroneously.

Last fall the circuit court handed down its second decision, reaffirming the district court's findings. Within the next few months distributors decided to carry the case to the Supreme Court.

Republic Books 5 Here

Republic has five bookings on big circuits here for June and July. During the week starting June 8 RKO will play "King of the Newsboys." The week of June 14 Loew's metropolitan circuit will play "Invisible Enemy"; June 21, "Call of the Yukon"; June 28, "Prison Nurse," and July 14, "Gangs of New York."

Finish Musical Short

The first of a series of six Russian gypsy musical shorts has been completed at the Film Art Studios for Musart Productions. Edgar G. Ulmer directed with Michael J. Gann supervising.

Wall Street

Little Change in Stocks

	Open	High	Low	Close	Net Change
Cons.	1⅛	1⅛	1⅛	1⅛	.....
E. K.	147⅞	147⅞	147½	147½	—1⅝
E. K. pfd.	162½	162½	162½	162½	— ½
Loew	40⅜	40½	40¼	40¼	+ ⅛
Para	6¾	6⅞	6¾	6¾	.....
Pathe	4½	4½	4½	4½	.....
RKO	2	2	2	2	.....
20th Fox	19½	19½	19½	19½	.....
W. B.	4⅜	4½	4⅜	4½	.....

Light, Upward Curb Trend

	Open	High	Low	Close	Net Change
G. N.	½	½	7/16	7/16	+1/16
Monogram	1½	1½	1½	1½	— ⅛
Sonotone	1½	1⅝	1½	1⅝	+ ⅛
Tech.	22	22¼	22	22⅛	+ ⅛

Few Bonds Active

	High	Low	Close	Net Change
Para. B'way 3s '55	59	59	59	.....
Para. Pict. 6s '55	90¾	90¾	90¾	.....
Para. Pict. '47	71½	71½	71½	— ¼

(Quotations at close of June 2)

Objections Filed To RKO's New Plan

(Continued from page 1)

M. Cohen and George L. Schein for the independent stockholders' protective committee; Dick & Burroughs for individual general creditors; Abraham K. Weber for individual stockholders; Nathan Rosenberg for individual debenture holders; Ernest W. Stirn, as a holder of the old RKO Class A stock, and others.

None of the major holders of RKO securities filed objections to the plan, nor did the principal debenture and stockholders' protective committees. Presumably, this means that the amended plan has the approval of RCA and Rockefeller Center.

Hearings on the objections will begin Wednesday before Special Master Alger.

Stock Operations of Officials Are Light

WASHINGTON, June 5.—Market operations of corporation officials in the stocks of their companies continue light, Securities and Exchange Commission reports show.

The semi-monthly summary of such transactions disclosed but three operations, none of any magnitude.

Loew's, Inc., continued its campaign of acquisition of Loew's Boston Theatres common stock, picking up 504 shares during April and bringing its total holdings to 99,506 shares.

The other transactions were disposition by Robert R. Young, Jersey City, director of Pathe, of 100 shares of the company's common stock, by gift, reducing his holdings to 19,897 shares, and the disposition, also by gift, of 500 shares of Warner Brothers common by Herman Starr, New York, officer, representing his entire holdings.

Press to See "Rage"

HOLLYWOOD, June 5.—"'The Rage of Paris," originally scheduled for a combination preview and prerelease at the Pantages and Hillstreet on June 10, will be screened for the press at the Pantages on June 9 and will open generally the next day as planned. No openings are scheduled elsewhere until July 1.

Writer Sues Paramount

CHICAGO, June 3.—A suit was filed in the U. S. District Court here Friday against Paramount by John Hopper, freelance writer, who charges copyright infringement of his story, "Blood Across Kansas," in the Cecil B. DeMille film, "The Plainsman."

Iowa Allied Plans Outing

ELDORA, IA., June 5.—The Allied Independent Theatre Owners of Iowa will hold the annual picnic at Pine Lake state park, June 13. The committee on arrangements has planned a day entirely full of entertainment.

Backs Showman Week

United Artists is urging all its exhibitor accounts to emphasize the week of June 17-24 as National Showmanship Week, regardless of the product being played.

Industry Leaders At Clark Funeral

(Continued from page 1)

Isle of Somewhere," were sung by a male quartet. Accompaniment and other organ selections were played by Frank Scherer, organist of St. Luke's Episcopal Church, Montclair. At the request of the family, there was no eulogy.

Amid a beautiful floral setting, the ministers conducted the services in a small room in which were seated the honorary pallbearers and members of the family. The others overflowed other rooms in the three-story building and heard the services from amplifiers. A recording was made by a local company and will be sent to the studio in Hollywood.

Flowers were in profusion throughout the building, and officials of the funeral home said that 270 floral tributes were received from all sections of the country, many from the coast.

Burial in Mt. Hebron

Burial was private at Mt. Hebron Cemetery, Upper Montclair, in which community the Clark family resides.

A large representation from 20th Century-Fox included the following: Joseph M. Schenck, S. R. Kent, Joseph Moskowitz, Joseph Pincus, Felix Jenkins, W. J. Hutchinson, W. C. Michel, C. Michel, William Sussman, William Kupper, William C. Gehring, Dan Michalove, Edmund Reek, Charles E. McCarthy, Roger Ferri, Earl Wingart, Les Whalen, Jack Sichelman, Martin Moskowitz, Wilfred Eadie, C. Irby, J. Lang, Hugh Strong, R. B. Simonson, Jack Bloom, Charles Goetz, E. H. Collins, Ted Shaw, C. A. Hill, Norman Steinberg, H. H. Buxbaum, Joe J. Lee, Moe Sanders, A. F. Lomba, Claud Saunders.

Company distribution heads in the field attending were J. P. O'Loghlin, Toronto; Moe Levy, Minneapolis; Edgar Moss, Philadelphia; Clyde Eckhardt, Chicago; Herman Wobber, San Francisco; Ward E. Scott, Kansas City; T. H. Bailey, Boston; H. G. Ballance, Atlanta; G. A. Roberts, Cleveland; Moe Grassgreen, Albany; Ira H. Cohn, Pittsburgh; Sam Gross, Philadelphia; Ben A. Simon, New Haven; E. K. Callahan and Harry Alexander, Boston.

Philadelphians Present

A delegation from Philadelphia included, among others: Councilman Thomas Stokely, Sam Hyman, Charles Klang, Bill Heenan, Al Boyd, Frank Buehler, Joe and Earl Forte, Earl Sweigert, Marcus and Allen Benn, Dave Barrist, Jay Emanuel.

Others seen at the services were Will H. Hays, Colvin Brown, Frank C. Walker, John Nolan, Al Lichtman, George J. Schaefer, Leo Spitz, M. B. Shanberg, Ned E. Depinet, Barney Balaban, Gradwell L. Sears, Carl Leserman, Lew Lehr, James R. Grainger, L. E. Thompson, Jules Levy, E. W. Hammons, Charles Reagan, Tom Connors, E. M. Saunders, Joe Unger, Arthur Stebbins, William Scully, J. J. Fitzgibbons of Toronto, Paul Lazarus, Harvey Day, Paul Terry, Louis Frisch, Sam Rinzler, Moe Streimer, Milt Kusell, Arthur Stebbins, Joe Eagon, Dave Palfreyman, William Powers, Spyros Skouras, George Skouras, Jack Sullivan, William Dover, Herman Robbins, George Dembow, Sam Dembow, Oscar Morgan of Atlanta, Ed Pesl George Weeks, Paul Mooney, Joh Ford of Boston, Jack Fellerman, J Bowen, Ben Adler, Dave Levy, F Schwartz, Irving Lesser, Gordon White, Harry A. Ross, Densmore Ross, Allen Usher of Chicago, J Skirball, Peter Levathes, Ha Thomas, Mort Shea, E. J. Sparks Florida, Leon Netter, L. J. Woolri and Hermann Place.

Four A's to Rename Thomson as Offic

Kenneth Thomson, executive sec tary of the Screen Actors' Guild, be reelected a vice-president of Associated Actors & Artistes America at the annual meeting to of the parent A. F. of L. organizat for entertainers. Thomson was des nated a vice-president of the F A's last year to fill the vacancy isting at that time.

Gene Greenfield will be elected vice-president and Leo Fisch treasurer, to fill current vacanc No other elections are scheduled today's meeting as the regular sl of Four A's officers was elected l year for two-year terms.

Changes in the Four A's consti tion designed to effect closer work arrangements between the vari member theatrical unions will be cussed at the meeting, but the p posed amendments are not expec to be completed before the end of week, according to Frank Gillm Four A's president.

Thomson will arrive from the co by plane today to attend the sessi and may remain in New York several weeks to attend the ann meeting of the eastern branch of Screen Actors' Guild and to part pate in the Guild's conferences w producers here.

Ruth Richmond He Chorus Equity Gro

Ruth Richmond, an employe Chorus Equity Association for m years, was appointed executive se tary of the organization at its 1 annual meeting Friday in the Cer Hotel. The appointment is effec June 20 with the resignation of E L. Christenson, and was made as a sult of the decision to defer indefini the long considered amalgamation Chorus Equity with Actors' Eq Association.

In her final report to the meml Mrs. Christenson revealed that financial position of Chorus Equit "strong" and with the economies sulting from the recent reorganiza of the unit, it is believed that it be able to maintain itself as an i pendent organization.

The regular ticket of nominees elected with Paul Dullzell as ch man of the executive committee, Gerald Moore, recording secretary, gether with nine members of the ecutive committee. After hearing f Frank Gillmore, former president, meeting voted to wire Presi Roosevelt protesting against the posed limitations in labor costs Federal theatre projects to $1,000 year per person.

Malchin Has Imports

Leo Malchin, head of French F Exchange, is handling "The Slip Episode" and "Money" in country, he says.

lutual Shows Best May Billings Gain

Mutual time billings for May
owed the greatest gain in compari-
n with the same month of 1937 of
e three nationwide networks. Mu-
al had an increase of 25.6 per cent
er May of last year.

e Mutual billings for May were
ted at $194,201, which compares
May, 1937, billings of $154,633.
umulative billings for the first five
onths of 1938 were $1,139,769, an
7 per cent rise above the first five
onths of last year, when the total
as $1,048,280.

Advertising expenditures for time
the NBC in May rose to $3,442,-
0, up 7.1 per cent over May, 1937.
his figure for May is a record high
r the month.

NBC's cumulative billings for the
st five months totaled $17,851,185,
5.3 per cent for the same period of
37.

Columbia's billings for May
nounted to $2,442,283, down 4.6 per
nt compared to the $2,560,558
ossed in May, 1937. In explanation
the decrease, however, officials
id that the May billings this year
e normal, but show a percentage
ss because the May billings last year
ere unusually high.

Columbia's cumulative billings for
e first five months, amounting to
3,461,060, were up 9.2 per cent over
e corresponding months last year.
he 1937 cumulative total for Janu-
y-May, 1937, was $12,326,689.

anada Film Quality Hit in Radio Speech

Toronto, June 5.—The standard of
anadian films is not as high as it
ould be, it was said by John Grier-
n, leading English producer of docu-
entary pictures, in a radio interview
er the Canadian Broadcasting Cor
ration national network on Friday.

Featured on the program of Darcy
arsh, Grierson's chief complaint was
at there is "too much gems of this
d that." He also admitted that big
nglish producers had made a serious
ror in trying to copy Hollywood's
anner of picture making rather than
eating a style of their own.

Varners Test Air Talent

San Francisco, June 5.—Eight
PO-KGO performers have been
lected for preliminary screen tests
Anderson Lawler, Warner talent
out. Those picked include Herta
rey, Vicki Vola, Ruth Sprague.
onty Margetts, Jack Cowden.
tors; Beryl Cameron. John Wolfe
ngers; Mel Vickland, announcer.

CBS Moves Office

San Francisco, June 5.—The CBS
al staff has moved into the new
FSO plant, on the roof of the
lace Hotel. Production and talent
ices will be moved in by Aug. 1.
en the new studios will be ready
the official opening. The new
nsmitter was put into operation
veral months ago.

Kendrick Joins KXBY

Kansas City, June 5.—D. E. Ken-
ick, who has been in radio for some
ars, has been made vice-president of
XBY.

First Public Purchase of Television Sets Recorded

The first public purchases in this country of completely assembled, workable television receiving sets, were recorded in a Bronx department store on Friday, following a demonstration. The units were Television Corp. of America sets, and two sold at $195, the others for $225.

Yesterday Television Corp. of America made known its intention of placing 10 sets of its manufacture in Wanamaker's Department Store. The public will be invited to view the performance of "Susan and God" with Gertrude Lawrence, which NBC-RCA will telecast tomorrow afternoon for a private audience in the NBC studios.

Meanwhile, although RCA has not said anything publicly about Television Corp. of America's practice of "taking off the air" RCA telecasts on the former's receiving machines, it is believed that RCA may act shortly to put an end to the practice. In all probability, RCA will offer to place its receivers in the various major department stores hereabouts, thus "freezing out" Television Corp. of America.

NBC Making Plans

In view of the excellent publicity and exploitation value gained by Television Corp. of America in placing its set in local department stores, RCA is now said to feel that it "missed the boat."

In the meantime, NBC's plans to show television to the public in its own studios are proceeding, with a formal statement expected shortly. It is believed that the showings will be offered to visitors and tourists not as a regular part of the guided tours, but separately, at a separate admission charge.

Plan Ad Campaign

Plans for a cooperative advertising campaign for the home furnishing industry have been completed by Livable Homes, new organization headed up by Gladys Miller, interior decorating editor of *Mademoiselle*, and president of Service Programs, Inc. Handling the radio details for the campaign is Joseph M. Koehler, head of Radio Events, Inc.

Canoe Broadcast Set

Montreal, June 5.—Radio broadcasting from a canoe is to be CBC's latest stunt. Bob Bowman, CBC specialty man, will air a fishing broadcast from the French River district near Sudbury, carrying his short-wave transmitting equipment with him in a canoe.

The broadcast is scheduled for June 18 and CBC hopes its new mobile unit will be ready on the 10th. Alan Irwin will probably aid Bowman in commentating.

KARM Is Now Basic Station of CBS Net

KARM, Fresno, Cal., becomes a basic station of the CBS Pacific Coast group, effective immediately, and will be included in network contracts where other Pacific Coast stations are used.

The station will be included in new contracts or renewals of present contracts at the following rates: evenings, $75 per hour, $45 per half-hour, $30 per quarter-hour; daytime, $37.50, $22.50, $15; Sunday afternoons, $50, $30 and $20.

KROY, Sacramento, will continue available as a supplementary station at the same rates as for KARM.

152 Stations on Fight

The Buick Motor Co. will use 152 stations of the combined Red and Blue networks to broadcast a description of the championship fight between Joe Louis and Max Schmeling June 22. With the exception of the Ford broadcasts of the World Series games, this probably will be the largest network any sponsor has ever had on radio.

To Start New CBS Series

A new juvenile series, "Junior Musicomedy," will be introduced over CBS, June 11, from 11:30 a. m. to 12 noon. The program will originate from the CBS outlet in Rochester, WHEC.

Shanghai Stations Decline to Register at Order of Japanese

Shanghai, April 22.—All radio stations in Shanghai and other districts surrounded or controlled by the Japanese Military, under orders of the newly formed Government in Nanking, were ordered to register with the new Government.

In Shanghai no station in the International Settlement of Shanghai owned by foreign interests made any such registration. They refused pending decision of the respective consular offices regarding the order. In the French Concession of Shanghai the order was ignored, since the French authorities consistently have maintained their concession as French territory and outside the jurisdiction of other foreign powers.

No action has been taken as yet by the newly established Government against foreign stations not registering and it is not expected that for the present any action will be or can be taken without the approval of the extraterritorial powers under whose control the owners of the stations come.

Radio Personals

PAUL WING, conductor of the spelling bee program, is the author of a new book for boys which will be out shortly. . . . Rico Marcelli has been signed to conduct three concerts at Grant Park, Chicago, this summer. . . . Roger Coleman is the new tenor now appearing with Don Albert's orchestra on WHN. . . . Irene, girl member of the "Three Drews," vocalists featured on WHN's "Broadway Melody" program, is in the Women's Hospital.

✛

Cincinnati

William A. Schudt, Jr., general manager WKRC, CBS outlet, is in New York conferring with Columbia officials . . . Paul Sullivan, radio editor, *Cincinnati Post,* also is doing Broadway from where he is writing his daily column for the local sheet . . . Bill Ware, sports announcer, has joined WKRC. He formerly was a professional football and basketball player. . . Wilfred Gruenther, formerly with the local Frederic Ziv Advertising Agency, and prior to that with WSAZ, Huntington, W. Va., has joined WSAI as promotional manager, under Bob Dunville, general manager.

Franklin Quits WLW

Cincinnati, June 5.—Allen Franklin, WLW actor and sportscaster, has resigned, effective June 15, to become program director of KXOK, a new station under construction at St. Louis, to go on the air Sept. 1 on a frequency of 1,230 kilocycles, with 1,000 watts fulltime power. It will be operated by the *St. Louis Star-Times.*

Start New WLW Show

Cincinnati, June 5.—"Adventures in Paradise" is the title of a new series, featuring Aloha Baker, big game hunter and explorer, over WLW at 5 P. M. Sundays, a regular weekly feature to be piped to NBC.

Two Stations Given Increases in Power

Washington, June 5.—The Federal Communications Commission has granted a permit to KLUF, Galveston, to increase day power from 100 to 250 watts, and has approved a petition of KGIR, Butte, Mont., for increase of day power from 2,500 to 5,000 watts.

The commission also has ordered examiners' hearings on the applications of the Suffolk Broadcasting Corp. for a 1,200-kilocycle station at Suffolk, Va., with 100 watts night, 250 watts day; and George B. Storer for a 600-kilocycle station at Pontiac, Mich., with 500 watts night, 1,000 watts day.

Start New WIP Show

Philadelphia, June 5.—WIP here has inaugurated a new two and one-half hour variety program called "Sports Jamboree." It is aired on the afternoons when the Athletics are not scheduled to play a ball game. Walton Newton is "em cee," while Stoney McLinn handles sports news and scores throughout the show.

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Kent Reviews Industry Gain Before IATSE

ooperation Has Created Better Feeling

CLEVELAND, June 6.—Sidney R. nt, president of 20th Century-Fox, lay told the delegates to the annual ıvention of the I. A. T. S. E. that peration between employes and em- yers in the film industry has re- ted in less interrupted employment, s hard feeling and more goodwill n in any other industry.

Mr. Kent brought the greetings of film business to the 1,000 dele- tes assembled in convention at the blic Auditorium here. The execu- e declared that he holds a card in Lincoln, Neb., union.

His address marked the first time a ding film executive spoke at an A. meeting. The 20th Century-

(Continued on page 7)

otal Net of All Webs for 1937 Is Put at $6,359,954

WASHINGTON, June 6.—Net income all broadcasting networks during 7 amounted to $6,359,954, accord- to an analysis made by the leral Communications Commission information submitted to that body the networks in response to letters ıesting financial data in connec- with network operations.

otal commercial time sales of adcast services for the year unted to $59,046,444, while total enses were $33,181,702. Total rev- es of the networks for the year unted to $40,541,062, the report wed.

anufacturers Set Television Plans

he television committee of the io Manufacturers' Association has rmined on a code of standards for transmitting and receiving tele- on apparatus and is expected to nit its report during the annual

(Continued on page 8)

More Radio—P. 8

First Formal Talk on Trade Conciliation Set Wednesday

The first formal consideration of the problem of putting trade practice concessions and machinery for the conciliation of trade disputes into effect is expected to occur at the quarterly meeting of the M.P.P.D.A. board of directors tomorrow.

There is little likelihood of any definite action materializing at the meeting, however, and the impression prevailing in official quarters is that the problem will be discussed only in the broadest general terms by the major company heads. An exchange of views on the need for a method of handling trade practice complaints and a general discussion of proposals which have been advanced or of additions to those already in existence is to be expected.

The details involved in the advancement of an actual program of self-regulation for distribution and exhibition and the procedure to be followed in putting such a program into effect

(Continued on page 7)

Kent to Take Time to Fill Clark's Post

A successor to the late John D. Clark as general sales manager of 20th Century-Fox may not be named for some time. It is said that S. R. Kent, president, feels that the sales organization is functioning well under its three division managers and he is in no hurry to appoint a department head.

Meanwhile, Mr. Kent will take a greater interest in the sales department than he has in the past, it is understood. Herman Wobber, west coast district manager, who arrived from San Francisco 10 days ago, will remain at the home office for some time, probably indefinitely, and it is said that he will supervise the depart-

(Continued on page 7)

Majors Eyeing Booking Unit In New Jersey

The attitude of the major companies toward the newly formed Associated Theatres of New Jersey, a buying and booking combine, will be known next week when spokesmen for the organization's 14 theatres start discussing contracts with the local exchanges.

Irving Dollinger, president of the group, who is also president of Allied of New Jersey, said yesterday that most of the large companies had approached Associated Theatres with the inquiry as to when it will start product negotiations. This, however, does not necessarily mean that the "majors" are anxious to sell the combine.

The distributors have not formed any opinion as to whether they will be

(Continued on page 7)

CBS and Quigley Publication to Broadcast Salute to Argentina

W2XE, CBS international station, will broadcast a special Argentine program under the joint auspices of CBS and *Teatro al Dia*, June 28 from 9:30 to 10:15 P. M., in celebration of the Argentine national holiday, which is observed July 9. *Teatro al Dia* is a Quigley publication written in Spanish, and the broadcast has been scheduled as a gesture of friendship and goodwill toward Latin America.

Major Frederick Herron, foreign manager of the M. P. P. D. A.; Robert Sõcas, correspondent of *La Nacion* of Buenos Aires; Terry Ramsaye, editor of *Motion Picture Herald*, and H. Alban-Mestanza, editor of *Teatro al Dia*, will be the speakers. The talent will include Eddie Le Barron's orchestra; Raleigh Haydon, baritone; Adelita Varela, soprano; Maria Bruni, coloratura; Freddy and Chela, Argentine radio entertainers now visiting here; Louisa Haydon, concert pianist, and the Argentine trio, "Los Pamperos."

Peskay Quits Post as Sales Head for G.N.

E. L. Alperson to Direct Company's Selling

Edward J. Peskay has resigned as vice-president and general sales manager of Grand National over a disagreement with Edward L. Alperson, president, on policy. He left over the weekend for a few days' rest without divulging his plans, but is expected to return Friday.

Official word of his resignation reached Mr. Alperson in Hollywood yesterday. Mr. Peskay had been planning to leave the company for several months, but remained in order to help iron out some of the problems involved in the company's reorganization. In recent weeks he had rehabilitated the company's sales staff in the field.

Though not unexpected, Mr. Peskay's resignation came suddenly, after a long distance telephone conversation with Mr. Alperson. Last week he had

(Continued on page 7)

Order Writer Poll To End Coast Tilt About Bargaining

HOLLYWOOD, June 6.—An election by film writers to determine the bargaining agency for that type of studio employe has been ordered by the National Labor Relations Board, it was stated here today at the office of Dr. Towne Nylander, regional director.

Under the order, which was issued from Washington, it was found that film writers are employes under the

(Continued on page 4)

Loyola to Confer Degree on Quigley

LOS ANGELES, June 6.—Loyola University announced today that the honorary degree of Doctor of Literature will be conferred upon Martin Quigley at the university's 72nd commencement exercises which will be held here June 12.

Honorary degrees will also be conferred upon Robert J. Millikan, noted scientist and member of the California Institute of Technology faculty, and Archbishop John J. Cantwell.

My Word!

By Irene Kuhn

◆ While Al Christie is in Europe, on vacation, Johnny Graham, his assistant director, is overhauling Christie's 60-foot schooner *Sunbeam,* now in drydock at Roslyn, L. I. It's getting a fresh coat of blue and will sail to California to await Christie's return. . . . Postmaster General Farley's behind-the-scenes story of the New Deal, which starts in the *American Magazine* next month, and has been bought by Walter Wanger for a picture, will highlight several of the successes and mistakes of the Administration.

◆ Barney Balaban reads more newsprint than any man in the business. Every day he covers all the dailies and all the trade papers, just for an appetizer. . . . Paramount will open "Spawn of the North" at Fairbanks, Alaska, soon. The theatre is said to be the farthest north of any amusement house in the world.

◆ Efrem Zimbalist, the violinist, American Airlined to the coast last night for a concert.

◆ Matson & Duggan has just sold "Chi House," a play by Mary Coyle Chase, to RKO. . . . Paramount is group screen testing the showgirl troupe at Ben Marden's Riviera. . . Sophie Tucker, singing there nightly, can stop hopping back and forth across the bridge between hospital and shows. Her husband, Al Lackey, although still seriously ill, has been removed from the hospital to their apartment. Miss Tucker will be honored on Wednesday when she rides the new Broadway Limited from New York to Philadelphia. Railroad executives, business men and others will journey on the train's initial trip, but Miss Tucker is the only woman invited. . . . Billy Mills, who plays polo on the Pegasus team, has set a new fashion —shirttails out. Says it's an efficiency move. Pegasus players ride so hard their shirttails are out before a chukker is played, so Mills starts the game wearing his brown shirt unconfined.

Eight New Pictures Approved by Legion

The National Legion of Decency has approved eight of 10 new films reviewed and classified for the current week. One was called unobjectionable for general patronage, seven unobjectionable for adults, and two were condemned. The new films classified, are:

Class A-1, Unobjectionable for General Patronage — "The Main Event." Class A-2, Unobjectionable for Adults—"Abnegacion" (Spanish), "Flight Into Nowhere," "Josette," "One Wild Night," "Three on a Weekend," "The Toy Wife." Class C, Condemned—"It's All in the Mind," "Race Suicide."

Roach, Jr., a Producer

Hollywood, June 6.—Hal Roach, Jr. has been named associate producer in charge of the next Laurel and Hardy feature, as yet untitled. The appointment marks compliance with repeated requests by Stan Laurel.

Cole Testifies in North Dakota Case

Fargo, N. D., June 6.—Involved and detailed cross questioning by the plaintiffs of Col. H. A. Cole of Dallas occupied the morning in the theatre divorcement action in Federal Statutory Court here. Col. Cole, major defense witness, testified that there are no independent first run houses in Texas, where he is president of Allied Theatre Owners of Texas, and that should he want to book the currently popular film "Adventures of Robin Hood" he would have to buy some 30 or more other pictures with it.

Col. Cole was questioned as to his knowledge of certain transactions within the industry covering a long period of years, about his knowledge of hookups between various companies and also was asked to tell some of his experiences during early days of sound.

Steffes a Witness

The action tests the constitutionality of the North Dakota 1937 statute forbidding a producer or distributor to operate a theatre in the state. The burden of the defense so far is that independent operators are being driven from the field by producers' competition and that in North Dakota, of the $1,600,000 annual business producer-controlled theatres get a third.

W. A. Steffes, director of Allied States; H. M. Richey, former Allied States secretary, and Col. Cole, testified on Saturday in attempt of the defense to show the situation in other parts of the country. The defense insisted the testimony indicated that a control on exhibition amounting to monopoly existed. The plaintiffs sought in cross-examination to show that exhibition units have entered production. Steffes declared the bill was aimed directly to prevent Paramount from operating 10 theatres in North Dakota.

Hess Is Called for Testimony at Fargo

Gabriel L. Hess, general attorney of the M.P.P.D.A., was called to Fargo, N. D., yesterday to give testimony in the case now under way before a three-judge Federal statutory court there to test the constitutionality of the state's affiliated theatre "divorce" law.

With the calling of Mr. Hess the list of home office officials who will be called upon to testify is believed to be complete. Sales officials of all major companies except RKO, Universal and Columbia were called late last week. They are Neil F. Agnew, Paramount; Gradwell L. Sears, Warners; A. W. Smith, Jr., United Artists; William Gehring, 20th Century-Fox, and William F. Rodgers, M-G-M. Y. Frank Freeman, Paramount theatre head, and J. J. Friedl and L. J. Ludwig, operating heads of Minnesota Amusement Co., also were called to testify.

Dividend Is Declared

Toronto, June 6.—Marcus Loew's Theatres, Ltd., here has declared a dividend of 1¾ per cent on the seven per cent preferred shares of the company for the quarter ended Sept. 30, 1932. The dividend is payable June 30.

◂ *Purely Personal* ▸

J. H. SEIDELMAN, vice-president in charge of Universal foreign distribution, will sail Saturday on the *New Amsterdam* for Europe. He will take with him a print of "The Rage of Paris," the new Danielle Darrieux picture, for trade showing abroad.

•

Armand Denis, explorer-producer of "Dark Rapture," a Universal special for next season, will be the guest of honor and principal speaker today at the Dutch Treat Club's luncheon at the Ambassador. He will show excerpts from the film.

•

Fred Scott, singing cowboy star, is currently making personal appearances in the midwest. He will return to the coast in a month to start work on another picture for Jed Buell.

•

Alfred S. Krellberg, attorney and brother of S. S. Krellberg, will sail on the *Ile de France* today to discuss film deals with French and English producers.

•

David Palfreyman of the M.P. P.D.A. left for Chattanooga yesterday to attend the convention of the Southeastern Theatre Owners Association.

•

Leo Malchin, president of French Film Exchange, will sail on the *Normandie* June 29 to buy several French pictures for American markets.

•

Adolphe Menjou and his wife, Verree Teasdale, arrived from Hollywood over the weekend and will sail on the *Ile de France* today.

•

Murray Silverstone, chairman of the United Artists executive committee, will leave Hollywood for New York by the end of the week.

•

Arch Reeve, 20th Century-Fox advertising manager, returned with his family yesterday from a coast vacation.

•

Joseph A. McConville, Columbia foreign manager, plans to sail for Europe next week on business.

•

Jerry Keyser, Warners' foreign publicity head, returned yesterday from studio conferences.

•

Al Lichtman has canceled his European sailing plans. He will arrive on the coast today.

•

J. Don Alexander, president of Alexander Film Co., plans a trip to England next month.

•

James R. Grainger, Republic president, has deferred his trip to Toronto.

•

Frank Fay goe; for those Tyrolean hats.

To Handle Fight Films

Toronto, June 6.—Empire-Universal Films, Ltd., has obtained exclusive Canadian distribution rights to the pictures of the Louis-Schmeling heavyweight championship fight scheduled for June 22 in New York.

Scully and McCarth Conduct Empire Mee

Toronto, June 6.—William Scully and F. J. A. McCarthy of Ur versal today officiated at the conve tion of Empire Universal Films, Lt for the fourth day of conferences wh they presented prospects and polic for the new season.

Mr. Scully declared that business Canada is exceptionally good and enthused with the substantial sco distribution through the Canadian co pany.

The present meeting concludes n merous regional sales conferences tended by Mr. Scully and Mr. M Carthy and they will be busy here u til Tuesday night.

Attending the meeting was Cl Hague of Toronto, for 25 years (nadian representative of Univer and dean of the Canadian exchar executives. A highlight of the conv tion was the address delivered fr New York by long distance phone Herb Yates of Republic. His vo was brought to the meeting by amp fiers.

President O. R. Hanson of Emp attended but briefly today as his hea compels him to work moderately.

The principal event over the we end was a luncheon Saturday presi over by Mr. Hanson. Apart fr staff executives from across the I minion those in attendance included L. Nathanson of Famous Players (nadian Corp. and other officers of t company and representatives of H son Theatres Corp. Considerable ti was spent in screening forthcom Universal, Republic and G. B. fil Cash prizes for the Republic sa contest were distributed to Fra Fisher of this city, L. Druxerman Montreal and G. M. Hoyt of the John branch.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and lisher; J. M. JERAULD, Managing Ed JAMES A. CRON, Advertising Manager. TORIAL STAFF: Charles S. Aaronson, Jack ner, Al Finestone, Thomas Fitzsimmons, She A. Kane, Irene Kuhn, Joseph Priore.

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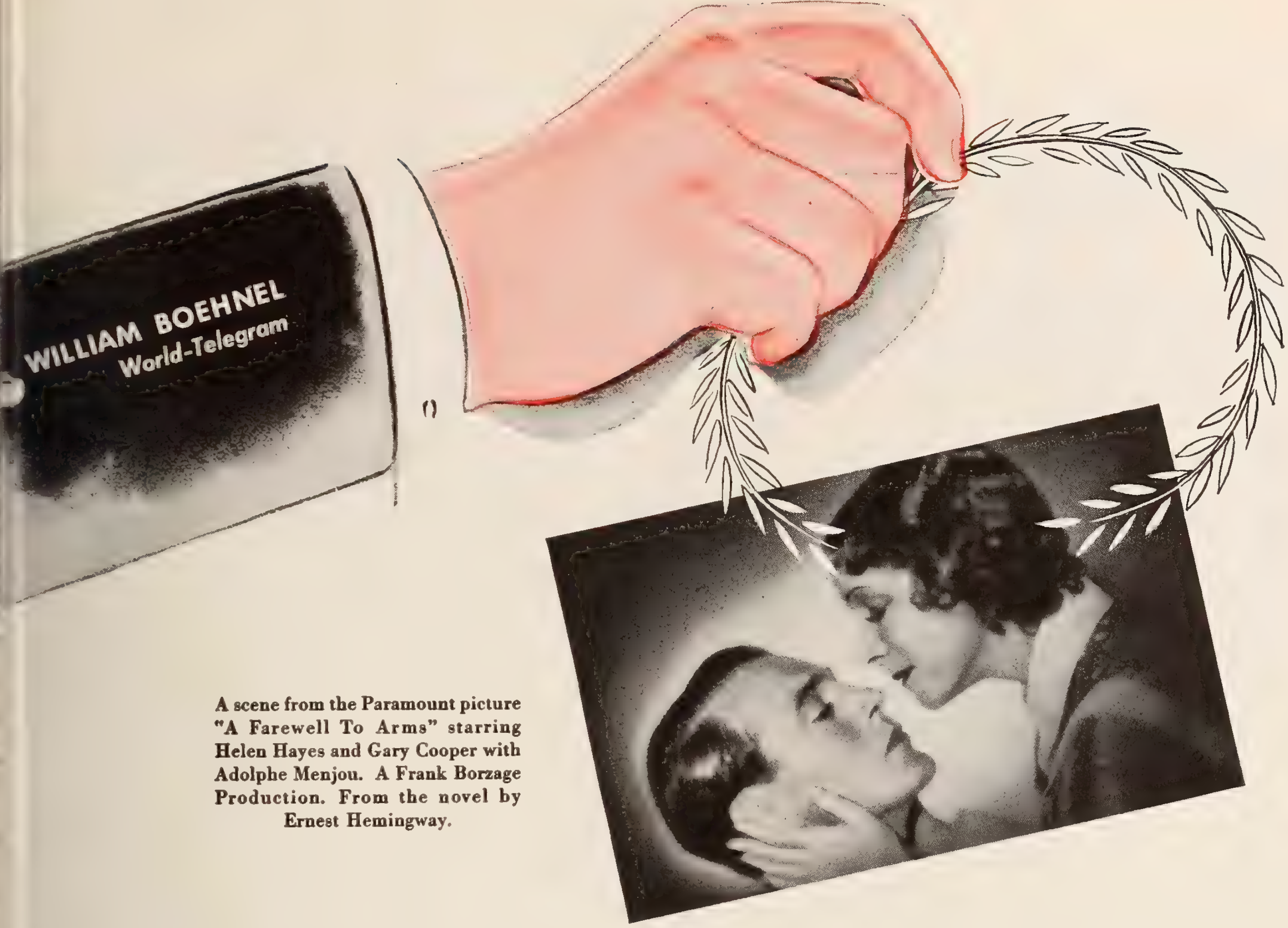


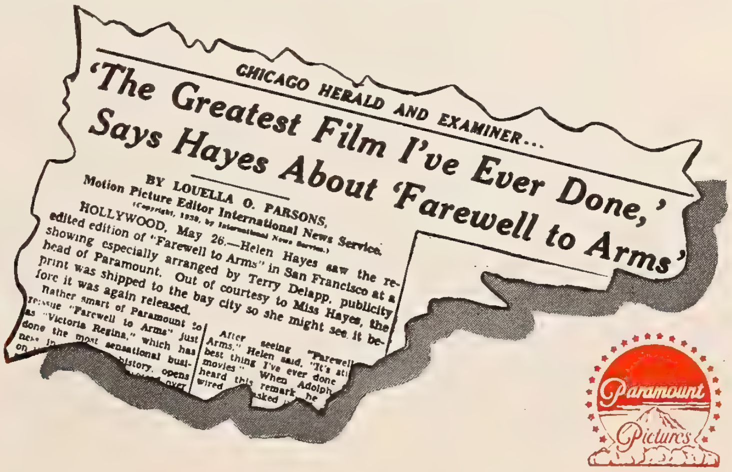
A scene from the Paramount picture "A Farewell To Arms" starring Helen Hayes and Gary Cooper with Adolphe Menjou. A Frank Borzage Production. From the novel by Ernest Hemingway.

"After seeing [Paramount's reissue of 'A FAREWELL TO ARMS'] again the other day and thrilling once more to its gripping love story, I suspect that this film comes as near to being a masterpiece as any photoplay the talking screen has turned out. Indeed, I have seen nothing recently which could match it for beauty of its playing by Helen Hayes and its superb supporting cast, its forthright and imaginative direction and the gently pathetic quality of the story it tells."

—*William Boehnel, World-Telegram, May 28, 1938.*

Critics the country over are building audiences for one of the greatest audience pictures of all time.

This comment by Louella Parsons appeared in more than 50 newspapers, with a combined reader circulation of more than 15,000,000.



CHICAGO HERALD AND EXAMINER...

'The Greatest Film I've Ever Done,' Says Hayes About 'Farewell to Arms'

BY LOUELLA O. PARSONS,
Motion Picture Editor International News Service.
(Copyright, 1938, by International News Service.)

HOLLYWOOD, May 26.—Helen Hayes saw the re-edited edition of "Farewell to Arms" in San Francisco at a showing especially arranged by Terry Delapp, publicity head of Paramount. Out of courtesy to Miss Hayes, the print was shipped to the bay city so she might see it before it was again released.

Rather smart of Paramount to reissue "Farewell to Arms" just as "Victoria Regina," which has done the most sensational business in [illegible] history, opens [illegible] over

After seeing "Farewell Arms," Helen said, "It's sti best thing I've ever done movies." When Adolph heard this remark he wired [illegible] asked

Order Writer Poll To End Coast Tilt About Bargaining

(*Continued from page* 1)

meaning of the Wagner Act and that the film industry is engaged in business in such a manner as to materially affect interstate commerce.

The principal contestants in the jurisdictional row which will be settled by the coming election are the Screen Writers' Guild, Inc., and Screen Playwrights, Inc. Either—or neither—may be chosen as the bargaining agency for writers generally. The latter organization holds a contract with seven of the largest of the eighteen producers involved.

T. M. A. T. Files Against F. W. C.

Los Angeles, June 6.—The Theatrical Managers, Agents and Treasurers local here has filed charges of failure to bargain collectively against Charles P. Skouras and Fox West Coast Theatres before the regional labor relations board and alleged that Maurice Amsell, manager of the Embassy, was discharged for union activities. The complaint asserts Mr. Skouras and the West Coast executives have failed to meet with them, and coerced employes into staying out of the union.

Decision on Coast Disputes Due Soon

A decision may be made by attorneys for major companies at a meeting at M.P.P.D.A. headquarters this week on the appointment of a special master in conjunction with the U. S. Attorney General's office to hear all future complaints against Fox West Coast involving breaches of the Government's 1930 consent decree entered into by the circuit, it was learned yesterday.

The proposal has been discussed by major company attorneys in a series of meetings, but final action has been held in abeyance due to objections to the plan from three or four major companies. Several of the opposing companies were not parties to the 1930 consent decree against Fox West Coast and for that reason are reluctant now to make themselves parties to future developments involving the decree, it was learned.

The meeting of attorneys will be called following the return to New York from Fargo, N. D., of Gabriel L. Hess, M.P.P.D.A. general attorney, within a few days.

Thomson Reelected As Four A Official

Kenneth Thomson, executive secretary of the Screen Actors Guild, was reelected vice-president of the Associated Actors & Artistes of America at the latter organization's annual meeting yesterday. Leo Fischer was elected treasurer. All other officers were elected last year for two-year terms.

Amendments to the constitution will be considered later this week.

Halt "Carefree" Shooting

Hollywood, June 6.—Illness of Mark Sandrich, director, and Ralph Bellamy has caused suspension of shooting on "Carefree,"

"Lynton" Objections Will Be Heard Today

Federal Judge John W. Clancy will hear the objections today of Edward Sheldon and Margaret Ayer Barnes to the report filed by Special Master Gordon Auchincloss, in which he assessed $587,000 damages against M-G-M Pictures Corp., M-G-M Distributing Corp., Loew's, Inc. and Culver Export Corp. in favor of Mr. Sheldon and Miss Barnes for the plagiarism of their play "Dishonored Lady" in "Letty Lynton."

The plaintiffs have filed a list of objections contending that the award should have been at least double the $587,000 allowed. At the same time Judge Clancy will also hear the objections raised by the defendants to the report in which it was contended that at the maximum $30,000 should have been allowed to the plaintiffs.

Postpone RKO Hearing

The RKO reorganization hearing scheduled before Judge William Bondy yesterday in the U. S. Court House Bldg. was postponed to June 27 at 4 o'clock at the request of Irving Trust Co., trustee. Application for an adjournment was based on the ground that the preliminary hearings before Special Master George W. Alger would require an additional three weeks for completion.

Reserve Traube Decision

N. Y. Supreme Court Justice Samuel I. Rosenman reserved decision today after completion of the trial in the $75,000 breach of contract suit brought by Shepard Traube against Frances Farmer. Traube based his suit on an alleged contract made in 1931 and claimed that he was entitled to 10 per cent of Miss Farmer's earnings for five years under its terms. He claimed the defendant had earned $750,000 in that period. Miss Farmer denied Traube's contention and asserted that Traube was not a properly licensed agent.

Noyer Sues Republic

Los Angeles, June 6.—Philip Paul Noyer has filed a suit against Republic studio, Albert J. Cohen, story editor, and others for alleged plagiarism of his original story, "They Played with Fire," which he said formed the basis of the studio's "Arson Gang Busters."

Hearing on Momand Suit Set for June 25

Oklahoma City, June 6.—First hearing on motions of the defendants in the A. B. Momand anti-trust suits against 20th Century-Fox, et al, and the Griffith Amusement Co., et al, has been set for 9:30 A.M. June 25 before Federal Judge A. P. Murrah.

Momand is asking damages totaling $6,600,000 in the two suits from the defendants.

Plan Progressive Branch

Progressive Pictures, headed by Ben N. Judell, will open a new exchange in New York, which will be managed by Harry Rathner. The latter will act also as eastern representative for the firm. Mr. Judell declared that he will open his own exchanges in cities where he cannot arrange satisfactory distribution.

They Go to Niagara

James A. FitzPatrick has been roaming the world producing Traveltalks for M-G-M nine years, but he never saw Niagara Falls until he was married recently to Lesley Champlin, whom he met in Singapore. The bride couldn't figure out where to go on a honeymoon until she found out that Mr. FitzPatrick had never been to the falls.

They will sail on the *Queen Mary* tomorrow for London where Mr. FitzPatrick will wind up FitzPatrick Pictures, Ltd., which produced quota films for M-G-M last year.

SETOA Meet Hears Speech by Kuykendal

Chattanooga, July 6.—Problems of distribution were discussed as 200 members of the Southeastern Theatre Owners held the first business session of their convention here today. After President Milton Moore, Jacksonville, had heard convention reports, Ed Kuykendall, president of the M.P.T.O.A. delivered the main address warning of governmental regulation of the industry.

Speaking on the same subject, R. B. Wilby, president of the Wilby & Kincey circuit warned of efforts by politicians to get control of theatres.

The first round golf tournament for president's cup, a barbecue and a dance featured the day's activities.

Tomorrow trade practices, score and shorts charges, percentage guarantees, preferred playing time and unfair competition will be discussed. Election of officers will follow and the convention will close with a banquet.

Rites for Nathan Gordon

Boston, June 6.—Funeral rites for Nathan Gordon, former head of Olympia Theatres, Inc. and at one time a First National franchise holder, were held this morning at Temple Israel. Leon Netter of New York attended.

Mrs. Lena Ansin Buried

Boston, June 6.—The funeral of Mrs. Lena Ansin, mother of Edward Ansin, treasurer of Interstate Circuit, was held this afternoon at Temple Ohabei Shalom with more than 1,000 present.

Baron, Inventor, Dead

Paris, June 6.—Auguste Baron who was regarded in France as one of the inventors of sound films, died here at the Home for Aged Scholars. He was 83. Baron, who was blind, announced in 1933 that he had devised a method for making three-dimensional films. He held patents on sound inventions in the U. S. and Europe before they became commercially practicable.

Will Attend Netco Meet

A number of New York film men are planning to attend the Netco theatre managers' golf tournament at the Orange County golf course at Middletown tomorrow. Play starts at 9 A. M.

Hitchcock Open for US Production Off

Alfred Hitchcock, British direct is open for an offer to make one p ture in Hollywood, he said last ni upon his arrival aboard the *Que Mary* with his wife, the former Al Reville, G. B. scenarist. He said tl he will renew negotiations with Da O. Selznick when he reaches the co over the weekend. He will return England, probably in about weeks, to prepare for the produ of "Jamaica Inn," an Erich Pomn film for Mayflower with Char Laughton. Mr. Hitchcock said tl he is willing to consider Americ offers, since his five-year contr with G. B. has terminated and, wl he probably will make two pictu for G. B. under a new pact, he d not wish to tie himself up for long.

Mr. Hitchcock approved the p duction of high cost pictures American companies in England a said that he was pleased with plans of M-G-M and 20th Centu Fox by which they will make seve big pictures each during the comi year abroad.

Skouras, Buckley Her

Charles P. Skouras, president Fox West Coast Theatres, and Char A. Buckley, vice-president, arri yesterday from Los Angeles for c ferences with Spyros Skouras, head National Theatres. Accompany them are Alfred Wright, attorn and Thomas A. Page of the w coast booking department. Bef leaving Thursday they will have p liminary discussions on film buying the coming season.

Honor W B Films Abro

The Jugoslavian governmental ta on Warners' "The Life of Louis P teur," "White Angel" and "Ch Clipper" have been reduced in rec nition of the general excellence of productions, it was stated yesterday the Warner home office here. Co pany officials added that the Egypt authorities recently refunded all c tom duties paid on "The Life of Lo Pasteur."

Wall Street

Kodak Leads Board Rise

	Open	High	Low	Close	N Cha
Col.	12	12	12	12	..
Cons.	1⅛	1⅛	1⅛	1⅛	..
E. K.	149⅜	153	149⅜	153	+
E. K. pfd...	158½	158½	158½	158½	..
Loew	41½	42⅛	41½	42	+
Para.	7	7⅛	7	7	+
Para. 2.....	8⅛	8⅛	8	8⅛	..
Pathe	4½	4½	4½	4½	+
RKO	2	2	1⅞	1⅞	—
20th Fox ..	20¾	20¾	20¾	20¾	+
20th pfd. ..	29	29	28½	29	..
W. B.	4½	4½	4⅜	4⅜	..
W. B. pfd.	30	30	30	30	+

Curb Issues Up Lightly

	Open	High	Low	Close	N Cha
G. N.	7/16	7/16	7/16	7/16	..
Tech.	22¾	22¾	22½	22⅝	+
Trans-Lux	2	2	2	2	..
Univ. Corp.	2	2	2	2	..
Univ. Pict.	3⅜	3½	3⅜	3½	+

Warner Bonds Lone Gain

	High	Low	Close	N Cha
Loew 3½s '46.....	100	99⅞	99⅞	—
RKO 6s '41.......	66½	66½	66½	—
W. B. 6s '39......	72	72	72	+

(Quotations at close of June 6)

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MOTION PICTURE DAILY'S HANDY BOOKING CHART

[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
May 13	Law of the Plains (O) *Starrett* *Iris Meredith*	Hold That Kiss (G) (C) *O'Keefe* *O'Sullivan* *Rooney*	Gunsmoke Trail (O) *Jack Randall*	Stolen Heaven (G) (D) *Raymond* *Bradna*	Gangs of New York (G) (D) *Bickford* *Dvorak*	Vivacious Lady (A) (C) *Ginger Rogers* Gun Law (O) *O'Brien*	Kentucky Moonshine (G) (C) *Ritz Bros.* *Martin*		Air Devils (C) *Dick Purcell* *Beryl Wallace*	Adventures of Robin Hood (G) (D) *Flynn* *de Havilland*
May 20		Swiss Miss (G) (C) *Laurel and Hardy*	Numbered Woman (G) (D) *Sally Blane* *John Arledge*	Cocoanut Grove (G) (M) *MacMurray* *Hilliard*		Blind Alibi (G) (D) *Richard Dix* *Bourne*	Rascals (G) (D) *Jane Withers* *Robt. Wilcox*		The Devil's Party (G) (D) *McLaglen* *Roberts*	Mystery House (D) *Purcell* *Sheridan*
May 27		Yellow Jack (G) (D) *Montgomery* *Bruce*	Phantom Ranger (O) *McCoy*	Hunted Men (G) (D) *Lloyd Nolan* *Carlisle*	Desert Patrol (O) *Bob Steele*		Kidnapped (G) (D) *Warner Baxter* *Bartholomew*			Crime School (G) (D) "Dead End" Kids *Bogart*
June 3		Three Comrades (G) (D) *Robt. Taylor* *Sullavan*		You and Me (G) (D) *Raft* *Sidney*		The Saint in New York (G) (D) *Hayward* *Sutton*	Josette (G) (C) *Simon* *Ameche*		Wives Under Suspicion (G) (D) *Warren William* *Gail Patrick*	Little Miss Thoroughbred (G) (D) *Janet Chapman*
June 10		The Toy Wife (G) (D) *Rainer* *Douglas*	Marines Are Here (D) *June Travis* *Gordon Oliver*		Riders of the Black Hills (O) 3 *Mesquiteers*	King Kong (reissue) *Wray*	One Wild Night (G) (C) *June Lang* *Lyle Talbot*			Gold Diggers in Paris (G) (M) *Rudy Vallee* *Rosemary Lane*
June 17	Holiday (G) (D) *Hepburn* *Cary Grant*	Lord Jeff (D) *Bartholomew* *Rooney*		Prison Farm (D) *Lloyd Nolan* *Carlisle*	Ladies in Distress (G) (C) *Skipworth* *Polly Moran*	Blond Cheat *Fontaine* *DeMarney*	Three Blind Mice (G) (C) *Loretta Young* *Joel McCrea*	Blockade (A) (D) *Madeleine Carroll* *Fonda*	Afraid to Talk (D) *Robt. Wilcox* *Dorothea Kent*	When Were You Born? *Anna Wong*
June 24	Stagecoach Days (O) *Luden* Highway Patrol *Wells*	Woman Against Woman *Bruce* *Marshall*	Romance of the Limberlost (D) *Jean Parker* *Eric Linden*	Bar 20 Justice (G) (O) *Boyd*		Border G-Man (O) *O'Brien*	Mr. Moto Takes a Chance (G) (D) *Lorre* *Rochelle Hudson*			White Banners (A) (D) *Claude Rains* *Fay Bainter*
July 1	City Streets (D) *Fellows* *Carrillo*	Shopworn Angel (D) *Sullavan* *Stewart*		Tropic Holiday (C) *Bob Burns* *Martha Raye* *Dorothy Lamour*	Army Girl (D) *Madge Evans* *Preston Foster*	Having Wonderful Time (C) *Rogers* *Fairbanks, Jr.*	Always Goodbye (D) *Stanwyck* *Marshall*	South Riding (D) *Edna Best* *Edmund Gwenn*	Danger on the Air (D) *Donald Woods* *Nan Grey*	
July 8		Love Finds Andy Hardy *Rooney* *Stone* *Parker*	Man's Country (O) *Jack Randall*	Return of the Fox (O) *Boyd*	Durango Valley Raiders (O) *Bob Steele*	Crime Ring *Allan Lane* Little Women (reissue) *Hepburn*	Panamint's Bad Man (O) *Noah Beery* *Smith Ballew*		The Rage of Paris (C) *Darrieux* *Fairbanks, Jr.*	Cowboy from Brooklyn (M) *Dick Powell*
July 15	West of Cheyenne (O) *Starrett* *Iris Meredith*	Fast Company *Florence Rice* *Melvyn Douglas*		Professor Beware (C) *Harold Lloyd* *Phyllis Welch*	Gold Mine in the Sky (O) *Gene Autry*	Mother Carey's Chickens *Ruby Keeler* *Anne Shirley* *Ellison*	Passport Husband *Pauline Moore* *Stuart Erwin*		Walls of St. Quentin (D) *Glenda Farrell* *MacLane*	Men Are Such Fools (G) *Wayne Morris* *Priscilla Lane*

G. B.

- The Show Goes On (D)
Neagle
Carminati
(June 17)
- 3 on a Week End (D)
Lockwood
John Lodge
(July 1)
- Crime Over London
Margot Grahame
Paul Cavanaugh
(July 15)

G. N.

- Six Shootin' Sheriff (O)
Maynard
(May 20)
- Held for Ransom (D)
Blanche Mehaffey
Grant Withers
(June 7)

lajors Eyeing Booking Unit In New Jersey

(*Continued from page* 1)

lling to sell it new season contracts, spokesman for 20th Century-Fox ared that his company is averse to aling with such groups because of e effect on film rentals.

Mr. Dollinger admitted that the ob-ous purpose of the combine is to buy advantageously as possible for its embers, but said that, more import-tly, they want to safeguard them-lves against rental increases for xt season and subsequent years, this ing the chief reason for organizing e group.

Generally, the distributors say that they can get their terms they will ll the combine, and Mr. Dollinger rees that the terms will be the crux the situation, adding, however, that e group will seek to negotiate on a sis that will be equitable to the dis-ibutors as well as the exhibitor. Only n-competitive, last run situations are ing admitted to the group.

Four on Committee

Associated Theatres' buying com-ittee includes Mr. Dollinger, who op-ates the Plaza in Linden: Paul Jo-phs, who is chairman of the board d operates the West End, Newark, ith Stanley Sobelson and Jacob Ung-. vice-president, who has the May-ir, Hillside.

The officers are contributing their rvices gratis, according to Mr. Dol-iger, and the only assessment on the hibitors will be for office expense. booking office will be opened short-in New York, it is planned, and a oker and office girl will be the only laried employes.

Other theatres in the group are: ave Mate's Oxford, Little Falls; arry Loewenstein's Court, Newark; e Embassy, Newark, and Embassy, ayonne, operated by Seligman & lissny; A. Hochberg's Lido, Orange; Hochberg's Savoy, Watsessing; mes E. Ring's Playhouse, Fords; harles Nagy's Lyric, Bound Brook, d Matawan, Matawan; Charles azur's Manville, Manville, and ouis Feld's Astor, Newark.

Associates Delay Meet

The monthly luncheon of the Mo-n Picture Associates scheduled for ne 16 has been postponed to June because of company conventions, it as said yesterday by Jack Ellis, esident. The meeting will be at addock's restaurant. Group insur-ce for members and a boat ride are be discussed and a report given on e membership drive. The M.P.A. ll not suspend summer meetings, as previous years, and will have an-her session which will be held some ne in August.

Monogram Opens Office

WASHINGTON, June 6.—Monogram icially opened its new branch office re today with a housewarming at-ded by many exhibitors. W. Ray nston, president, and Edward A. lden, vice-president, were on hand m the home office.

First Formal Talk on Trade Conciliation Set Wednesday

(*Continued from page* 1)

is almost certain to be left to the general managers of distribution to work out, either with or without exhibitor participation, it is believed.

Present indications are that most or all of the M.P.T.O.A. 10-point program and its proposal for the establishment of conciliation boards in key cities to hear and adjust trade practice complaints will be utilized in any final program which may be adopted. Seven of the eight major companies have approved the 10-point plan in substance, already, and unless radically different proposals were to be advanced, of which there is no indication at the present time, no new conferences between exhibitor and distributor representatives would be required, according to current belief.

Sidney R. Kent, president of 20th Century-Fox, may offer some suggestions for advancing the trade practice plan at tomorrow's meeting, it was said.

Kent Reviews Industry Gain Before IATSE

(*Continued from page* 1)

Fox president pointed out that the film industry had pioneered in bringing about the labor-employer cooperation which has been effective in the film business for the past 15 years.

Harland Holmden, vice-president of the I. A., introduced Mr. Kent as a leader of the movement to bring peace and harmony into the relations of capital and labor in the film industry. Mr. Kent left tonight for New York.

William Green, president of the American Federation of Labor, parent organiaztion of the I. A., claimed the present depression is psychological, berated industry for its failure to reabsorb men into private employment and condemned the Government's pump-priming plan.

Father McGuire, one of the speakers, advocated the enactment of an N.R.A., with capital and labor equally represented.

Albert Dalton, president of the Cleveland Federation of Labor, greeted the delegates. George E. Browne, president of the I. A., and William Bioff, representative of Mr. Browne on the coast, were presented gold life membership cards in Local 160 by Mr. Holmden, who presided.

Drive to List Donors

First results of the collections made by the Motion Picture Division of the Greater New York Fund are to be made known tomorrow. Circulars are now being sent to all the principal companies connected with the industry.

J. Robert Rubin is chairman of the division, and he is assisted by the following vice-chairmen: Harry Buckley, J. Cheever Cowdin, Nate Spingold, Ned E. Depinet, Austin Keough, W. C. Michel and Harold Rodner.

Rubin, Sarnoff Reviewed

ATLANTA, June 6.—Oglethorpe University paid tribute to two men in the fields of films and radio during its annual commencement services here. J. Robert Rubin, vice-president and general counsel for M-G-M, received the honorary doctor of laws degree, and David Sarnoff, president of RCA, was presented the honorary doctor of commercial science degree.

Kent to Take Time to Fill Clark's Post

(*Continued from page* 1)

ment in the absence of a sales manager.

Mr. Kent held a meeting with Division Managers William Sussman, W. J. Kupper and W. C. Gehring and district heads Saturday morning. District and branch managers who came in for Mr. Clark's funeral on Friday returned to their posts over the weekend, with the exception of Ward E. Scott, district head at Kansas City, who said yesterday he may remain two or three days longer.

Schenck Returns West

Joseph M. Schenck, 20th Century-Fox chairman of the board, left last night for the coast, postponing indefinitely his scheduled trip to Europe. He was accompanied by Jay Paley.

Joseph Moskowitz, Mr. Schenck's assistant, left yesterday for Callander, Ont., where a studio crew is shooting scenes for "Five of a Kind." After 10 days there he will leave for England.

Peskay Quits Post as Sales Head for G.N.

(*Continued from page* 1)

planned to return to the coast where he was to make his permanent headquarters. Mr. Peskay joined the company in November, 1936, a few months after its formation.

No other resignations are expected in the sales department, but, as disclosed, Ann Rosenthal, the company's home office attorney, will leave the company June 30.

Sol Edwards, division manager, will be in charge of the New York office.

John Miller, head of the tax department, and Ruth Seidman, in charge of prints, are to move to Hollywood. Jack Barnstyn, export manager, will remain in New York.

Alperson to Supervise Sales

HOLLYWOOD, June 6.—Edward L. Alperson will assume complete charge of Grand National sales activities, it was stated today following acceptance of Edward Peskay's resignation from the post. Mr. Alperson will name seven new district managers and will call a meeting within two weeks.

It was further stated here that Mr. Peskay will devote his time to his own theatre circuit.

"You and Me" to Go 2nd Paramount Week

"You and Me" will start a second week at the Paramount Wednesday and will be followed by "Cocoanut Grove" with Red Norvo and Mildred Bailey heading the stage show.

Paramount's "Dr. Jekyll and Mr. Hyde," reissue, is reported to be drawing well at the Globe. The preceding attraction, "The Devil's Party," grossed $6,600.

"Tarzan and the Green Goddess" will open at the Brooklyn Strand on June 16.

AIR EXPRESSED NEWSREELS ...scoop the field!

To hundreds of theatres throughout the nation, AIR EXPRESS delivers headliner films—nearest in minutes—farthest overnight. Bookings protected, exhibitors pleased. It's a box office hit! Only screened films pay profits, so slash transit time with AIR EXPRESS—2500 miles overnight. Day and night, nation-wide service; also to Canada, Latin America, Honolulu, and Far East. Merely phone any RAILWAY EXPRESS office—AIR EXPRESS Division.

Banner LINES

SOMEONE is always taking the joy out of life. An enthusiastic Young & Rubicam staff man, writing a piece of publicity for NBC release about the "Hobby Lobby" show as the replacement series for the Jack Benny show, said that "Hobby Lobby," when originally presented on the networks, proved to be the "sensation of the airways."

An NBC blue-penciler changed it to read . . . "'Hobby Lobby,' when presented, proved to be successful."

▼

A little late, but still a good story: Hendrik Willem van Loon, now in Europe vacationing, has a regular network commentary series. As a precaution against finishing ahead of time, he has a regular standby pianist, ready to fill in with a few moments of music in case of emergency.

Shortly before air time on the day of which we speak, news arrived that Gabriel D'Annunzio, the Italian patriot, had passed away. Mr. van Loon, a good friend of D'Annunzio, tossed away his prepared script and hastily wrote an eulogistic piece about the departed warrior-poet. Unable to time the show, Mr. van Loon asked his pianist to play an appropriate piece in the event he ran short. The pianist told him not to worry.

Came the close of the talk, with about a minute of air time open, and Mr. van Loon gave the nod to the pianist.

The pianist burst into "Funiculi, Funicula," one of the gayest of Italian folk songs.

▼

The British have a style all their own. A recent headline on the radio page in the *London Times*, just arrived here, states: "BBC to try physical jerks."

What the *Times* was trying to convey, was that BBC was about to present a series of exercise programs.

▼

There's a New Bedford whaling captain in town to make an appearance on Ripley's show tonight. Learning that Tom Riley, a member of NBC's publicity staff, is a native of New Bedford, the captain yesterday paid him a visit.

The whaler, it seems, likes radio. "I get my transportation paid, all expenses paid for a four-day stay in New York, plus $75 for a few minutes on the program," he told Riley. Leaning over confidentially, he continued: "That's nice work, son, and I'd appreciate it if you get me a commercial a week!"

▼

The Shubert freres yesterday signed Lucy Monroe to star in the Jones Beach presentation of the light operetta "Three Waltzes."

▼

Newest wrinkle in participation shows will employ pots and pans and other household paraphernalia, which at that seems to be a better idea than employing human stooges. At any rate, CBS and Mutual both will have summer programs on the air which will feature magicians. Their tricks will entail using household gadgets.

—JACK BANNER

New Air Rules Are Attacked Before F.C.C.

WASHINGTON, June 6.—Proposed new regulations for the operation of broadcasting stations today drew the fire of a number of organizations as the F.C.C. opened hearings which may continue for several weeks.

Protests against any general increase in power maximum were voiced by John K. Claxton, representing the governor of Montana; S. Howard Evans, executive secretary of the National Committee on Education by Radio, and Sol. Alpher, counsel for the American Civil Liberties Union.

Fears that Montana would lose its local service were voiced by Mr. Claxton, who said that the people of the state were dependent on their local stations for weather and crop reports, news and other information, particularly in winter.

The position of the Civil Liberties Union is that, instead of an increase in power there should be reductions in existing power so that there might be more stations. Minorities, Mr. Alpher asserted, have their best chance over the smaller stations.

Evans Asks Economic Standards

Commending the commission for establishing a standard for programs in its new rules, Mr. Evans declared it should also establish economic standards but confessed his inability to make suggestions along that line. Many stations which profess to have high program standards, he charged, permit misleading advertising or harmful children's programs.

Proposals for program standards, however, were sharply attacked by Mark Ethridge, president of the National Association of Broadcasters, as "inconsistent with principles of democracy."

"If the government assumes control and attempts to dictate the types of programs to be broadcast, the very foundation of the existing broadcasting system is destroyed," he declared.

"Under the competition between networks and the individual stations themselves the quality of radio programs has been constantly improving and will continue to improve as talent in this country is developed and as broadcasters themselves learn the new uses of talent," Mr. Ethridge said.

Mr. Ethridge also voiced the opposition of the N.A.B. to continuation of the six-months license term as against the public interest, pointing out that broadcasters find it necessary to incur heavy expenses to keep abreast of the commission's engineering and public interest requirements without any assurance that the money so involved may not be lost almost immediately.

Theatres Use Radio Acts

KANSAS CITY, June 6.—Increased use of radio acts, especially in the smaller city situations, is a marked trend of exhibition in the Kansas City area. Acts popular on local stations, and, in some cases, those on stations throughout the territory, have proved successful for the Commonwealth Amusement Corp. in the eight or ten houses where they have been used.

Paper - Air Harmony

Washington, June 6.—The *Arlington Sun* has the distinction of being one of the few newspapers that employs its advertising staff to arrange a participating program for a radio station. The program is titled "Arlington County Hour," over WJSV, and features the activities of various organizations in the county, commercial plugs interspersed with music.

Apparently everybody is happy. The sponsors report increased business, the station collects the revenue and the newspaper renders the community a service and gets revenue from display and classified space purchased by sponsors.

Manufacturers Set Television Plans

(*Continued from page* 1)

convention of the association in Chicago, which starts today.

When adopted, the suggestion for standards will be forwarded to the Federal Communications Commission for approval, which is necessary before television can go on a commercial basis in this country.

Adoption of a code of standards for transmitting and receiving television apparatus will take television out of the experimental stage and place it in the commercial field. To date all television transmission has been conducted on an experimental basis.

To Air Lutheran Event

The Lutheran's Laymans' League has purchased a half-hour on the Mutual network, June 19 from 5:30 to 6 P.M. to celebrate the 100th anniversary of the founding of the Lutheran Synod in this country. Forty-Five stations will be used for the broadcast, the order through Kelly, Stuhlman and Zahrndt. The regular Lutheran program will return to Mutual in the fall.

Waddington Mother Dies

TORONTO, June 6.—Rebecca E. Waddington, 61, mother of Geoffrey Waddington of Toronto, musical director of the Canadian Broadcasting Corp., died here over the weekend. Also surviving is Eileen Waddington, pianist on many CBC programs.

Mutual to Air Bands

The Mutual network, in arrangement with the Music Corp. of America, will broadcast dance programs twice weekly from the Steel Pier, Atlantic City, from July 1 to Sept. 1.

Miss Shaw on New Show

Hollace Shaw, coloratura soprano, will be heard on the "Blue Velvet" musical program under the direction of Mark Warnow, which will begin a summer run on CBS June 29.

Closes Deal with Hotels

Consolidated Radio Artists has closed a deal to furnish the band talent to the Hotel Lincoln and Hotel Edison in New York.

CBS Will Broadcas "Miracle" Over KN

HOLLYWOOD, June 6.—Max Re hardt's plan to establish a music a drama festival in Hollywood comp able to the European cultural eve will be instituted June 12, fr 9 P.M. to 10 P.M., with a p formance of his own play, "T Miracle," over CBS from the sta of the new KNX studios. The b cast will mark the first time Miracle" has been presented on the a

An all-star film cast will particip in the play. Olivia de Havilland w play the "Madonna"; Douglas Fa banks, Jr., "Bellidore"; Walter H ton, the "priest"; Constance Colli "Abbess," and Pedro de Cordoba w be the narrator. Paul Muni will liver the introduction, and others w will appear in the cast are Edward Robinson, Luise Rainer, Joe E. Bro William Dietrle, Anne Jamison a Igor Gorin. David Broekman a Eina Nilson will conduct the sy phony orchestra. Bill Bacher will h dle production. Max and Mrs. Re hardt will appear on the program.

Milwaukee Council Hits Crime Dram

MILWAUKEE, June 6.—Carrying endorsement of Police Chief Jose T. Kluchesky, the Utilities a Health Committee of the Comm Council has adopted the Kalupa re lution condemning radio progra dramatizing crime and criminals.

Copies of the resolution have b mailed to City Councils in the largest American cities, to local ra stations, to NBC and CBS, to Federal Communications Commissi and to Congressmen.

Local judges, educators, juver authorities and Aldermen joined the general condemnation of ra crime stories, recommending t other programs more beneficial children be substituted.

NBC Engineers Meet

The annual NBC division enginee luncheon was held in the Rainb Room yesterday. Those in attenda were O. B. Hanson, George McElra operating engineer; A. H. Mort manager, "M. & O." stations; Wailes, A. H. Saxton, San Francis Howard Luttgens, Chicago; Geo Milne, New York; S. E. Leona Cleveland; W. J. Purcell, Schen tady; A. E. Johnson, Washingt C. A. Peregrine, Denver; R. F. G radio facilities engineer; R. M. M ris, development engineer; E. R. C len, Chester Rackey, audio and vi facilities engineer.

WCPO Series Starts

CINCINNATI, June 6.—"This M Joe Murray," running serially in *Cincinnati Post*, is dramatized 10:15 P.M. on Mondays and Wedn days over WCPO, Scripps-Howa station, operated by the *Post*. Prod tion will be under direction of Cla Weidnaar.

Is Wilson Executive

Frank A. Arnold has been elec vice-president of Edwin Bird Wils Inc., in charge of its radio depa ment. For six years he was direc of commercial development for NB

lert.
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MOTION PICTURE DAILY

First in
Film and
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Brief,
Accurate
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43. NO. 131 NEW YORK, WEDNESDAY, JUNE 8, 1938 TEN CENTS

ile Petition For Review of Dual Decision

ajors Go to High Court In Perelman Case

ASHINGTON, June 7.—The appli-
on of major distributors for a writ
ertiorari for a review of the deci-
holding anti-double feature
ses in exhibition contracts to be
al was filed with the U. S. Su-
ne Court here today.
he decision was handed down last
ter by the U. S. Circuit Court of
eals at Philadelphia in the Perel-
case, after having been contested
he Federal courts of that city for
e than four years. The case in-
es the prohibition through exhibi-
contracts of the showing of a
nd feature on the same program
the picture contracted for. The
r courts held that the use of the

(Continued on page 12)

iller to Assume NAB Post July 15

ASHINGTON, June 7.—Neville
er, who has been elected president
e National Association of Broad-
ers, will assume his new duties
t July 15. Miller is currently ex-
ive assistant to the president of
ceton University, and was former-
ayor of Louisville.
s president of the N.A.B., Miller
receive $30,000 a year, and will
tain his headuarters here. Mark
idge, general manager of the
sville *Courier-Journal,* had been
g as temporary president of the
.B.

dio Manufacturers Attack Bureaucrats

ICAGO, June 7.—An attack on
shington bureaucrats whose rules
regulations are stifling business"
made by John W. Van Allen, gen-
counsel of the Radio Manufac-
s' Association, at the opening
on of the organization's annual
ention at the Stevens Hotel here
.
tability and soundness are needed
overnment processes today," Mr.
Allen said. He declared that too

(Continued on page 9)

ore Radio—Pp. 9-12

Policy to Be Held Flexible, Says Browne

I. A. Head Cites Gains At Convention

CLEVELAND, June 7.—George E. Browne, president of the I.A.T.S.E., today pledged a continuation of the theatrical union's flexible policy, in an address which featured the day's session of the annual convention of the I. A. at the Public Auditorium here.

Mr. Browne pointed out to the delegates that all the gains registered by the I. A. were achieved by mediation and negotiation, rather than by strife.

He cited the union's gains, including the signing of 38 independent Hollywood producers, the settling of the five-year operator controversy in New York, bringing 160 theatres under the union's jurisdiction, and the closed shop in all major film exchanges.

The union leader declared that the jurisdictional expansion on the coast was due in the past two years to the

(*Continued on page* 5)

Majors Contribute $31,500 to NY Fund

A total of $31,500 has been collected to date by the eight major companies, in the Motion Picture Division of the Greater New York Fund, it was reported to James G. Blaine, chairman, yesterday, by J. Robert Rubin, division chairman.

The total of corporate contributions was divided as follows: Loew's, Inc., $10,000; 20th Century-Fox, $5,000;

(*Continued on page* 5)

No Time Lost

London, June 7.—Darryl F. Zanuck, 20th Century-Fox production vice-president, hardly had stepped off the *Queen Mary* from New York before he was busy training a flock of eight ponies, and looking to the purchase of polo equipment for the matches which will occupy him while on this side of the water.

D. E. Rose Will Manage Para. U K Producing

HOLLYWOOD, June 7. — David E. Rose, until recently vice-president of Samuel Goldwyn, Inc., today was named to head Paramount production activities in England. Mr. Rose is now conferring with Adolph Zukor and John W. Hicks and will leave here in about three weeks for London.

The appointment of Rose marks the first step in a move to coordinate foreign and domestic production under studio guidance.

Empire Ends Meet; Forms 16mm. Firm

TORONTO, June 7.—The fifth and final day of the sixth annual sales convention held by Empire Universal Films, Ltd., lasted until late in the day with William Scully and F. J. A. McCarthy of New York going into many details of Universal's policy and

(*Continued on page* 5)

Movietone Cameramen Off For Arctic Reel Shooting

Jack Kuhne, Movietone News aviation editor, and Al Simonson, assistant cameraman, sailed yesterday on the *Ile de France* on a four-month expedition to the Arctic Circle for feature newsreel material.

In Paris they will be joined by a sound man and then will head north, criss-crossing Norway, Finland and Lapland and using planes where available. Truman H. Talley, producer of Movietone, who is directing the arrangements, is negotiating through the American Embassy in Paris for permission to make pictures of Northern Russia, and if the Soviet Government is amenable, areas never photographed will be entered.

The expedition hopes to penetrate as far north as conditions will allow. It also plans to bring back clear pictures of the land of the midnight sun and midday darkness as well as films of human and animal life in the Arctic, including the Elk drives.

Various types of negative stock are being taken along for experimentation, and Eastman has contributed 10,000 feet of hypersensitized film, used in

(*Continued on page* 14)

Wobber Heads Selling Force At 20th-Fox

Stay Will Be Indefinite Pending Appointment

Herman Wobber

Herman Wobber, west coast district manager for 20th Century-Fox with headquarters in San Francisco, has been named acting general sales manager by S. R. Kent, president, to fill the post left vacant by the death last week of John D. Clark.

While it is understood that Mr. Wobber, a close personal friend of Mr. Kent and Mr. Clark, can have the position, he is remaining at the home office at Mr. Kent's request pending the selection of a distribution head.

How long Mr. Wobber will remain here is uncertain, this hinging on when a successor to Mr. Clark is named. However, it was said he

(*Continued on page* 14)

Zanuck Examining Studio Properties

LONDON, June 7.—Darryl F. Zanuck, chief of production for 20th Century-Fox, is looking over studio property here, giving special attention to Pinewood, Denham and the Amalgamated plant. The company's studio at Wembley, where quota films have been made in the past, and which is a small plant, will be rented. Eventually, it is expected, the company will dispose of the studio. A Gracie

(*Continued on page* 14)

Premier of Ontario Stops City Tax Move

TORONTO, June 7.—Premier M. F. Hepburn of Ontario today nipped in the bud the move on the part of Toronto and other municipalities to establish a local amusement tax on theatre tickets to replace the levy formerly imposed by the province by announcing that cities have no jurisdiction in the matter and that the Ontario Government would not grant sanction for cities to increase local

(*Continued on page* 5)

My Word!

By Irene Kuhn

◆ Real estate agents around town make no special demands when May and June rents are due. They've figured out that rents are always late in these two months because people who are run down from the this and that of the winter, take expensive week-ends as soon as the leaves begin to unfurl and pay their rent last of all their bills. . . . Bill Maloney, praise slinger for Kate Smith, has researched and found that several radio stars can make a good living in other fields. He cites Kate, herself, whose success as a commentator proves she can talk herself a good job as well as sing one; Gabriel Heatter, news broadcaster, who has become a good actor in "We, the People" show; Ward Wilson, who started as an engineer, is now acting, and could revert to writing or m.c'ing, fields in which he has proved himself. Arthur Godfrey used to be an announcer, now he plays the "uke," sings and tells stories; Kay Thompson, singer, could be a choral conductor or a pianist.

◆ Vyvyan Donner, Movietone News fashionist, arranged for the film debut of Walter Winchell's two Washington beauty discoveries, Betty Gray and Blanche Brewer. The two pretty Government employes modelled hats for Miss Donner and will appear in the newsclip out today. . . . Edward I. Ellison had to cancel his scheduled trip East to direct his play, "All American," in the summer theatre in order to write the new Bobby Breen picture for Sol Lesser. Now Sam Goldwyn is considering the purchase of "All American" for pictures before it gets on the stage.

◆ PUBLISHING PREVIEWS—Robert Carson, William Fellman's special writer, who did "A Star Is Born," has written his first novel, "Over My Dead Body." . . . Max Miller ("I Cover the Waterfront"), who has written nine non-fiction books, has completed his first novel, "A Stranger Comes to Port."

◆ Paula Gould has a novel, "Publicity Girl," coming out June 28.

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FLAGSHIPS
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MERCURY SKYSLEEPER
OVERNIGHT—3 STOPS ONLY
THRU SERVICE—NO CHANGE OF PLANES
SOUTHERN ALL-YEAR ROUTE
MERCURY—Lv. 5:10 pm; SOUTHERNER—Lv. 9:00 pm.
Call your Travel Agent, or VAnderbilt 3-2580
Ticket Offices: 45 Vanderbilt Ave. and
Rockefeller Center, 18 W. 49th St.

AMERICAN
AIRLINES INC.

Purely Personal

GLENDON ALLVINE arrived at Long Beach yesterday from St. Louis where he has been conferring on the August opening of his play, "Knights of Song," at the Municipal Summer Theatre. It will be put on by OSCAR HAMMERSTEIN, II, and LAURENCE SCHWAB. Mr. Schwab also arrived yesterday and is at the Hotel Madison. ALLVINE has the manuscript of another new play with him.

•

NIGEL BRUCE, at present working at the 20th Century-Fox studios in "Suez," has been engaged for a part in "Knights of Song," a forthcoming stage production here.

•

WILLIAM B. MURRAY of the William Morris office, with ILKA CHASE, his wife, is on a Scandinavian cruise. It's strictly a holiday. They will return in two months.

•

NEIL P. HORNE, president of National Film Programs, Inc., has left for Denver with his assistants to film the U. S. Golf Association national championship match.

•

JOSEPH MCCONVILLE, Columbia foreign manager, will return to New York tomorrow from a personal visit to Chicago. He plans to sail for Europe next week.

•

LOU WEINBERG, circuit sales executive of Columbia Pictures, will attend commencement exercises of his son, ARTHUR, 17, at Phillips Andover Academy June 16.

•

W. RAY JOHNSTON, Monogram president, stopped off in Atlantic City yesterday for a few days rest after opening the company's new exchange in Washington.

•

OLGA PETROVA, silent film star in from Europe, says she is through with pictures and is devoting her time to writing. She has been living in France.

•

H. W. WARREN, long vice-president in charge of sales and production for National Studios, has joined Photocolor Studios in a similar capacity.

•

S. R. KENT, 20th Century-Fox president, returned yesterday from Cleveland where he addressed the I.A.T.S.E. convention.

•

FLOSSIE FLYNN, veteran chief operator at Loew's, is mourning the loss of her mother. The funeral will be held today.

•

JOSEPH BERNHARD, general manager of Warner theatres, was in Philadelphia yesterday.

•

EUGENE AIELLO of U. A. flew to Indianapolis last night via TWA.

•

RALPH KOHN left New York yesterday for Hollywood.

•

EDGAR SELWYN is at the Sherry-Netherland.

•

GEORGE WEEKS has joined the hatless parade.

Now Official

London, June 7.—Alexander Korda officially announced today that Irving Asher, former head of Warner British production, had joined London Films as associate producer.

Mr. Korda declared that Mr. Asher will work with him on production policies of the company, and will take an active part in production of London Films.

Fargo Plaintiffs Set As the Defense Rests

FARGO, N. D., June 7.—The defense in the theatre divorcement hearing in Federal Court here rested late this afternoon and the plaintiffs immediately prepared to call W. F. Rodgers, M-G-M sales manager, as a rebuttal witness. Action is testing the constitutionality of the 1937 North Dakota law forbidding operation of theatres by producers or distributors, brought by Paramount Pictures, Minnesota Amusement Co. and American Amusement Co.

U. V. Young, Gary, Ind., independent operator, today was a witness for the defense. He told of Paramount invading his field after he had a promise from company executives that they would not do so.

Ben Ash, Fergus Falls, Minn., and Edward F. Maertz, Milwaukee, Wis., both independent operators, also testified for the defense, the burden of their testimony being how the independent is handicapped in competition with producer-owned theatres.

The defense cited North Dakota crop conditions, which have been adverse for most of the years between 1929 and now, as the reason that Minnesota Amusement and American Amusement have not expanded operations in North Dakota.

A case referred to frequently by both sides is that at Jamestown, N. D., where the defense contends an independent operator with a major exhibition contract lost out to a producer-owned theatre when it entered that field. Plaintiffs said the particular contract was M-G-M, which went to a Paramount affiliated house solely because of business advantage.

20th-Fox Files Denial

Twentieth Century-Fox Film Corp. filed answer yesterday in the U. S. District Court to the $35,700 suit brought by the Superior Fire Insurance Co. of Pittsburgh in which it denied that any contributory negligence on its part caused the fire which occurred at Little Ferry, N. J., July 9, 1937.

Twentieth Century-Fox asserted that the fire had been caused by circumstances entirely out of its control. The plaintiff had brought action claiming the explosion and fire occurring in a plant where the defendant had stored negatives and prints had spread to adjoining property and as a result had caused the loss to the plaintiff of $35,700.

Delay "Lynton" Hearing

The hearing scheduled for yesterday before Federal Judge John W. Clancy on the objections filed by Edward A. Sheldon and Margaret Ayer Barnes to the report of Special Master Gordon Auchincloss, which allowed $587,000
damages against M-G-M Pict
Corp., M-G-M Distributing Co
Loew's, Inc., and Culver Export C
in the suit brought by Mr. Shel
and Miss Barnes, for plagiarism
"Letty Lynton" was adjourned to J
21 at the request of John W. Da
who was recently retained by the
fendants. The hearing will be
before Federal Judge Murray Hull
at that time, it was revealed.

Brother Sues R. E. Burn

Robert E. Burns, author and
pal character in the book, "I A
Fugitive from a Georgia Chain Ga
was named defendant in a suit
yesterday in N. Y. Supreme Court
his brother, Rev. Vincent G. Burn
The plaintiff asked for $4,
claiming that he was entitled to
sum which allegedly represented
per cent of Burns' earnings from
gazine articles and for the sale of
rights to his book. The compl
asserted that the plaintiff had acte
agent for the defendant.

Mistrial Halts Suit

ROME, GA., June 7.—A mistrial
been declared in U. S. District C
here in the $53,000 damage sui
Mrs. B. Smith, Rockmart, Ga., the
operator, against major companies
the O. C. Lam Amusement Co.
had charged violation of the anti-
laws. The case probably will be
again next November.

"You and Me" $44,0

"You and Me" grossed $44,00
the Paramount and is going a se
week. "Gold Diggers in Paris"
$17,000 at the Strand. "Vivac
Lady," the Music Hall's attrac
will be held a second week and
be followed by "Blockade" on
16, the film opening nationally a
later.

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DAILY
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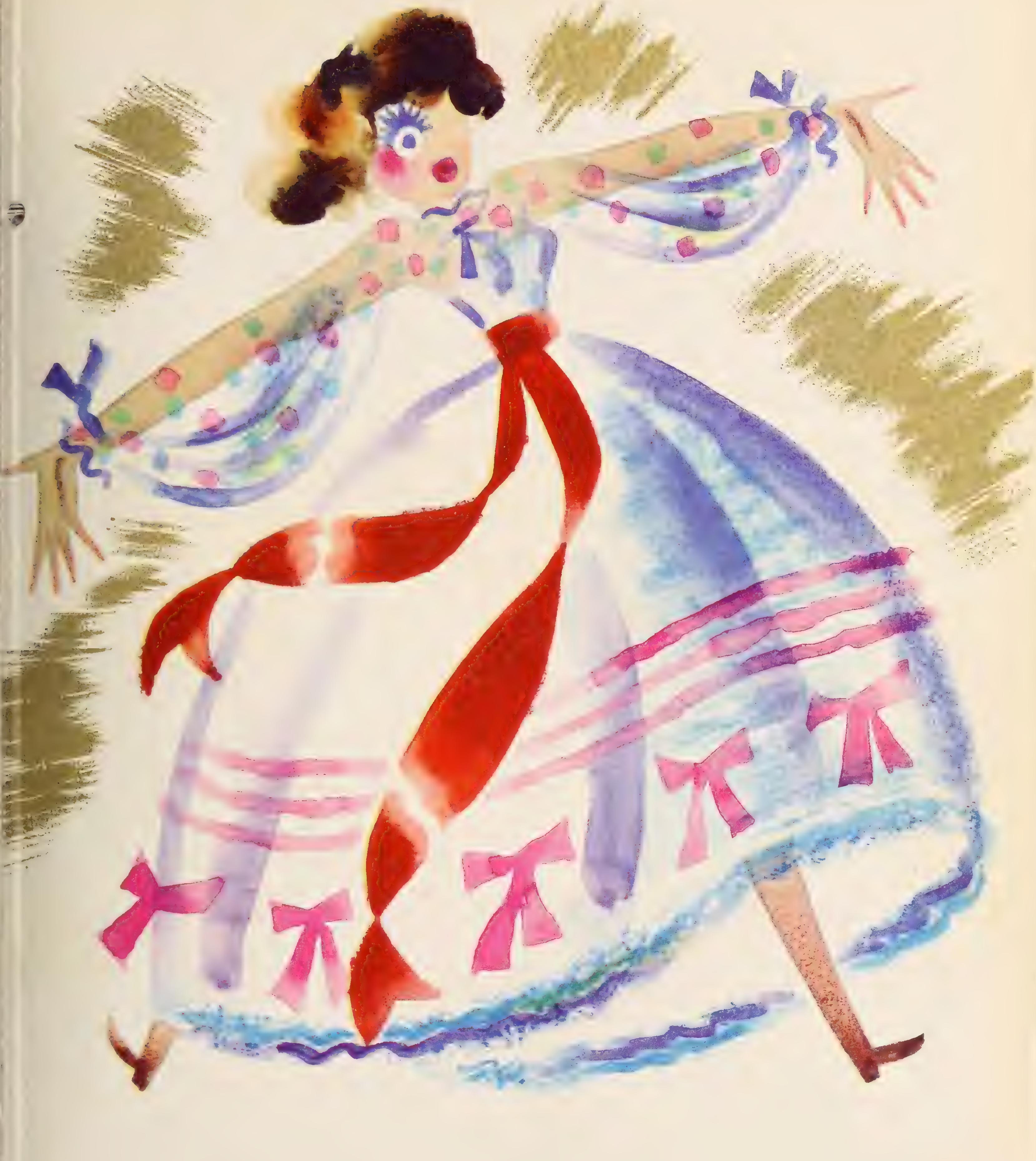
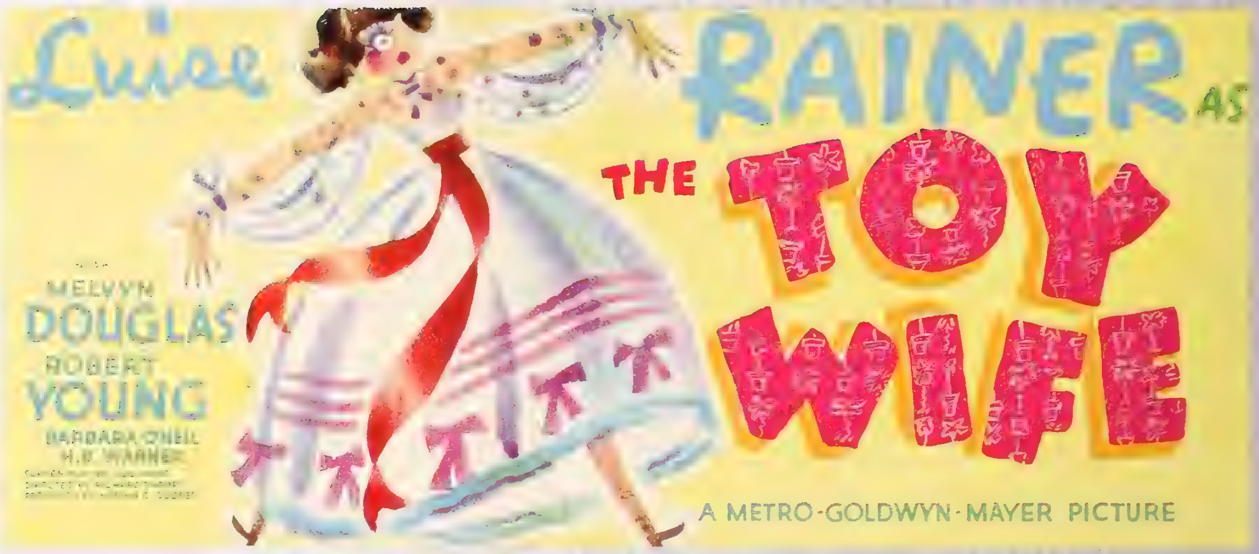


"You'll see me soon on thousands
of billboards from Coast to Coast"


Luise RAINER AS
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MELVYN DOUGLAS
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BARBARA O'NEIL
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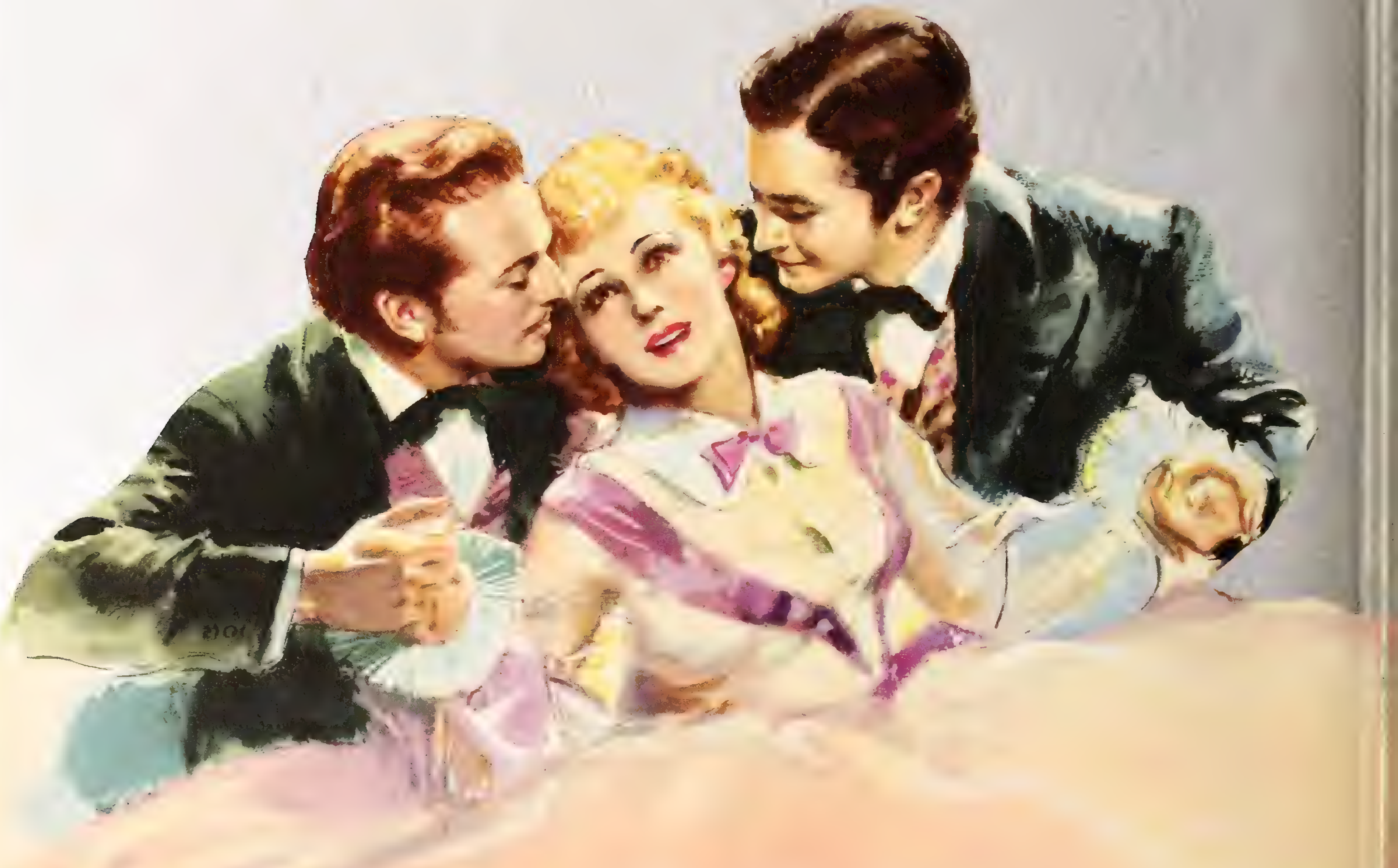

PRIZE STAR!
Two years in a row Luise Rainer won the industry's highest award. "Great Ziegfeld", "Good Earth" and now another superb performance as "The Toy Wife."

"life slips too hurriedly by, sc
drink deep from the cup
of frivolity and danger whil
you may."

Ad. Libs

d Convention

Edward F. McGrady, once Assist- t Secretary of Labor, and now di- [illegible] of labor relations of RCA, will [illegible]ss the 1938 convention of the Ad- rtising Federation of America, June -15 in Detroit. One of the major lks, Mr. McGrady's subject will be: abor, Industry and the Public."

* * *

hild in War

Jimmy Sileo of Cosmo-Sileo, film otographers, has a 10-year-old ughter, Gloria, whose book, "Child Revolt," is soon to be published. e book is a combination of fiction d fact, recounting Gloria's experi- ces during the Spanish Civil War. e hero of her book is Tino, who s 16 when he went off to fight. w, two years later, he has been de a captain in the Loyalist army. oria received his picture recently rough the Spanish Ambassador.

* * *

ontact!

It's Bill Chambliss to you and to s colleagues in Charles E. Mc- rthy's advertising and publicity partment at 20th Century-Fox. t on the service records he is . (jg) William C. Chambliss, S.N.R., Flight and Communica- ns Officer of Scouting Squadron ree-R, U. S. Naval Reserve Air se, Floyd Bennett Field. Lt. Bill jg" means junior grade) puts in turday afternoons and Thursday ghts of each week flying a bomb- , as a requirement, and does two eeks' duty during the summer.

* * *

yes Have It

Lou Pollock's Universal trade ad e, "That's Paris in Her Eyes," is ing picked up all over the country exhibitors as a catchline in theatre vertising for Danielle Darrieux in he Rage of Paris."

* * *

hee!!

Paul Stevens, Universal pub- ity writer, won the home office ampionship for folded-paper- ane sailing with a glide from a th floor window at the 50th St. rner to 51st and Sixth Ave., ence back to 49th St. for a two- int landing on the "L" tracks.

* * *

usy Days

The Warner publicity and adver- ing department hasn't had a chance get its collective feet up on the sk for some time, and ~~the~~ prospects not bright. The reason: a big Lux npaign in conjunction with the na- nal release of "Gold Diggers in ris," in 31 key newspapers, and blicity and advertising for the pre- ere of "Cowboy from Brooklyn" in nnection with a western rodeo, metime early next month. Dude nches and like resorts will be the ject of attention.

Policy to Be Held Flexible, Says Browne

(*Continued from page* 1)

restoration of pay cuts, and the practice of negotiating long term contracts. Mr. Browne reported on a survey which showed the union's gains on the coast, and denied allegations that he had added many new classifications on the coast. He said only one new one, a group involving laborers and utility workers, was formed.

He said that all coast negotiations must be handled directly with the international officers, and that any attempt to work through the locals would be sufficient reason for the producers to cancel their contracts.

Referring to the use of the I. A. label on pictures, Mr. Browne said: "The day is rapidly approaching when no motion picture will be produced or exhibited here or in Canada without the union label."

The union's future policy, he said, will center around the use of the union seal on all pictures, the absorption of sound engineers and the defense of all jurisdictional rights. The report was unanimously adopted, as was a resolution that the phrase "stage employes" be used instead of "stage hands."

Other speakers of the day included Rabbi Jacob Tarshish, Daniel Tracy and Frank Phelps.

N. Y. Group at Meeting

Delegates from Local 306 attending the convention include Joseph D. Basson, president; Herman Gelber, Charles Beckman, Charles Kielhurn, Wally Byrne, Joseph Kelban, Jack Teitler, Bert Popkin, Ben Scher, Steve D'Inzillo and Nathaniel Duragoff.

Representing Local 702, Motion Picture Laboratory Technicians Union, are John H. Rugge, president; Edmund Thiese, Michael Davidson, Lloyd Frank and Jesse Schipper.

Warner Chicago Spot Goes to Dual Bills

CHICAGO, June 7.—Warner's Rhodes Theatre, which since its opening a year ago has run on a single feature policy, will go to double features next week. This policy will be maintained except when the bigger pictures that all other Warner theatres play single, are offered.

This leaves but one Warner theatre with a strictly single feature policy, the Beverly, which has not played duals during the three years it has been open.

Warner Club Prizes Set

Cash awards, gloves, swim suits, rugs, bathing trunks and stockings are some of the prizes which will be awarded at the annual outing of the Warner Club to be held at Bear Mountain June 22. The committee in charge, which is headed by Ralph Budd, includes Arthur Sachson, president of the club; Harry Mayer, Sam Schneider, Harold Rodner, A. W. Schwalberg, Max Blackman, Jules Levey, John Holmes, Irving Birnbaum and Ann Martin.

Constitution Meet Opposes Lotteries

ALBANY, June 7.—The first skirmish in the fight to legitimatize gambling in New York State was lost here today by an 8-7 margin when the convention's bill of rights group killed the Hirshberg bill intended to eliminate prohibitions from the constitution against book-making, ticket selling and lotteries.

While today's action, as well as similar treatment of constitutional amendments introduced by Assemblyman Nicholas A. Rossi and Irwin Steingut allowing twice-a-year lotteries, precludes favorable report to the floor, Hirshberg is reported ready to debate the matter later this week.

A hands-off policy has been pursued by exhibitors to date in view of the Bank Night situation.

Empire Ends Meet; Forms 16 mm. Firm

(*Continued from page* 1)

plans with President O. R. Hanson, General Manager A. W. Perry of the Canadian distributing company and Clair Hague, special Canadian Universal representative.

At the close of the convention Mr. Hanson announced the formation of a subsidiary company to be known as Sterling Films, Ltd., with himself as president, to import, distribute and present 16mm. subjects in Canada. Narrow measure product has already been secured for the Dominion from the United States companies and will also be brought in from Europe. Portable equipment will project performances on schedule in small towns where no theatre exists. A staff has been organized to sell the narrow film on a rental basis.

Mr. Hanson said he looked for the latest venture to grow into a big development in the Dominion because of the many isolated communities which lack exhibition facilities of any character.

Premier of Ontario Stops City Tax Move

(*Continued from page* 1)

revenues by such a tax. Other concessions are being offered cities in lieu of the proposed ticket impost.

With respect to the proposal by civic leaders to restrict midnight shows at theatres because of juvenile delinquency, the Premier declared that the Ontario Government is not prepared to revise its theatre regulations, having had no complaints in this connection.

Majors Contribute $31,500 to NY Fund

(*Continued from page* 1)

National Amusement Co., $1,500; Fox Movietone News, $500, and the Roxy Theatre, $500, for a total single listing of $7,500; Paramount, $5,000; RKO, $2,500; United Artists, $2,500; Warners, $2,500; Columbia, $1,000; Universal, $500.

Employe contributions are continuing, Mr. Rubin said, and reports on that phase of the campaign will be available next week. This morning, the various vice-chairmen of the film division will meet in Mr. Rubin's office to prepare plans for the final week of the drive.

What Key City Critics Say . .

Following are brief excerpts from the reviews of current pictures by the critics of the key cities:

"The Toy Wife"

Phila. Bulletin—...Tale of tragedy and romance that will please movie fans.

Phila. Inquirer—...Miss Rainer has succeeded in giving this creature a strange fascination.

Phila. Record—...First half... has some interest and suspense.

"College Swing"

Phila. Inquirer—...One of the dizziest and funniest comedies of the season.

Phila. Public Ledger—...More comic than swing...full roster of rhythm.

Phila. Record—...Every variety light on its (Paramount's) payroll in the film...Anything can happen, and it does.

"To The Victor"

Chicago Tribune—...Delightfully human, completely engrossing story about a man and his dog.

Oklahoma Demands Film Tax Increases

OKLAHOMA CITY, June 7.—Opening its fight to adjust assessments on personal property of distribution companies, the county equalization board June 2 raised the valuations of seven firms from the $31,360 voluntary submitted to a total of $975,000.

Every year the equalization board and the film distributing corporations engage in a battle over assessments.

Plan Stamford House

STAMFORD, June 7.—A modern film theatre costing in the neighborhood of $100,000 will be constructed here by the Stamford Theatre Corp. Construction will start about July 15. The house will seat 600, all on the orchestra floor. It will be called the Park.

Wall Street

Kodak Holds Board Gain

	Open	High	Low	Close	Net Change
E. K.	154	156	154	154	+1
Loew	42⅛	42¼	41⅝	41⅝	— ⅜
Para.	7⅛	7⅛	7	7	.....
Para. 2 ...	8⅛	8⅛	8	8	— ⅛
Pathe	4¼	4¼	4¼	4¼	— ¼
RKO	1⅞	2	1⅞	2	+ ⅛
20th Fox ..	20⅞	21	20⅞	21	+ ¼
W. B.	4½	4½	4⅜	4⅜	.....
W. B. pfd.	30	30	30	30	.....

Technicolor in Small Rise

	Open	High	Low	Close	Net Change
Sonotone ..	1⅝	1⅝	1⅝	1⅝	.....
Tech.	23	23	22⅝	22¾	+ ⅛
Univ. Corp.	2	2	2	2	.....

Warner Bonds Drop a Point

	High	Low	Close	Net Change
Loew 3½s '46	100	100	100	+ ⅛
Para. B'way 3s '55	59	58¾	58¾	— ¼
Para. Pict. 6s '55	90¾	90¾	90¾	.....
RKO 6s '41.......	66¾	66¾	66¾	+ ¼
W. B. 6s '39.....	71¾	71	71	—1

(Quotations at close of June 7)

HELD OVER

RADIO

ta

GINGER ROGERS
JAMES STEWART

VIV

CITY MUSIC HALL

because . .

it's "the brightest and funniest of the season's comedies."
—*Kate Cameron, N. Y. Daily News*

it's "the best comedy the Music Hall has provided this year."
—*Frank S. Nugent, N. Y. Times*

it's "one of the season's brightest comedies."
—*Howard Barnes, N. Y. Herald-Tribune*

"the whole thing has a gay zip and sparkle to it."
—*William Boehnel, N. Y. World-Telegram*

it's "fast and funny."—*Bland Johaneson, N.Y. Daily Mirror*

it's "a farce that refuses to be dizzy, goofy, or even mildly lunatic . . . It's just funny, consistently and delightfully."
—*Eileen Creelman, N. Y. Sun*

it's "not only elegant entertainment, but also a welcome departure from the crack-brained concoctions that have been passing for comedy of late."
—*Rose Pelswick, N. Y. Journal & American*

it's "excellent." —*Archer Winsten, N. Y. Post*

CIOUS LADY

ith JAMES ELLISON • BEULAH BONDI • CHARLES COBURN

PANDRO S. BERMAN, IN CHARGE OF PRODUCTION • A GEORGE STEVENS PRODUCTION

Screen Play by P. J. Wolfson and Ernest Pagano

R K O
RADIO
PICTURES

"Holiday" and Dorsey Strong Chicago Draw

Chicago, June 7.—"Holiday," with Tommy Dorsey and his band, grossed $37,800 at the Chicago which was $5,800 above average and a very good gross for this theatre during these times. Dorsey and his band were held for a second week.

"Son of a Sheik" was the attraction at the Garrick and gave the 900-seat theatre a splendid week, $8,800, which was well over average and good enough to give B.&.K reason for holding the film for a second week.

Total first run business was $105,500. Average is $103,000.

Estimated takings:

Week Ending June 2:

"HOLD THAT KISS" (M-G-M)

APOLLO—(1,400), 35c-55c-65c, 7 days. **Gross:** $5,400. (Average, $6,500)

"HOLIDAY" (Col.)

CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Tommy Dorsey & Band. **Gross:** $37,800. (Average, $32,000)

"SON OF THE SHEIK" (Reissue-Indie)

GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $8,800. (Average, $6,500)

"VIVACIOUS LADY" (RKO)

PALACE—(2,509), 35c-55c-75c, 7 days. 2nd week. Stage: Vaudeville revue. **Gross:** $16,200. (Average, $19,000)

"ARSENE LUPIN RETURNS" (M-G-M)

STATE-LAKE—(2,776), 20c-40c-55c, 7 days. Stage: Mills Bros and Revue. Gross: $12,000. (Average, $13,000)

Week Ending June 3:

"ADVENTURES OF ROBIN HOOD" (F. N).

ROOSEVELT—(1,300), 35c-55c-75c, 7 days, 3rd Loop week. **Gross:** $12,000. (Average, $11,000)

"ADVENTURES OF MARCO POLO" (U. A.)

UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $13,500. Average, $15,000)

"Four Men" Pulls $2,800, Oklahoma

Oklahoma City, June 7.—"Four Men and a Prayer" managed to get over the par line by $300 on a take of $2,800 at the Tower in a week marked by generally low grosses.

The only other first run to make the grade was "Kentucky Moonshine" at the Midwest where the $4,700 gross was up by $200.

Total first run business was $16,650. Average is $17,700.

Estimated takings:

Week Ending June 2:

"BULLDOG DRUMMOND'S PERIL" (Para.)

"TEXAS PERIL" (Para.)

LIBERTY—(1,200), 20c-25c, 4 days. **Gross:** $1,400. (Average, $1,800)

"HOT WATER" (20th-Fox)

"ACCIDENTS WILL HAPPEN" (W. B.)

LIBERTY—(1,200), 20c-25c, 3 days. **Gross:** $550. (Average, $700)

"KENTUCKY MOONSHINE" (20th-Fox)

MIDWEST—(1,500), 25c-35c-40c, 7 days. **Gross:** $4,700. (Average, $4,500)

"I WAS A SPY" (G. B.) (Reissue)

STATE—(1,100), 25c-40c, 7 days. **Gross:** $2,200. (Average, $3,300)

Week Ending June 3:

"KIDNAPPED" (20th-Fox)

CRITERION—(1,500), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,200)

"FOUR MEN AND A PRAYER" (20th-Fox)

TOWER—(1,000), 25c-35c, 7 days. **Gross:** $2,800. (Average, $2,500)

"Vivacious" Best Frisco Bet $17,000

San Francisco, June 7.—"Vivacious Lady" pulled an excellent $17,000, above par by $1,000, at the Golden Gate in a week during which some of the season's best weather furnished outdoor competition.

"Adventures of Marco Polo" grossed $7,500 in its third week at the United Artists, and "Holiday," with "Out Where Stars Begin," at the Orpheum, took a par $8,500.

Total first run business was $75,500. Average is $87,800.

Estimated takings:

Week Ending May 31:

"VIVACIOUS LADY" (RKO)

GOLDEN GATE—(2,850), 35c-40c-55c, 7 days. Stage: vaudeville, **Gross:** $17,000. (Average, $16,000)

Week Ending June 1:

ADVENTURES OF MARCO POLO" (U. A.)

UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days, 3rd week. **Gross:** $7,500. (Average, $7,000)

"KIDNAPPED" (20th-Fox)

"RASCALS" (20th-Fox)

FOX—(5,000), 15c-35c-40c-55c-75c, 7 days. **Gross:** $13,000. (Average, $17,000)

"HOLIDAY" (Col.)

"OUT WHERE THE STARS BEGIN" (W. B.)

ORPHEUM—(2,440), 15c-35c-40c-55c, 7 days. **Gross:** $8,500. (Average, $8,500)

"ADVENTURES OF ROBIN HOOD" (F. N.)

"JUDGE HARDY'S CHILDREN" (M-G-M)

PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 7 days, 3rd week (moved from Fox). **Gross:** $10,500. (Average, $13,000)

Week Ending June 2:

"YELLOW JACK" (M-G-M)

"HOLD THAT KISS" (M-G-M)

WARFIELD—(2,680), 15c-35c-40c-55c-75c, 7 days. **Gross:** $11,000. (Average, $13,000)

"COCOANUT GROVE" (Para.)

"INTERNATIONAL CRIME" (G. N.)

ST. FRANCIS—(1,400), 15c-35c-55c-75c, 7 days, 2nd week (moved from Warfield). **Gross:** $3,500. (Average, $7,000)

Week Ending June 3:

"KING OF THE NEWSBOYS" (Republic)

"SALES LADY" (Monogram)

EMBASSY—(1,400), 25c-30c-40c, 7 days. **Gross:** $3,500 (Average, $5,000)

"LENIN IN OCTOBER" (Amkino)

CLAY—(400), 15c-35c-40c, 7 days. **Gross:** $1,000. (Average, $1,300)

Fonda-Platt Are Cast

Hollywood, June 7.—Walter Wanger has placed Henry Fonda and Louise Platt, contract players now under loan to Paramount for "Spawn of the North," in the top roles of "Personal History," the screenplay of which was written by John Howard Lawson from the Vincent Sheean book.

Production is expected to start July 15.

Avery Goes to England

Montreal, June 7.—L. R. Avery, former secretary-treasurer of *Associated Screen News* is en route to London to take over the job of director of publicity in the United Kingdom of the Canadian Department of Trade and Commerce. T. S. Morrisey has replaced him as secretary-treasurer.

Russo Gets New Post

Boston, June 7.—John Eames has named Anthony Russo district manager of his New Hampshire circuit.

"Birth" Is $16,500 Top at Cincinnati

Cincinnati, June 7.—"The Birth of a Baby," which made front page copy during the 12-day ban by the city, gave Keith's a record take at current scale, with $16,500 chalked up for a nine-day run. Average is $6,500. The picture is set in for a stay of indefinite duration.

"The Adventures of Robin Hood" grabbed $7,600 on a second downtown week at the RKO Capitol, up $1,100, for one of the best weeks this house has had in many moons. It held over. "Kentucky Moonshine" clicked at $3,500, or $750 on the plus side, on a second downtown showing at the RKO Grand. "Holiday" broke even at $12,000 at the RKO Albee. Business at the other houses was spotty.

Total first run business was $58,100. Average is $58,700.

Estimated takings for the week ending June 2:

"HOLIDAY" (Col.)

RKO ALBEE—(3,300), 35c-42c, 7 days. **Gross:** $12,000. (Average, $12,000)

"COCOANUT GROVE" (Para.)

RKO PALACE—(2,700), 35c-42c, 7 days. **Gross:** $7,500. (Average, $10,000)

"YELLOW JACK" (M-G-M)

RKO SHUBERT—(2,150), 35c-42c, 7 days. **Gross:** $5,500. (Average, $12,000) Held.

"ADVENTURES OF ROBIN HOOD" (F. N.)

RKO CAPITOL—(2,000), 35c-42, 7 days, 2nd downtown week. **Gross:** $7,600; (Average, $6,500) Held.

"LITTLE MISS THOROUGHBRED" (W. B.)

RKO LYRIC—(1,400), 35c-42c, 7 days. **Gross:** $3,100. (Average, $6,500)

"KENTUCKY MOONSHINE" (20th-Fox)

RKO GRAND—(1,200), 25c-40c, 7 days, 2nd downtown week. **Gross:** $3,500. (Average, $2,750)

"FEMALE FUGITIVE" (Monogram) (2 days)

"TEXAS TRAIL" (Para.) (2 days)

"ACCIDENTS WILL HAPPEN" (W.B.) (3 days)

RKO FAMILY—(1,000), 15c-25c. **Gross:** $2,400. (Average, $2,450)

"THE BIRTH OF A BABY" (G. N.)

KEITH'S—(1,500), 35c-40c, 9 days. **Gross:** $16,500. (Average, 7 days, $6,500)

"Jungle Love" Dual $7,200 at Buffalo

Boffalo, June 7.—Duals were the only first run fare that came anywhere near paying their own freight. "Her Jungle Love," combined with "He Couldn't Say No," at the Century, took $7,200, $1,200 over average. It was the hottest draw in town.

The Lafayette, with "Sinners in Paradise" and "Nurse from Brooklyn," picked up $6,800. Early summer weather presented too strong a counter attraction for all other houses and they sagged.

Total first run business was $35,600. Average is $38,600.

Estimated takings for the week ending May 28:

"COCOANUT GROVE" (Para.)

BUFFALO — (3,000), 30c-55c, 7 days. **Gross:** $8,300. (Average, $12,000)

"ADVENTURES OF ROBIN HOOD" (F. N.)

GREAT LAKES—(3,000), 30c-50c, 7 days, 2nd week. **Gross:** $6,800. (Average, $7,500)

"TEST PILOT" (M-G-M)

HIPPODROME—(2,500), 25c-40c, 8 days, 2nd run. **Gross:** $6,500. (Average, 7 days, $6,800).

"HER JUNGLE LOVE" (Para.)

"HE COULDN'T SAY NO" (W. B.)

CENTURY—(3,000), 25c, 7 days. **Gross:** $7,200. (Average, $6,000)

"SINNERS IN PARADISE" (Univ.)

"NURSE FROM BROOKLYN" (Univ.)

LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $6,800. (Average, $6,300)

Seattle Off; "Holiday" Is Only Grosse

Seattle, June 7.—Memorial was no help to first run gr "Holiday" was the only attractio get much past the average mark. take was $5,750 at the Liberty, up $750, and the picture was held.

"Adventures of Robin Hood" t $7,100, over normal by $100. other houses were off.

Total first run business was $ 850. Average is $36,500.

Estimated takings for the week e ing May 28:

"VIVACIOUS LADY" (RKO)

"STOLEN HEAVEN" (Para.)

BLUE MOUSE—(950), 30c-40c-55c. 7 days, 2nd week, extended run from F Avenue. **Gross:** $2,900. (Average, 000)

"ROBIN HOOD" (F. N.)

FIFTH AVENUE—(2,500), 30c-40c-55 7 days. **Gross:** $7,100. (Average, $7,0

"HOLIDAY" (Col.)

LIBERTY—(1,800), 30c-40c-55c, 7 d **Gross:** $5,750. (Average, $5,000)

"JOY OF LIVING" (RKO)

"ISLAND IN THE SKY" (20th-Fo

MUSIC BOX—(950), 30c-40c-55c, 5 d 3rd week, extended run from Fifth nue. **Gross:** $2,350. (Average, $4,000

"KENTUCKY MOONSHINE" (20th-Fox)

"CRIME OF DR. HALLETT" (Par

ORPHEUM—(2,450), 30c-40, 7 d **Gross:** $5,200. (Average, $6,000)

"NIGHT SPOT" (RKO)

PALOMAR—(1,500), 25c-35c-40c, 7 d Stage: Major Bowes' Unit. **Gross:** $4 (Average, $4,500)

"DR. RHYTHM" (Para.)

"JUDGE HARDY'S CHILDREN' (M-G-M)

PARAMOUNT—(3,050), 30c-40c, 5 d 2nd week. **Gross:** $5,150. (Average, 000)

"Vivacious" Sets Pace at Milwauk

Milwaukee, June 7.—"Vivaci Lady" and "Women Are Like Th collected the week's high money, 800, at the Warner. This was $2, to the good.

Olsen and Johnson on the stage the Riverside with "Outside of Pa dise" grossed $6,000, just $1,000 ab average.

"The Adventures of Robin Hoo after two weeks at the Warner, a dual bill with "Kentucky Mo shine," shifted from Fox's Wiscon after one week, was good for $4, at Fox's Strand, which is aver business.

Total first run business was $ 800. Average is $26,500.

Estimated takings:

Week Ending May 30:

"YELLOW JACK" (M-G-M)

"RASCALS" (20th-Fox)

WISCONSIN—(3,200), 35c-50c, 6 d **Gross:** $5,500. (Average, $8,000)

Week Ending June 1:

"THERE'S ALWAYS A WOMAN" (C

"MAN'S CASTLE" (20th-Fox)

PALACE—(2,400), 35c-50c, 6 days. **Gr** $4,000. (Average, $5,000)

Week Ending June 2:

"OUTSIDE OF PARADISE" (Republ

RIVERSIDE—(2,300), 25c-30c-40c, 7 d Stage: Olsen and Johnson. **Gross:** $6 (Average, $5,000)

"ADVENTURES OF ROBIN HOOD (F. N).

"KENTUCKY MOONSHINE" (20th-F

STRAND—(1,400), 35c-50c, 7 days. **Gr** $4,500. (Average, $4,500)

"VIVACIOUS LADY" (RKO)

"WOMEN ARE LIKE THAT" (F. N

WARNER—(2,400), 35c-50c, 7 days. **Gr** $7,800. (Average, $5,000)

▸ Radio Personals ◂

STANFORD ZUCKOR, general manager of Consolidated Radio Artists, is back in New York after spending 10 weeks in the Chicago and Cleveland offices . . . Duncan Wood, former partner in the brokerage firm of Johnson & Wood, has joined the sales staff of WQXR, and will specialize on financial advertising . . . The Mauch twins, who got their start on the air eight years ago under the direction of Nila Mack, will return to her air company for two guest appearances on the CBS "Let's Pretend" series today and June 23 . . . "White Banners," with Fay Bainter, Claude Rains, Jackie Cooper and Bonita Granville, will be previewed during the "Hollywood Hotel" program Friday over CBS . . . Julius Seebach, WOR program director, left yesterday for Georgia on a three-week vacation.

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Eddie Cantor and his wife, Ida, will celebrate their 24th wedding anniversary tomorrow. . . . Bayard Veiller, author of "Valient Lady," is working on a new script idea for fall presentation. . . . Billy Swanson, the La Conga bandleader, will be interviewed by Rosalind Sherman over WINS tomorrow. . . . O. B. Hanson, NBC chief engineer, off to Hollywood to look over the coast situation. He will be gone two weeks.

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Albany

Phil Brook, WGY announcer, is a recent father. The child is David Sanborn Brook. . . . Commissioner of Conservation Lithgow Osborne, an influential delegate in the Constitutional Convention, is doing a good job Thursday nights on the state-paid programs over WGY, titled "New York State the Beautiful." . . . Ole Windingstad, conductor of the WPA concert orchestra, heard Fridays from 8 to 9 P. M., has been given the Order of St. Olaf for his services to Norwegian music. . . . Colonel Jim Healy, WGY's Blue Sunoco commentator-philosopher, took quite a ribbing at the CBA Communion Breakfast the other day. . . . Fabian's Palace is using WABY Thursday nights for broadcasts of vaudeville talent. . . . Still another to use WABY is Warners' Ritz, for community sings. . . . Recently operated on, Horton Mosher of WGY's control room engineering staff is well and back on the job.

To Air WLW Show

WLW's elaborate musical show, "Musical Steeplechase," will be brought to New York for a special performance this week, to be presented to prospective clients here. The presentation will come from the Mutual Playhouse and will be broadcast over that network.

Station Blown Off Air

KANSAS CITY, June 7.—Wind broke off half the tower of KMBC last night, forcing the station off the air until this morning, when temporary equipment was set up and the station returned to the air.

Televise Stage Play With Marked Degree of Success

By JACK BANNER

David Sarnoff, president of RCA, and John Golden, producer of the play "Susan and God," both said in making introductory remarks leading to televised production of a scene from that current Broadway success, that what was about to be seen would be "epoch making." The experiment took place yesterday afternoon at NBC.

They were far from wrong.

The experiment marked the first time that the legitimate theatre was taken into a television studio and all the "live talent" television shows that preceded it may, in the best interests of the dawning art, be overlooked.

Featured in the television show was Gertrude Lawrence, the star of the legitimate production. Miss Lawrence was supported by Paul McGrath and Nancy Coleman, who play respectively the roles of her husband and daughter in the Broadway show.

Miss Lawrence Excellent

Portrayed in television was Scene 1, Act 2 of the play, wherein Susan, under exhortations from the husband, agrees to postpone a divorce for the sake of their only child, a girl still in her 'teens.

Miss Lawrence, as did the other players, gave a memorable performance before the television camera. Whatever flaws were detected are attributable to technical deficiencies, not to acting.

In order to present the scenes from "Susan and God" as closely as possible to legitimate theatre conditions, NBC technicians built exact replicas of the play's setting for use in the experiment. Costumes and properties used in the play were moved to Radio City for the broadcast.

Two cameras were used to achieve intermediate, close and long shots. Noticeably absent from this production was the "bloom" that has been seen in television employing film, wherein light diffusion interfered with visibility.

Some Defects Noted

Several defects were present, however. Too often the figure of one of the characters was completely out of the camera eye, or cut in half, while such sounds as the rustling of clothes, or the sound of footsteps, were so exaggerated they sounded almost like claps of thunder.

The telecast was "covered" by most of the drama representatives of the New York press, as well as by the radio editors. Present were Sidney Whipple of the *Telegram,* Burns Mantle of the *News,* Kelcey Allen of *Women's Wear* and the others. They spoke enthusiastically of television's possibilities following the close of the performance.

The performance practically brought to a close this season's visual experimentation by NBC-RCA. Shortly the television transmitter of this network will be closed for further improvements, with reopening scheduled for the fall.

CBC to Put Arrival Of Ship on the Air

MONTREAL, June 7.—Something new in news broadcasts is to be attempted by the local staff of the Canadian Broadcasting Corp. this summer—an on-the-spot program of interviews and color material every time the *Empress of Britain* arrives at Quebec. The liner arrives every second Thursday.

The programs will start Thursday. R. G. Wilmot, CBC specialty man, has been assigned to the job regularly. Arrivals cannot be definitely ascertained until a few hours before docking and CBC will have only a short time to clear the network.

Following the lead of newspapers who send their men to Father Point, 600 miles downstream where the pilot, customs and baggage men embark, Wilmot will board the Empress there, so he can meet his passengers beforehand and arrange continuity in the 10-hour run to Quebec.

Van Gluck Joins Lord

Stephen Van Gluck, whose "Point of Honor" appeared on Broadway last year, has joined the Phillips H. Lord staff as a writer on "Lloyd's of London," which Mr. Lord is preparing for network airing.

Abodaher to Join WKY

OKLAHOMA CITY, June 7.—Naiph Abodaher, formerly of WLW and WJR and author of several network shows, on June 15 will join the staff of WKY here as continuity writer.

Radio Manufacturers Attack Bureaucrats

(*Continued from page 1*)

many new administrative departments have been created and that the men in charge and the legislation approved to give them extensive powers was not advantageous to sound business.

John H. Paine, head of the electrical and radio department of the Chamber of Commerce, spoke at a luncheon given today. He told of the department's desire to aid the association. President Leslie F. Muter read a telegram of greetings from Daniel Roper, Secretary of Commerce. Following this the treasurer's report was read and progress made during the past year was discussed. Mr. Muter told the members that a new statistics service to members would start soon to keep them informed on market needs. Various committee reports were read, but other than comment that good work had been done no details were revealed. The radio parts show will open tomorrow.

"Voice" Off Air June 27

The "Voice of Experience" will sign off the air for the summer June 27, and will be replaced by Stella Unger in a Hollywood commentary series titled "Hollywood News Girl." The program is sponsored by the Lydia Pinkham Co. over a specially constructed network devised by the Mutual network. Erwin, Wasey & Co. is the agency.

Web Shows Ratings Higher This Spring

The average ratings of commercial network programs in both rural areas and large cities were considerably larger in the spring of 1938 than in the spring of 1937, according to the Cooperative Analysis of Broadcasting, sponsors of the "Crosley Reports."

Of the 10 programs most favored by rural listeners seven are also favored by urban listeners. The 10 leading shows in rural areas are Chase and Sanborn, Jack Benny, Major Bowes, Lowell Thomas, National Barn Dance, Burns and Allen, Town Hall, Lux Radio Theatre, One Man's Family and Phil Baker.

Of the five leading daytime shows in rural communities two are among the city leaders, and among the five city leaders only two are among the five preferred by the suburbanites. The five leading daytime programs in rural areas are Guy Lombardo, Dick Tracy, Women in White, Gospel Singer and David Harum. National Barn Dance, Ripley's Believe It or Not, Lowell Thomas, Dick Tracy, the Gospel Singer and Hilltop House were among some of the programs which seemed to appeal much more to rural listeners than to urban folks.

The report also included data on rural listening habits, showing that during the course of an average weekday listening in rural areas is generally higher than in large cities until the early evening. After 8 P. M. urban listening is greater for the balance of the evening, reaching a peak at 9:30, whereas rural listeners reached a peak at between 7 and 7:30 P. M.

The survey was based on 21,154 completed interviews with radio set owners, 10,000 among farmers and 11,000 in small towns.

College Seeks Station

LAKELAND, Fla., June 7.—Southern College has made application for one of the 25 short wave broadcasting channels which have been set aside for educational broadcasting purposes by the Federal Government. Dr. Ludd M. Spivey, president of the college, signed the application after having conferred with Walter Tison, president of the Florida Association of Broadcasters, and with D. A. Reesor, Atlanta field representative for RCA. Dr. Spivey said it was the first application from a southern college.

Lee Williams to Coll

Lee Williams, recently office manager of the Al Pearce radio and theatrical enterprises, has joined the Fred Coll publicity organization as office manager. She resigned from the Pearce employ last week, preferring to remain in New York rather than accompany the program staff to Hollywood.

Named Studio Manager

ROANOKE, VA., June 7.—Paul Reynolds has been made studio manager of WDBJ, owned by the *Times* and *World-News.* Reynolds succeeds Hayden Huddleston, now commercial representative of WCHS, Charleston, W. Va.

More Radio—P. 12

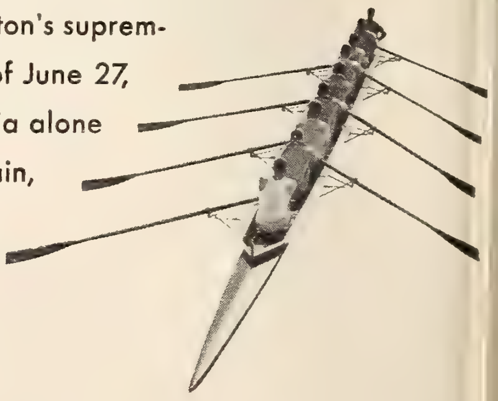
TRACK FAST—RECEPTION CLEAR —EXCLUSIVE BROADCAST—CBS UP!

Two great events in racing history high-light Columbia's *exclusive* 1938 racing card. The Kentucky Derby on May 7 brought excitement to more than 10,000,000 CBS listeners as Ted Husing described the dramatic victory of an outsider. When, as, and if War Admiral and Seabiscuit meet in their long-awaited duel at Belmont, an audience fully as big—and as eager—will be tuned to Columbia wave-lengths. Yet these are but the *opening* of an exclusive sports program unequalled in broadcasting. More millions will hear the most important races of the season as they are run at Aqueduct, Belmont, Empire, Jamaica and Saratoga. They will be covered in detail by Bryan Field; and broadcast *only* by CBS.

ONLY ONE NETWORK BROADCAST

CBS AUDIENCE FIRST TO LEARN ANSWER

Greatest meeting of collegiate crews in the country is the annual regatta at Poughkeepsie on the Hudson. Rowing enthusiasts wonder if this year, with its bumper crop of good crews, will produce a successful challenger to Washington's supremacy. Columbia's audience, early in the evening of June 27, will be the first to learn the answer. For Columbia alone will be seated in the officials' launches, on the train, and at reserved vantage points along the course... broadcasting the race *as it happens!*



CBS BROADCASTS U. S. GOLF EXCLUSIVELY

A game played by over 6,000,000 Americans is a natural radio attraction. As in 1937, only Columbia will attend the big matches of the year — the National Open from Denver (June 9-11), the P. G. A. Championship from Shawnee-on-Delaware (July 10-16), the National Amateur from Oakmont, Pittsburgh (September 12-17), the Women's Amateur from Wilmott, Illinois (September 19-24). The latest in field equipment and shortwave transmission will ensure an accurate report of every important drive, chip shot and putt. America's Ace Sportscaster Ted Husing, will be at the microphone.

HESE EVENTS AS THEY HAPPEN!

CBS "SERVING"—ALL 1938 AMERICAN TENNIS CHAMPIONSHIPS

Only Columbia microphones will be permitted at the major tennis tournaments played in the United States this year— including the first home defense of the Davis Cup in ten years. U. S. L. T. A. officials credit much of last year's record-breaking attendance at Forest Hills to Ted Husing's colorful accounts of the matches played there. Columbia listeners will readily understand why, for they know the excitement of shifting court fortunes as they are reported against a pulsating background of stroke and volley. They already anticipate CBS descriptions of the North American Zone Finals (August 11-13), the Inter-Zone Finals (August 18-20), the National Doubles, Men and Women (August 22-27), the Davis Cup Finals (September 3-5), and the National Singles, Men and Women (September 7-17).

CBS

Radio

Asks Dropping of Maximum on Power For Clear Channel

WASHINGTON, June 7.—Elimination of all power maxima with respect to clear channel stations was asked today of the Federal Communications Commission's committee on new broadcasting regulations by Edwin W. Craig, vice-president of the National Life and Accident Insurance Co., operator of WSM, on behalf of the so-called "clear channel group."

The clear channel group, he explained, included nine of the dozen stations having applications for superpower pending before the commission.

Pointing out that the new rules would limit the power of Class 1-A stations to a flat 50 kilowatts, Mr. Craig urged that 50 kilowatts be made the minimum power with no specification as to the maximum. If this proposal is not accepted, he said, the maximum should be not less than 500 kilowatts.

Imposition of specific limitations upon power, he told the committee, might result in preventing American broadcasting from keeping pace with developments in other parts of the world. A Mexican station already has been authorized to use 850 kilowatts, he pointed out.

Most of the morning session of the hearing was devoted to the testimony of J. V. L. Hogan, chairman of the engineering committee of the National Association of Broadcasters, who discussed the proposed new rules from the technical standpoint, contending that many of them required amendment to meet the current situation or future development of the industry, although he characterized the rules as a whole as a "great step forward."

Permit Sought for Station in Florida

WASHINGTON, June 7.—Application for a construction permit for a 1,500-kilocycle, 100-watt station has been filed with the Federal Communications Commission by John T. Alsop, Jr., Ocala, Fla.

Other applications received by the commission included requests of KDYR, Devils Lake, N. D., for increase of day power from 100 to 250 watts; KVOX, Moorhead, Minn., for increase of night power from 100 to 250 watts, and KECA, Los Angeles, for authority to move studio and transmitter to San Diego.

The commission announced that because of the general hearings on super-power and revision of broadcasting regulations, few examiners' hearings will be held on broadcasting applications.

Hearings scheduled include applications of Press-Union Publishing Co., for a 1,200-kilocycle station at Atlantic City, with 100 watts night, 250 watts day; Eugene DeBogory, for a 1,500-kilocycle, 100-watt daytime station at Dallas, and Mammeraad-Smith Broadcasting Co., for a 1,200-kilocycle, 100-watt station at Holland, Mich.

Complete Agenda of Sales Heads Parley

The formal list of events and speakers for the sales managers' conference of the National Association of Broadcasters at the annual convention of the Advertising Federation of America, in Detroit June 12-16, has been set.

Craig Lawrence, chairman of the sales managers' committee, and commercial manager of the Iowa Broadcasting Co., will preside. Lowell Thomas will deliver an address on "Radio Today"; Edgar Kobak, vice-president of Lord & Thomas, will talk on "Commercial Radio vs. Tax-Supported Radio"; Roy C. Witmer, NBC vice-president in charge of sales, will discuss "Summer Radio," and Paul Blakemore, president of the Coolidge advertising agency, will have as his subject, "Gearing Radio to a Moderate Budget."

John J. Karol, director of market research for CBS, will speak on "Daytime Radio Advertising Makes Good"; Dr. Herman Hettinger, of the Wharton School of Finance and Commerce, University of Pennsylvania, will discuss "Radio Sales and Service," and Charles W. Hicks, sales promotion manager of WXYZ, Detroit, will give the inside story of "The Lone Ranger," an unusually successful radio program produced at that station.

State Sues to Halt Gold Star Selling

Attorney General John J. Bennett filed suit yesterday in N. Y. Supreme Court in behalf of the State of New York against Gold Star Radio & Television Corp. and Charles Henry Davis, Jr., David E. Forsyth, William L. Shelton and Arthur E. King, as directors and officers, and asked the court to restrain the sale of stocks and bonds of Gold Star under Section 23A of the general business law.

The state charged that Gold Star, which was allegedly incorporated in Massachusetts in Sept., 1936, for the purpose of building and operating radio and television broadcasting stations, was selling stock to the public through "false and misleading statements."

The complaint stated that Gold Star was incorporated with an authorized stock issue of 100,000 Class A non-voting shares of par value of $5 a share, and 10,000 Class B voting no par value shares. The voting shares were transferred to Mr. Davis as president, the state claimed, for little or no consideration, and that the defendants "concealed" this fact from the public and also the alleged fact that Class A shares were non-voting. The complaint asserted that the defendants were selling Class A shares to the public for $6.25 a share.

Titus Quits WCCO

MINNEAPOLIS, June 7.—Kenneth C. Titus, traffic and office manager of WCCO, has resigned to become general manager of KFAM, the new station at St. Cloud, Minn. No successor has yet been named.

File Petition For Review of Dual Decision

(*Continued from page 1*)

contract clause involved conspiracy in restraint of trade.

The distributors in their application for a review of the lower court ruling contended that the evidence in the case was insufficient to support the decision reached; that some evidence was improperly admitted and listed several additional technical grounds for review.

The Supreme Court will not consider the application for a review until next fall. If it consents to review the case will probably come before the court a month or two later.

Skouras Joins Talks On Court Appointee

Discussions of the proposal to appoint a special master in conjunction with the U. S. Attorney General's office to hear future complaints against Fox West Coast involving the 1930 consent decree entered into by the circuit are being held here during the current visit of Charles Skouras, operating head of West Coast.

Mr. Skouras, Charles Buckley, vice-president and legal head of West Coast, and Alfred Wright, Los Angeles attorney for the circuit, conferred on the proposal yesterday with New York attorneys. Indications are, however, that no final decision in the matter will be made until a meeting of major company attorneys is held here later this week. The approval of all major companies to the plan is being sought.

Bader Remaining on Coast Permanently

HOLLYWOOD, June 7.—David A. Bader, for the past eight years an agent, talent scout and story representative for American and Continental producers, with headquarters in London, has transferred his activities permanently to Hollywood.

Arriving here several weeks ago as representative of George Pal's "Puppet-Toons," Mr. Bader brought story material and contracts with English players, writers and directors. His decision to remain permanently in Hollywood followed a study of current studio trends and requirements.

San Antonio Set for Two Para. Premieres

San Antonio, Tex., has been chosen by Paramount as the scene for the premieres of "Tropic Holiday" and "The Texans." "Tropic Holiday" will make its debut June 24, the day following its world premiere in Mexico City. Dorothy Lamour, Bob Burns, Martha Raye and Bob Hope will attend.

The world premiere of "The Texans" will be held at San Antonio July 16, with R. M. O'Donnell of the Interstate Circuit as master of ceremonies. Exteriors were filmed within a few miles of the city.

Dual Bill Opponents Using Chain Letters

A chain letter attempt to halt double features has been started by a small New York group which expects to blanket the country within three weeks with appeals to customers to stay away from dual bill theatres.

Mrs. Elinor McNaughton, 95 Christopher St., has addressed 300 letters to friends, acquaintances and club affiliates. In her letter, sent also to the trade press, newspapers and critics, she scores the "alleged entertainment of the Grade-B feature, bingo, banko, screeno, etc.," and predicts that in three weeks every family in the United States will have been reached and "our concerted action will have its effect."

Mrs. McNaughton and Miss Lyle Fowler, the leaders, said this original group of double bill haters are not addressing themselves at this time to the producers, but to the public.

"Most of us are business people and family folk who are fed up with three hours of alleged entertainment until the good picture comes on.

"Lots of parents with children who pay 50 cents an hour to a maid to come in and stay with the children while they go out for entertainment are fed up with getting home at 12:30 and 1 o'clock from inferior entertainment, and paying $1 or $1.50 extra to the maid for staying late."

Mrs. McNaughton and her group are asking every recipient of a letter to copy it and send it to five others.

Dual Theatre Policy Starts in Cleveland

CLEVELAND, June 7.—Paul Gusdanovic, owner of the new $100,000, 1,400-seat Avalon, has introduced a new policy called the Dual Theatre Policy, which he plans to try out for a limited time.

It is the outgrowth of a contest conducted by the Avalon and The Plain Dealer to find out whether single or double features were in greater demand. While the preponderance of replies favored duals, there were enough single feature advocates to deserve consideration. Mr. Gusdanovic will try out a single feature policy at the Avalon and also at the Corlett, a nearby theatre which he also owns. Patrons attending either theatre who desire to see two features for the price of one will be given a coupon to the other house entitling them to free admission. The only stipulation is that the free coupon be used on date of issue.

Revise Milwaukee's Clearance Schedule

MILWAUKEE, June 7.—To correct alleged abuses in the selection of pictures to be played in first run subsequent houses following first run downtown showing, the zoning and clearance schedule has been amended so that the subsequents play pictures 41 days after first run showing instead of 45 as formerly.

Also the first run subsequent houses now have 14 days to complete the showing of pictures without losing their clearance, which is expected to move pictures up from one to two weeks earlier in the neighborhoods.

Pending final adoption of the revised schedule, a committee is meeting to iron out releasing schedules.

Studios Hold Pace With 39 Shooting

Hollywood, June 7.—Thirty-nine features are in work, two less than last week's total, as six were finished and four were started. In all, 21 are in final stages of preparation and 56 are being edited.

Those started were: "Paris Honeymoon," Paramount; an untitled Laurel and Hardy feature, Roach; "Meet the Girls," 20th Century-Fox, and "Head over Heels," Warners.

In addition to these, shooting are: "You Can't Take It With You," "The Gladiator," "Outside the Law" and "Wild Bill Hickock," Columbia; "The Crowd Roars," "Love Finds Andy Hardy," "The Great Waltz," "Too Hot to Handle," "Fast Company," M-G-M; "Spawn of the North," "Men with Wings," "If I Were King," "Artists and Models Abroad," "Return of the Fox" (Sherman), "Bulldog Drummond in Africa," Paramount; "Breaking the Ice," Principal; "Mother Carey's Chickens," "Carefree," "Affairs of Annabel," "I'm From the City," RKO; "Army Girl," "Gold Mine in the Sky," Republic; "The Young in Heart," Selznick; "My Lucky Star," "Suez," "Ellis Island," "Meridan 7-1212," "Straight, Place and Show," 20th Century-Fox; "Letter of Introduction," "Little Tough Guy," "Prison Break," Universal; "Valley of the Giants," "Sister Act," "Unlawful," "Three Girls on Broadway," Warners.

Finishing were "Man's Country," Monogram; "Give Me a Sailor," Paramount; "Lucky Penny" and "Passport Husband," 20th Century-Fox; "Danger on the Air," Universal, and "Girls on Probation," Warners.

Five short subjects are shooting—four at M-G-M, and one at RKO. M-G-M is preparing five, and a total of 11—seven at M-G-M, two at RKO, and two at Warners—is being edited.

Four A's Defers Its Constitution Change

Constitutional changes designed to make a more closely knit organization of the Associated Actors & Artistes of America, which includes all of the A. F. of L. performers' unions, are expected to be completed late this week for submission to the parent organization's board next Monday.

Consideration of final proposals advanced by Actors Equity Association and Broadway producers to end ticket speculation was deferred for at least two weeks when Equity's council failed to take up the matter at its meeting yesterday. For the rest of the summer the council will meet every other Tuesday instead of weekly, the next meeting being scheduled for June 21. The selection of a third vice-president was also deferred by the council and one probably will not be named until next September.

To Open Illinois House

Chicago, June 7.—A new theatre, the Roxy, will open in Toluca, Ill., June 15. John Tozzi is the manager. The theatre seats 550.

At Roanoke, Harlen Van Alystyne has remodeled the Roanoke and the house is again open.

Out Hollywood Way

Hollywood, June 7. — Claudette Colbert will be starred in Paramount's "Midnight," originally announced for Marlene Dietrich. Mitchell Leisen will direct. Charles Brackett and Billy Wilder are writing the screenplay.

Monogram has signed Anne Nagel to play the feminine lead in four pictures, first of which will be "The Girl from Nowhere," written by Arthur Fitz-Richards and Scott Darling. . . . John D. L'Esperance, manager of the Warners Huntington Park, has gone on a two-week vacation, after which he will take an extended leave of absence. . . . Errol Flynn has returned from a yacht trip and will go into Warners' "The Sisters," opposite Bette Davis. . . . Kay Francis will star in Warners "Fly Away Baby."

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Casting — Warner assignments: Patric Knowles to "Head over Heels," Beulah Bondi in "The Sisters," Frank McHugh, Henry O'-Neill and John Rideley in "Wings of the Navy," Jane Bryan in "Brother Rat." . . . Dick Arlen has been signed by 20th Century-Fox as the romantic lead in "Straight, Place and Show." . . . Una Merkel in M-G-M's "Honolulu."

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Writers—Jack White will write the screenplay for the first of the Our Gang shorts which M-G-M will produce. . . . Peter Milne is working on the script of Universal's "First Love," collaborating with Irmgard Von Cube, author of the original. It is a Deanna Durbin vehicle.

Old Films Beat New In Philly Theatres

Philadelphia, June 7.—Weekend business definitely set reissues as a hot-weather "in" for many local theatres. Three houses at the present time are grossing as much with old films as they have been with the new product.

The Erlanger reopened last Wednesday with "Son of the Sheik" to a first day gross of $800. From then on business mounted each day with standees for the Saturday night shows in this 2,000-seater. A first week gross of from $10,000 to $12,000 is indicated. Only three of the eight roadshow weeks of "In Old Chicago" at this theatre topped the mark.

The Arcadia, a second run house, which has been getting less than a week from many of its recent shows, is finding top spring business with the reissue of "Man's Castle." This Columbia revival is decisively topping the business on "There's Always a Woman," a new Columbia film which played at the house last week.

The Europa, usually devoted to foreign films, brought back "Night Must Fall" at the end of last week for a "fill in" engagement. It will have gone two weeks—perhaps more—before the engagement ends.

The Arcadia is continuing the policy by booking "Farewell to Arms" to follow "Man's Castle" and the Europa will next bring back the frequently revived "Private Life of Henry VIII."

On a Diet

Alfred Hitchcock, British director, who gained quite a reputation on his last visit here a year ago for his gastronomic achievements, says he is on a diet. "I eat only big steaks," he says. "They go down faster."

Asked if he intends to repeat his performance of ordering ice cream before his steak, which amazed the epicures, Mr. Hitchcock's only comment was: "That's out."

Midwest Home Town Films Are Started

Kansas City, June 7.—Home town films have made their appearance in this area and have proved successful in attracting extra patronage. Commonwealth Amusement Corp., according to C. A. Schultz, its head, has used the local films with good effect in more than half a dozen spots. About 750 feet of film showing crowds in front of local stores or businesses are shot, and then are shown for one, two or even three changes during the week. The film is kept, and the plan is to use it on the anniversary of its taking: "How you looked last year."

By bringing in local business firms unobtrusively, the film costs the theatre, usually, nothing, Mr. Schultz said.

P. S. Malickson Sues Accessories Company

Philip S. Malickson, sales manager of Universal Sound Projections, Inc., and Sentry Safety Control Corp., filed a $125,000 damage suit yesterday in the N. Y. Supreme Court against International Theatre Accessories Corp., Inc., Sales on Sound, Inc., and Josef A. Teeney.

Mr. Malickson claimed that he had been hired by the defendants in May, 1931, to act as adviser in establishing sales methods and that during his employment to June, 1937, he increased the yearly gross income from $20,000 to $200,000. He asked the court for $25,000 damages.

An additional $100,000 damages was also claimed by Mr. Malickson, who charged that due to a "malicious" letter sent by the defendants, he had been prevented from being chosen as president of Universal Sound Projections.

"Test Pilot" Finals

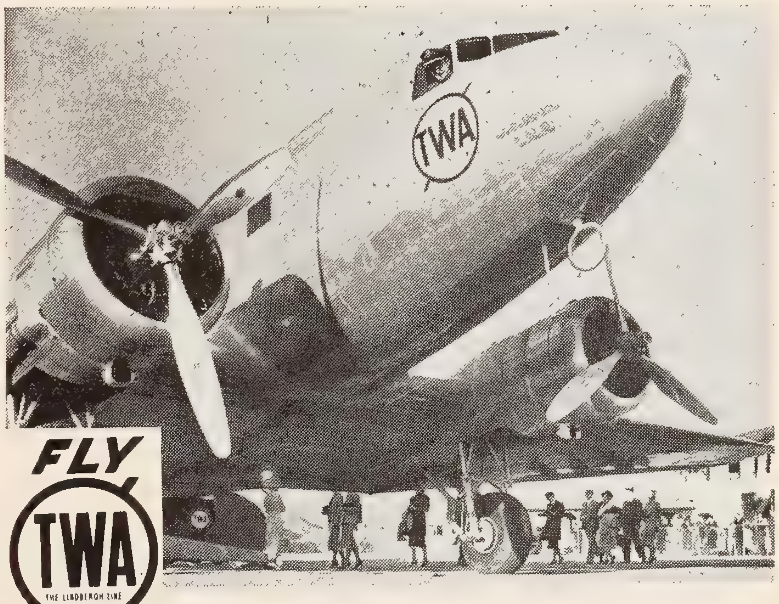
The finals in the "Test Pilot" model airplane contest conducted by Loew theatres will be held Saturday at Floyd Bennett Airport. More than 5,000 model builders are participating in the contest. A luncheon to be held in conjunction with the finals at the airport will be attended by Oscar A. Doob, Loew's publicity director.

'Blockade' for Congress

At the request of members of the Senate and House of Representatives United Artists will hold a private showing of Walter Wanger's "Blockade" tomorrow evening in the auditorium of the new Department of the Interior Building in Washington.

Where to . . . . ? ?

LOS ANGELES—SAN FRANCISCO



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SHORTEST... FASTEST... COAST TO COAST

Newsreel Parade

Movietone News
Vol. 20, No. 77
(20th Century-Fox)

What are said to be the first films of the Sudeten frontier fortifications are shown in this release and give an idea of how the Czechs have prepared for invasion. It is evident that the camera was limited in its range by the army censors. Regardless, the subject has something the exhibitors can sell.

The sound track catches President Roosevelt in fine form at the Annapolis graduation exercises, and there are other interesting shots including a Chinese fireworks display in Chicago in which aid is asked for the invaded country, the Eucharistic Congress in Budapest, the 74-passenger transoceanic clipper receiving its first test, and the start of the Archbold expedition flight to Honolulu. The sports department has the English Derby and the national intercollegiate track meet. Lew Lehr describes a log rolling contest and Vyvyan Donner presents some good looking girls wearing the fall millinery. Running time, 9½ mins. F.

News of the Day
Vol. 9, No. 275
(M-G-M)

This is an excellent issue, with "big names" and front page news packing the 10 stories. Outstanding is the coverage of the Eucharistic Congress in Budapest, with good pictures of the pageantry and a floating processional at night on the Danube.

Searchers are shown dragging streams and combing the countryside for James Cash, Jr., kidnaped in Florida, and there's a shot of his father. Secretary Ickes and Yehudi Menuhin are caught with their brides. A humorous touch in the Chinese fireworks display in Chicago is Japan's apology on the *Panay* sinking outlined in lights, "Very sorry, please." Other clips are: Congressmen having fun on an outing, a Prague parade honoring President Benes on his birthday, President Roosevelt speaking at the Annapolis graduation, the 74-passenger clipper being tested at Seattle, the intercollegiate meet at Randall's Island, and, for a rousing finish, Bois Roussel winning the Epsom Downs Derby. Running time, 9½ mins. F.

Paramount News
No. 88
(Paramount)

Plenty of varied material makes this a better than average release. The reel was delayed a half-day for the inclusion of pictures of the running of the Epsom Downs Derby and, while the shots of the English track classic contain nothing out of the ordinary, the race itself is well photographed and described.

Other subjects are the departure of the largest privately owned seaplane from California on a two-year exploration of the South Seas; the return of the "iron lung boy" to his Chicago home from Miami; graduation exercises at Annapolis with President Roosevelt officiating; a Chicago fireworks display to raise funds for relief work in China; samples of the art works in the W. R. Hearst collection which are being sold; scenes from the Czechoslovakian trouble centers, and famous American wedding parties abroad—Secretary of the Interior Ickes, and Yehudi Menuhin, concert violinist. Running time, 10 minutes. K.

RKO Pathe News
Vol. 9, No. 92
(RKO)

Competent coverage of the available camera news is included in this issue, which should have general interest. The activity of civilian posses in Florida hunting for clews to the kidnaped Cash boy is still "live" news, and heads the reel. In second place is the I.C.4A. college track meet in New York, good for fast action. Intelligently, the editors have spaced the sport material, running the English Derby films in the usual last position. The narration on the latter might have been more "peppy."

The new sky-liner is seen in her taxi tests on Puget Sound, and an exclusive pictures the wedding of Supreme Court Justice Roberts' daughter, with other court members in attendance. A combination of clips effectively pictures the clever Chicago fireworks display with which a national Chinese relief drive was launched, and shows Madame Chiang Kai-Shek, wife of the Chinese leader, in Hankow, about to broadcast an international plea for funds to aid the Chinese. President Roosevelt is pictured awarding their diplomas to the Annapolis graduates of 1938. Running time, 9 mins. A.

Universal Newsreel
Vol. 10, No. 673
(Universal)

The nine items in this issue are well presented and hold interest throughout.

The graduation ceremonies at Annapolis with President Roosevelt handing out the diplomas opens the reel. The new Boeing flying boat encounters a slight mishap during its water trials at Seattle. Chinese residents of Chicago put on a spectacular fireworks show in a relief drive. Frederick B. Snipe, infantile paralysis victim, is moved in an "iron lung" to Chicago. The Cash kidnaping at Princeton, Fla., has good coverage. The recent Mexican revolt shows various captured leaders under guard. There is an ominous note about the views. President Cardenas, however, is seen at a festival at San Luis Potosi, the scene of the uprising, and everyone in camera-range seems to be having a good time. The Congressional "Alfalfa Club" has its annual outing at Frederick, Md. A track meet at Randall's Island stadium is effectively covered but the chief sporting event is the English Derby at Epsom with Bois Roussel staging a remarkable surge across the finish line. The last was caught with a telephoto lens which gives a thrilling closeup. Running time, 9½ mins. P.

Movietone Cameramen Off For Arctic Reel Shooting

(Continued from page 1)

bad lighting conditions, to determine its usefulness. Compared with the film of 10 years ago, this is said to be 40 times faster.

Movietone News conducted a similar expedition in 1929.

Arrangements for the present journey were completed by Mr. Talley, who is due back from abroad in a week. In a transatlantic telephone call with his local office yesterday, Mr. Talley told also of plans to expand the Movietone coverage abroad, with staff bases established in Italian Libya, Istamboul and Morocco. Previously, Athens has been Movietone's outpost in the east. From these points, cameramen will cover a wide territory by plane, as far as India.

Mr. Talley believes a truce in the Spanish war will be declared soon, and that the country will be divided into two parts as a result of British intervention. European staff men are seeing service with the Franco forces, and permission is being sought to assign a cameraman to the Loyalist army.

Since the recent developments in Czechoslovakia, the Prague crew has been augmented, with Paul Martelliere transferred from Paris to assist Count Hans von Pebal.

Virginia Exhibitors To Convene June 13

Richmond, June 7.—The M.P.T.O. of Virginia will hold its annual summer convention at the Cavalier Hotel, Virginia Beach, June 13, with the schedule of the session including several reports on general business conditions and the opening of new houses in the area. William F. Crockett, who succeeded William S. Wilder as president when the latter retired because of ill health, will preside.

Charles A. Somma, head of the legislative committee, will deliver a report on the activity of his group. Roy Smith, Mayor of Virginia Beach, will welcome the delegates. "Relationship of the Public to the Theatre," is the subject of an address to be made by James MacWilliams of NBC, New York. Pre-convention entertainment has been planned by Harold Wood, secretary.

Tri-States Starts Drive

Des Moines, June 7.—The Tri-States Theatre Corp. will have an Employes' Opportunity Drive from the week ending June 11 to the week ending Aug. 9. In every Tri-States theatre on the circuit successful in topping its gross and beating its controllable accumulative for the first four weeks of the drive period, a full week salary is to be awarded to every individual on the front house payroll. Theatres will then start over for the second drive period.

Joins Grand National

Salt Lake City, June 7.—Rick Warren, former Universal salesman, has joined Grand National locally.

Wobber Head Selling Forc At 20th-Fo

(Continued from page 1)

will be here indefinitely, which be a matter of "weeks or mon No formal announcement of his a pointment has been made.

That Mr. Wobber will supervi the functioning of the sales depar ment, which is organized under thr division heads, William Sussman the east, William J. Kupper in t west and William C. Gehring in t central area, was disclosed Motion Picture Daily yesterday.

Mr. Wobber does not wish to r main in New York permanently, it understood, and prefers to return his home in San Francisco whenev Mr. Kent will release him from h present duties.

A Broadway report yesterday h it that Joseph R. Vogel, operati head of Loew theatres out of town, being considered for the vacancy. H has been with Loew's 29 years.

Zanuck Examining Studio Propertie

(Continued from page 1)

Fields vehicle is now in work at Pin wood.

It was indicated by Mr. Zanuc who just arrived from New Yor that the company may make sev films here for the season, two to con under the triple quota provision of t Films Act, two to satisfy the doub quota provision, and three single quo features. One picture will be ma in color when the Technicolor Mon pak equipment is available.

"Gulliver's Travels" Will Get Under Wa

Production on "Gulliver's Travel forthcoming Max Fleischer-Par mount cartoon feature in color, w start immediately in New York, was stated yesterday by Mr. Fleisch Production will require 18 mont with the bulk of the animation sche uled for the new Miami studios.

The initial step in production w be the recording of the complete sou track from which the animation w subsequently be done.

Plan Korda Revivals

London, June 7.—A three-we double feature program featuring r vivals of Alexander Korda films w start shortly at the Odeon in Leicest Square. The first week's films will "The Private Life of Henry VII and "Sanders of the River." T will be followed by "Catherine t Great" and "The Ghost Goes Wes and the bill during the third and fin week will include "The Scarlet Pi pernel" and "A Slight Case Murder."

"Gold Digger" in Phill

Ethelreda Leopold, featured in t chorus of Warners' "Gold Digge in Paris," was in Philadelphia ye terday on her tour of key cities publicize the film.

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Iouse Probers Are Balked on 'ayne Charges

ail to Get Details of Capital Radio Lobby

WASHINGTON, June 8.—Meeting hind closed doors, the House Rules mmittee today unsuccessfully ught from Communications Comssioner George H. Payne substantion of charges made by him last ek that Washington was the arena a vast radio lobby to which some his fellow members on the comssion had been susceptible.

Members of the committee, follow- the meeting, refused to divulge

Additional developments in radio yesterday on page 7.

tails of Payne's testimony, but sev- l expressed themselves as unconced of the existence of the serious ture which he had previously inted.

It was disclosed that Payne realed the names of a half-dozen men o he said some time ago worked certain broadcasting interests, but ared his fellow commissioners of insinuations of wrong doing. His

(Continued on page 7)

U's" New Studio Setup Is Complete

The revamping of the Universal dio executive setup has been comted and the present studio administion is regarded as a permanent e, it was stated at the company's me office yesterday. Nate J. Blumg, president, will leave the studio the end of this week and is exted in New York on Monday.

There is no immediate possibility an executive producer being desigted, it was said, and individual pro-

(Continued on page 7)

'ess, Wm. Rodgers Are Heard at Fargo

FARGO, N. D., June 8.—With assurce that a decision will be handed wn by the three-judge court before rists leave Fargo, the theatre dircement action in Federal Court re today moved into its final stages, aintiffs presenting rebuttal witnesses.

Gabriel L. Hess, general counsel for M.P.P.D.A., explained the setup d operation of the Hays office and

(Continued on page 7)

Wobber Given Full Power in 20th-Fox Post

Kent Puts Appointment On Permanent Basis

Herman Wobber's appointment as general sales manager of 20th Century-Fox is a permanent one, it was said yesterday bv S. R. Kent, president. Mr. Wobber will, in addition, directly supervise the Pacific Coast territory, where he has been district manager for the last six years.

Mr. Wobber succeeds the late John D. Clark. He said yesterday that he will take more of an active interest in the field than has been given to it by the home office in the past and that he plans to keep in close touch with it by travel. His first trip will be to San Francisco, his former headquarters, in three weeks, partially for the purpose of making arrangements for a long stay in New York.

While the appointment is permament, Mr. Wobber expressed a desire to return to his home in San Francisco as soon as Mr. Kent can select

(Continued on page 6)

IA 2-Year Balance Is Up to $228,563

CLEVELAND, June 8.—A total balance for the period of the past two years of $228,563.65, an increase of almost $140,000 over the previous two-year period, was reported to the I.A.T.S.E. convention at the Public Auditorium here today. The treasurer's report was read by Louis Krouse, general secretary-treasurer,

(Continued on page 7)

RKO Net $92,000 In 17-Week Period

Figures presented yesterday at the hearing on the proposed new plan for reorganization of RKO and subsidiaries show that for the 17 weeks ending April 30 the company had a net profit of $92,344.51. This compares with a net of $1,206,212.59 for the same period last year. For the 1938 period, the theatre companies' profit was $512,979.37, RKO Radio Pictures, Inc., and Canadian subsidiary, showed a loss of $667.781.60, Pathe News a profit of $86,928.70.

The profit for the period was after the deduction of accrued interest on the funded debt, it was explained. The 13-week period to April 2 showed a loss of $53.205.05, comnared to a nrofit of $978,094.46 in the 1937 period.

Nylander to Name Date for Writers Bargaining Ballot

HOLLYWOOD, June 8.—Dr. Towne Nylander, regional director, today said he would call together representatives of the Screen Writers Guild, Screen Playwrights and 18 studios June 14 for a conference to set the date for an election under National Labor Relations Board auspices to determine the film writers' choice of a collective bargaining agency. The poll probably will be ordered before the end of the month as a result of the N.L.R.B. order.

Meanwhile the Screen Writers Guild has called a meeting of all

(Continued on page 6)

Czechoslovak Film Treaty Eases Import Restrictions

WASHINGTON, June 8.—Provisions of the reciprocal motion picture trade agreement with Czechoslovakia were made public by the State Department tonight. The pact was signed at Praha last month. It will become effective June 1 and continue in force until terminated by either country upon six months' notice.

The only charges to be imposed upon American films imported into Czechoslovakia are to be the import duty of 1,200 crowns per hundred kilos and the import permit fees, plus a charge of 500 crowns for features and 120 crowns for shorts to cover the costs of importing films in bond, screening them before the Film Advisory Committee and all other fees.

The import permit fee for features will be 17,500 crowns for the first print or negative and 0.15 crowns per running meter for every additional print. For every eight features imported, one dubbed film may be en-

(Continued on page 6)

Hearings Near Close on New Plan for RKO

Final Argument Will Be Presented June 14

Hearings on the proposed amended plan of reorganization for RKO before Special Master George W. Alger approached a speedy finish as testimony was virtually completed at yesterday's session. A short hearing will be held today and argument on the plan will proceed on June 14.

Oliver McMahon, RKO comptroller, brought figures produced at last year's hearing up to date. He testified that fixed charges totalling approximately $1,300,000 annually had been eliminated under the proposed amendments. This figure included $700,000 interest on debentures, $480,000 dividends on preferred stock and the balance for sinking fund reserves. Objection was made to the inclusion of preferred stock dividends in fixed charges, but the figure was permitted to stand.

McMahon said he doubted whether these charges could have been met under present earnings. No margin of safety would have been left if such charges were paid, he testified.

Special Master Alger emphasized the necessity for sneed, and urged obtorneys to minimize the amount of

(Continued on page 6)

Paramount British Plans Await Study

Paramount's plans for production in England will be held in abeyance pending a survey of all the factors involved which will be made in the near future by David Rose, newly appointed supervisor of British production activities for the company, it was stated at the Paramount home office yesterday.

The appointment of Mr. Rose does not indicate that Paramount's own production companies will be sent to

(Continued on page 6)

Edwards to Manage Local G.N. Branch

Sol Edwards, eastern district manager for Grand National, on Monday will take over supervision of the New York exchange pending the appointment of a branch manager.

Saul J. Krugman, formerly special sales representative and more recently head of the local branch, will re-

(Continued on page 6)

My Word!

By Irene Kuhn

◆ United Artists' Sam Cohen has three precocious moppets. Teddy, his eldest, played hookey from school one day recently. With another crony he was playing ball in a marshy section near Mt. Vernon, where just the week before a child had been lost in a bog. Ted, reaching for a high one, fell into the sand.

His yells brought WPA workers with ropes and he was rescued forthwith. Taken into the workmen's shack by a kindly engineer, Teddy submitted to a shower, a brushoff, and some chocolate bars. Then he was sent home by car.

Cohen, Sr., didn't learn the payoff until Teddy's rescuer called that evening to report. "He took the shower and the chocolate, all right, but when I tried to get him into the car he raised an awful rumpus," related the engineer. "Yelled and screamed that his parents had forbidden him to ride in cars with strangers who might be kidnappers." Pop's face is still red.

◆ Morton Gill Clark, socialite author of "Captains Outrageous," has often been hailed as Errol Flynn's double by his intimates. He shares Flynn's hobbies of writing and sailing, too. Martha Deane proclaimed the likeness publicly over the air and a major studio remembered it had screen tested Clark when he returned two years ago from the South Seas yachting trip adventures he has just authored. But the test has been lost and Clark won't take another.

◆ Seymour Berkson, International News Service executive, will sail for Europe Saturday—Charles Duell, vice-president of Morrow & Co., publishers, is waiting a call from Doctors' Hospital that the stork's been around again.

◆ Dorschka Raphaelson who used to be Dorothy Wegman of the Follies before she married Samuel Raphaelson, playwright and scenarist, is in town considering a stage return in summer stock appearances. . . . Jack Kirkland, lunching at Sardi's with his blonde wife, Haila Stoddard and Lawyer Harry Oshrin, is wearing a bruised lip. It wasn't Dick Watts this time, but a frisky horse on the Kirkland estate.

To Show "Datelines"

The first short of the "Dateline" series being produced by Lora Hays, daughter of Arthur Garfield Hays, will be shown at the Filmarte Theatre, Friday at 12:30. The scenes were made in General Sessions Court, Wanamaker's, Port Washington police and fire stations and other locales. Julian Roffman directed.

O'Connor Heading East

San Francisco, June 8.—Following three-day visits to local theatres, and bay area points of interest, J. J. O'Connor, vice-president and general manager of RKO, left for Denver and New York. O'Connor was accompanied here by Jack Gross, new RKO western division manager, who returned to Los Angeles.

Purely Personal

Charles R. Rogers left for the coast by train last night with Mrs. Rogers. They will celebrate their 25th wedding anniversary June 17, and may return here in three or four weeks on a vacation trip to Europe.

•

Harry Ross, head of Ross Federal Service, will leave today for a supervisory survey of the west coast, accompanied by Clifford B. Ross, research sales manager. They will return in three weeks.

•

William Heineman, Universal western division manager, will arrive in New York tomorrow to establish his headquarters at the home office.

•

Alec Waugh, novelist, is enroute to Khartoum, India, where he will supervise the shooting of background scenes for Alexander Korda's "Four Feathers."

•

Mack Gordon and Harry Revel, song writers, are en route to New York by automobile. They're taking their time, coming by way of New Orleans.

•

Walter Brown, Midwest division manager for Ross Federal Service, underwent a minor operation at Sherman Hospital, Elgin, Ill., Tuesday.

•

Grace Warner, secretary to the late John D. Clark, is continuing as secretary to Herman Wobber, new sales chief of 20th Century-Fox.

•

J. Cheever Cowdin, chairman of the board of Universal, plans to sail for England, but will not depart much before the end of the month.

•

E. L. Rutledge, 20th Century-Fox managing director in New Zealand, is due Monday from the coast.

Murray Silverstone, chairman of the United Artists executive committee, will leave the coast tomorrow for New York to attend the opening session of the company's annual sales convention here Monday. He may sail for London Wednesday to wind up his affairs abroad before establishing permanent headquarters here.

•

John Boettiger, publisher of the *Seattle Post-Intelligencer* and former assistant to Will H. Hays here, will arrive in New York by plane tomorrow. He will attend the wedding of Anne Lindsay Clark and John Roosevelt at Nahant, Mass., June 18.

•

William Finney, Loew's division manager at Columbus, returned last night after conferences with Joseph R. Vogel.

•

Charles H. Core, U. A. manager in the Philippines, has left New York for a visit of three weeks at the studios.

•

Nunnally Johnson, 20th Century-Fox writer and associate producer, is here for a brief vacation.

•

W. A. Scully and F. J. A. McCarthy, Universal sales heads, returned to New York yesterday.

•

Ben Griefer, house manager of the Paramount, will count another year over a birthday cake today.

•

Robert M. Gillham has leased a three-story residence on West 12th St.

•

Ned E. Depinet, RKO, American Airlined yesterday to Chicago.

•

W. F. Barrett of G.B. flew to Memphis yesterday.

•

Sam Sax is in Hollywood for a vacation of two weeks.

Hays Board Meeting Postponed One Week

The quarterly meeting of the board of directors of M.P.P.D.A., scheduled for yesterday, was postponed to next Wednesday because of the lack of a quorum. Will H. Hays will leave for the coast shortly after the meeting to spend the summer.

Major company attorneys met at M.P.P.D.A., headquarters yesterday for a discussion of tax matters and informal consideration of the proposal to appoint a special master in conjunction with the U. S. Attorney General's office to hear future complaints which involve the 1930 consent decree entered into by Fox West Coast. Charles Buckley, vice-president and legal head of the circuit, and Alfred Wright, attorney, who came to New York this week with Charles Skouras, operating head of the circuit, in connection with the proposal, are understood to have given their views to yesterday's meeting.

RKO to Golf June 21

RKO's annual golf tournament, open to the industry, will be held Tuesday, June 21, at the Westchester Country Club, Rye, N. Y.

"Comrades" Grosses $45,000 at Capitol

"Three Comrades" boosted the Capitol's gross and was expected to wind up a first week last night with $45,000. It is being held a second week and from present indications may go a third.

"Vivacious Lady" garnered $82,000 at the Music Hall and is being held.

Hitchcock Denies Deal

Alfred Hitchcock will leave for the coast tomorrow on a three weeks visit to several studios and will be back here early in July on his return to England to complete current picture commitments.

Mr. Hitchcock denied that he is negotiating with any American company to direct or produce. He said he has one picture to make for Mayflower and two for Gaumont British on his return to England.

Major Warner on Coast

Hollywood, June 8.—Major Albert Warner and Mrs. Warner arrived today from New York for product conferences with Harry and Jack Warner. They will stay one week.

Golfers to Try Out
Their Alibis Tod

Today is the day when the gro
crew at the Glen Oaks Country C
near Great Neck, L. I., every
of them, awakened with a groan,
a hearty breakfast and walked sl
ly to work, meditating on the rig
of earning a living as a ground
man at a country club, where
that ancient and once honorable
is the reason for it all.

In other words, today will be
the *Film Daily* annual golf tour
ment at Glen Oaks, with a score
teams, a host of players, a multit
of prizes, a $10 entrance fee
at the gate) and a tennis court
those *real men* who take their e
cise other than in strolling on m
cured lawns, following a pill.

As a matter of fact there is a
ord number of teams registered
the team competition, including gr
representing: exhibitors, East
Kodak, Ampa, Warners, the t
press, M-G-M, United Artists, R
National Screen, Educational.

In all, about 200 ardent devotee
pill-swatting will partake of the
tivities, and an additional 50 will
in the high spot of the day, o
than the figures on the score ca
That is the dinner at the club toni
when prizes will be awarded. The
thorities declare there are over
prizes, which means that practic
everyone but the caddies will rec
a prize.

It is requested that each g
bring a small shovel, of the sort
by children at play, since portion
sod are much more easily rem
than with the sharply pointed
of a golf club. The latter offers
small a working surface for best
sults. By the way, if it rains, ev
one is expected to get wet.

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mann, representative. SHANGHAI: Rooms
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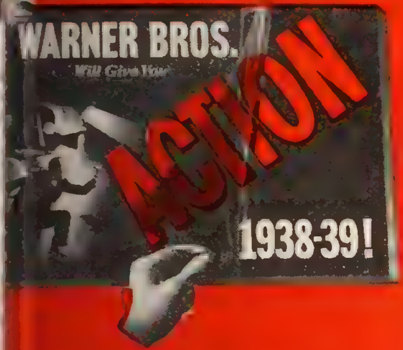
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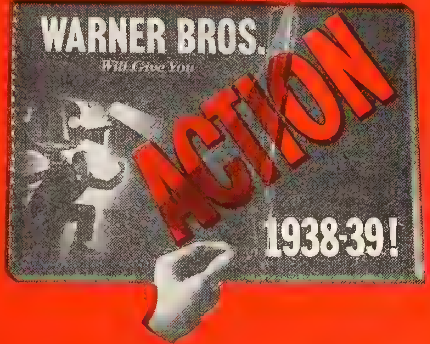
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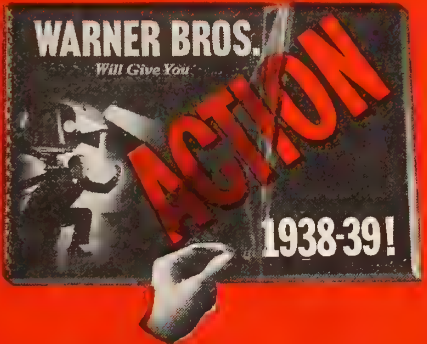
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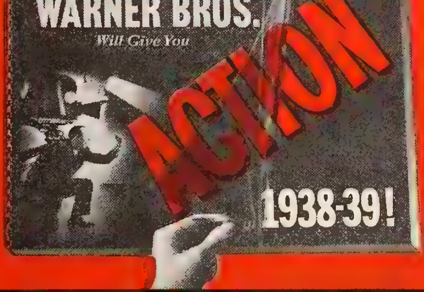
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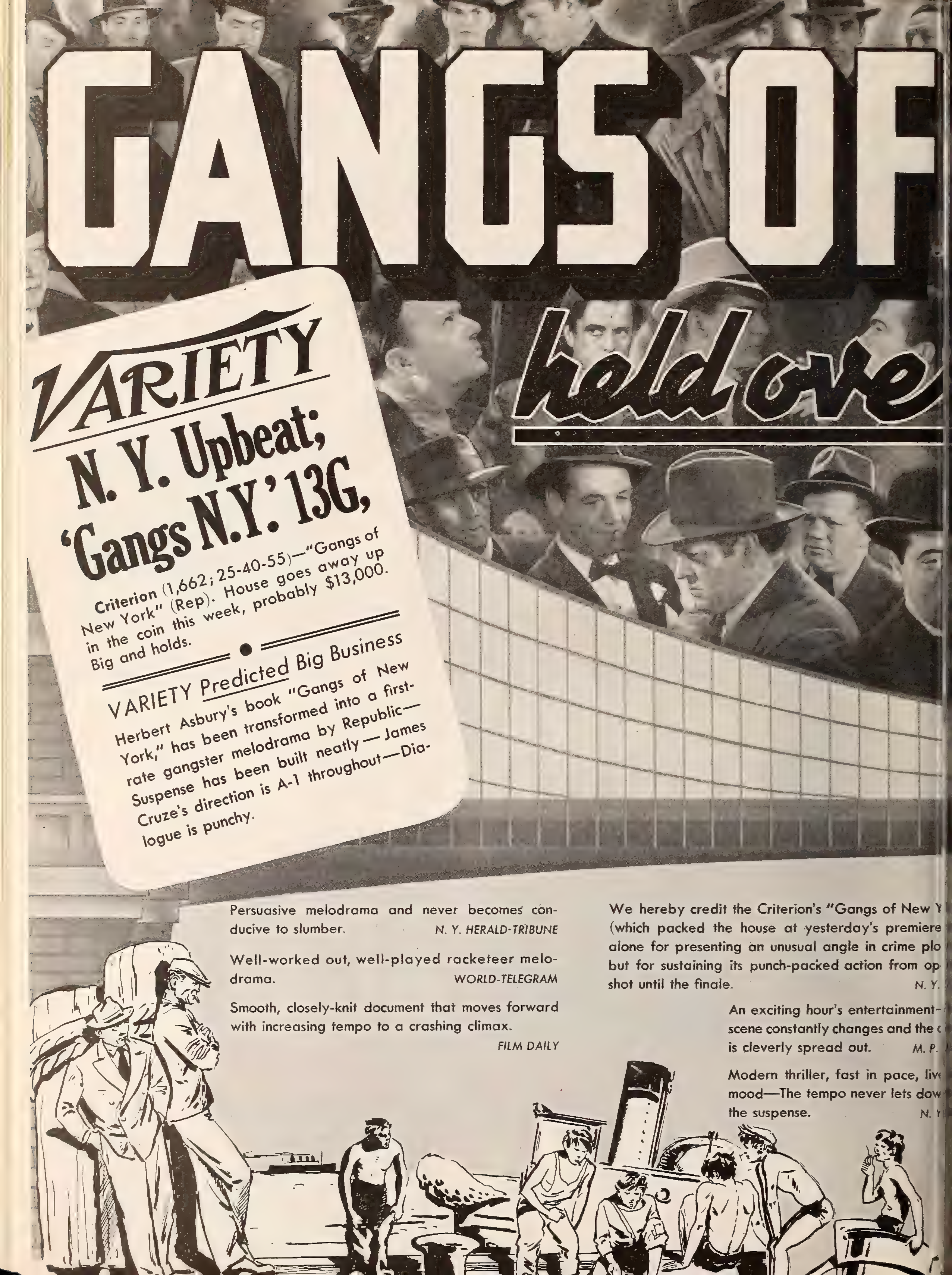
1938-39!



VARIETY

N. Y. Upbeat; 'Gangs N.Y.' 13G,

Criterion (1,662; 25-40-55)—"Gangs of New York" (Rep). House goes away up in the coin this week, probably $13,000. Big and holds.

•

VARIETY Predicted Big Business

Herbert Asbury's book "Gangs of New York," has been transformed into a first-rate gangster melodrama by Republic—Suspense has been built neatly—James Cruze's direction is A-1 throughout—Dialogue is punchy.

Persuasive melodrama and never becomes conducive to slumber. *N. Y. HERALD-TRIBUNE*

Well-worked out, well-played racketeer melodrama. *WORLD-TELEGRAM*

Smooth, closely-knit document that moves forward with increasing tempo to a crashing climax. *FILM DAILY*

We hereby credit the Criterion's "Gangs of New Y
(which packed the house at yesterday's premiere
alone for presenting an unusual angle in crime plo
but for sustaining its punch-packed action from op
shot until the finale. *N. Y.*

An exciting hour's entertainment-
scene constantly changes and the c
is cleverly spread out. *M. P.*

Modern thriller, fast in pace, liv
mood—The tempo never lets dow
the suspense. *N. Y*

EW YORK

RITERION THEATRE

MEN SMOKE OUT "HIGHER-UPS" IN RACKET WAR

CHARLES BICKFORD **ANN DVORAK**
ALAN BAXTER **WYNNE GIBSON**
HAROLD HUBER

SUGGESTED BY THE BOOK "GANGS OF NEW YORK"
BY HERBERT ASBURY • DIRECTED BY JAMES CRUZE
ASSOCIATE PRODUCER — ARMAND SCHAEFER

Republic

Hearings Near Close on New Plan for RKO

(*Continued from page* 1)

testimony offered. He stated that the objections attack the form of the amended plan and its fairness, and told the opposition to confine itself to briefs and oral argument.

E. H. Wolfes, an over-the-counter securities dealer, testified that a market had already been created for the new RKO securities as proposed under the amended plan. Forty-five bid and 55 asked has been established for the proposed new preferred, and five bid and five and three-quarters asked for the proposed new common, according to Mr. Wolfes. Under cross-examination, Mr. Wolfes admitted that he was unable to name any of the bidders, or to name any actual transactions at these figures. He insisted, however, that the prices represented actual current bids in the over-the-counter market on a when, as, and if issued basis.

Bernard Bercu of L. Gottheimer & Co., accountants, took the stand on behalf of the Independent Stockholders' Protective Committee, to bring the opposition's figures up to date. An objection that the basis of these figures was rejected in Special Master Alger's first report was overruled.

Delay Possible

A possibility that serious delay might be encountered was revealed when H. C. Rickaby, attorney for Atlas Corp., proponent of the plan, asked the special master to request the intervention of the U. S. Attorney General in the proceedings. Rickaby based his plea on the fact that Nathan Rosenberg, attorney for H. Cassell & Co., holders of $200,000 in debentures, had filed objections attacking the constitutionality of the proposed plan. After some discussion, Rosenberg promised to reconsider and perhaps to withdraw his constitutional objections at a later date. Rosenberg contends that the debenture holders cannot be deprived of their security. It was conceded yesterday that the debentures now cover 80 to 90 per cent of all RKO assets.

An effort to re-call RKO officials who forecasted probable 1938 earnings at last year's hearings was squelched by the special master who stated that he was through with "prognostication and guesses."

Cross-examination of McMahon was reserved until today to permit counsel to examine financial statements submitted yesterday. John Stover, attorney for Ernest Strin, Class A stockholder, will be given an opportunity to present testimony June 14. All other testimony has been concluded.

Film Council to Meet

London, June 8.—The first meeting of the new Films Council, as established under the provisions of the 1938 Films Act, will be held about the middle of June, according to Sir Frederick Whyte, chairman. Meetings will be held frequently, he indicated. The membership of the body has not yet been completed, with respect to the members from outside the industry.

Czechoslovak Film Treaty Eases Import Restrictions

(*Continued from page* 1)

tered free. The permit fee for other dubbed versions is 6,000 crowns for the first print of negative and 0.15 crowns per meter for additional prints. Shorts and newsreels are to be free of import permit fees but the 0.15 crown charge will be imposed on prints thereof.

The Czech Government is to accord American pictures the same distribution and exhibition rights granted to any other foreign film, or, except for the compulsory showing of native films, to domestic pictures, while the American Government is to accord Czech films the same treatment as accorded our own pictures.

No Import, Customs Quota

No import or customs quota or any other form of limitation on number is to be imposed by either government on the films of the other.

American pictures submitted for Czech censorship will not be required to have Czech titles, but such titles will have to be submitted in writing and the picture presented with titles after it has been approved.

American films may be dubbed into the Czechoslovak language in either country.

Stay Hits Local 306, State's Labor Board

Marking what is said to be the first setback suffered by the N. Y. State Labor Relations Board within the film industry of the Metropolitan territory, the Appellate Division yesterday upheld the Long Island Theatres Corp. against the board and Local 306, granting the corporation a stay without the necessity of posting the $12,000 bond which the labor board had requested.

The labor board and Local 306 were denied their request for the reinstatement of projectionists who participated in a sitdown strike in the corporation's theatres some time ago. Rejected also was their request that operators now working in the theatres be replaced.

Wall Street

G. T. E. in Board Gain

	Open	High	Low	Close	Net Change
Cons. pfd.	5¾	5¾	5¾	5¾	.....
E. K.	155	155	154½	155	+1
G. T. E...	11¼	11½	11¼	11½	+1¼
Loew	41½	41½	41½	41½	— ⅛
Para.	7	7	6⅞	7	.....
RKO	2	2	1⅞	1⅞	— ⅛
20th Fox ..	21	21	21	21	.....
W. B.	4⅜	4⅜	4⅜	4⅜	.....

Fractional Curb Activity

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	—1/16
Monogram	1½	1½	1½	1½	.....
Sonotone ..	1⅝	1¾	1⅝	1⅝	.....
Tech.	22½	22⅞	22⅜	22⅝	+ ⅛
Trans-Lux	2	2	2	2	.....

Warner Bonds in Decline

	High	Low	Close	Net Change
Keith 6s '46........	85¼	85	85	— ⅜
Loew 3½s '46....	99⅞	99⅞	99⅞	— ⅛
Para. Pict. '47....	71¼	71¼	71¼	— ¼
W. B. 6s '39......	69	69	69	—2

(Quotations at close of June 8)

Profitable Start

When the Dionne quintuplets complete their current 20th Century-Fox picture, "Five of a Kind," they will have received more than $300,000 for their film work.

Nylander to Name Date for Writers Bargaining Ballot

(*Continued from page* 1)

writers at the Hollywood Athletic Club Monday night.

John Lee Mahin, president of the Screen Playwrights, which the Writers Guild is attempting to displace as the official bargaining agency, said his organization would carry the fight into Federal Court.

No word was forthcoming from producers, but it was reported the studios would not permit the N.L.R.B. finding that production is interstate commerce to go unchallenged.

Paramount British Plans Await Study

(*Continued from page* 1)

England from the Hollywood studio, it was said. This and other major decisions will be made on the conclusion of Mr. Rose's survey. He is expected to develop his own organization in Hollywood during the next few weeks and will leave for London late this month. He will remain there as business head of the production organization to be established.

John W. Hicks, Jr., Paramount foreign head, will leave Hollywood today by train on his return to New York. Fred Lange, Paramount manager for Continental Europe, who accompanied Mr. Hicks to the studio, will return by plane, arriving here tomorrow.

Predict Action Upon Advertising Control

Albany, June 8.—Following a public hearing in New York before the Committee on Highways, Parkways and Grade Crossings, the belief was expressed that Conservation Commissioner Lithgow Osborne's proposed constitutional amendment will be reported out favorably on the convention floor.

Under the terms of the amendment the Legislature would be empowered to regulate advertising along public highways, in public places and on adjacent private property.

Paynter Starts West

Jack Paynter, Movietone News head cameraman, is en route to Hollywood to arrange for Technicolor cameras to be brought east to film Vyvyan Donner's series of four "Fashion Forecasts" she will make for 20th Century-Fox.

Wobber Give Full Power i 20th-Fox Pos

(*Continued from page* 1)

a sales executive capable of ha the post of general distribution Mr. Kent may not make a decis for some months, possibly not fo year, it was said, and in the me time Mr. Wobber will be the cl sales executive.

It is probable, also, that Mr. W ber may stay on longer than is ticipated at present. But whoe eventually succeeds him, if any will come from the 20th Century-l ranks, it is said to be Mr. Ke determination, in line with comp policy.

At a meeting of division and dist heads on Saturday, Mr. Kent advi them that Mr. Wobber would su vise the department and act in an visory capacity on major proble Yesterday Mr. Kent advised his s cabinet of the permanent appointm

Mr. Wobber, who is occupying Clark's office, has ordered his dist files sent him from San Franci His supervision of the west c from here is similar to the direc of the Great Lakes territory f the home office in the absence o district manager in that area.

Loyalty Motive, Says Kent

"Although he does so at consi able sacrifice to himself and his f ily," said Mr. Kent, "Mr. Wob has consented to take the post of tribution head out of loyalty to company and to the men and wo in our sales force whom he has c to know from repeated trips to exchanges. Herman Wobber is of the outstanding figures in the industry. I have been closely as ciated with him for many years an feel our company is very fortunate he is available for this position.

Mr. Wobber, in a formal statem said: "Under the able direction John D. Clark, 20th Century-Fox developed the finest sales force in picture industry and one that enj an enviable good will among our hibitor customers. I will do eve thing in my power to continue to m it this good will. I contemplate changes either in the policies down by Mr. Kent and Mr. Clark in the personnel that has done suc magnificent job."

A close personal friendship mar the business relationship in Pa mount by Mr. Kent, Mr. Wob and Mr. Clark. When Mr. K joined Fox Film Corp. six years a the other two went along with h

Edwards to Manag Local G. N. Bran

(*Continued from page* 1)

main here for several weeks wind up some matters and then will go the coast as assistant to Edward person, president.

Ruth Seidman, in charge of pri and John H. Miller of the tax partment will leave for the c headquarters in a few days. W Mr. Krugman leaves, in about weeks, removal of the home o staff to Hollywood will be compl

Iouse Probers Are Balked on ayne Charges

(*Continued from page* 1)

ers to questions propounded by ommittee members, designed to velop the lobby angle, were said to unsatisfactory.

Chairman Frank R. McNinch, who o went to the Capitol, was barred m the committee room during yne's testimony. He was called in- the room for a moment following hearing, but refused to say what inspired.

Another meeting will probably be ld by the committee before it aches any conclusion with respect the several resolutions calling for House investigation of broadcast- which are the subject of the hear- s.

A 2-Year Balance Is Up to $228,563

(*Continued from page* 1)

d the board of trustees' report was ad by William C. Scanlon. They in- cated a decrease in operating ex- nse during the past two years and substantial operating profit.

With William P. Covert of Toron- second vice-president, presiding, e speakers included Michael J. Col- an, international president of the asterers' union; Justice Matthew vy of New York; Frank Shannon, nion Labor Life Insurance Co., and illiam C. Elliott of Cincinnati and mes C. Lemke of Troy, former .T.S.E. presidents.

Justice Levy pointed to the New rk operators' union situation as an ample of what may be accomplished cooperation within the union fold.

A capacity crowd attended the an- al ball at the Hollenden Hotel to- ght. The resolutions committee re- rt will be read tomorrow. The eting has been extended one day, rough Friday, to complete unfini- ed business.

The delegates moved to incorporate o the executive report figures on m production costs during the past ason as submitted in a speech by athan D. Golden, chief of the Motion cture Division of the U. S. Depart- ent of Commerce. The figures will used as an argument for two men a booth.

ontinue B. N. Hearing

TAMPA, June 8.—Hearings on the gality of Bank Night have been ntinued in Circuit Court here after ice being postponed.

The suit, brought by Chester H. rguson, Tampa attorney, is against lf Theatres, Inc., Jesse L. Clark, neral manager, and Vincent Wade, al manager. In addition to seeking enjoin the Tampa and Victory eatres from further staging of Bank ghts, Ferguson in his suit asks that theatres be padlocked against reeno, and the Question Box Re- w, and that the $2,400 prize money w standing be confiscated by the te.

"U's" New Studio Setup Is Complete

(*Continued from page* 1)

ducers will be permitted to operate on their own merits under the company's new unit production system. Cliff Work, vice-president and general manager, will be the over-all authority at the studio, aided from time to time by Mr. Blumberg and Matthew J. Fox, Universal vice-president, one or the other of whom plans to be at the studio most of the time. Mr. Fox will remain on the coast when Mr. Blumberg returns to New York, and thereafter the two are expected to alternate between the home office and studio at regular intervals.

Garden Loses "U" Suit

Supreme Court Justice Ferdinand Pecora yesterday dismissed the suit of Madison Square Garden against Universal Pictures Corp. in which the plaintiff had sought an accounting of the profits and an injunction against the exhibition of "Idol of the Crowd," alleging that Universal had attempted to deceive the public into believing that the hockey scenes used in the picture were depicting Rangers in action in Madison Sq. Garden.

Ascap to Continue State Law Contests

Ascap will continue its policy of contesting in the Federal courts all state legislation enacted to bar the music licensing society from operating, chairman of the administrative committee, told the 450 members of the organization at the annual meeting in the Ritz-Carlton last night.

The organization is anxious to have a final test of the legislation enacted in four states brought to the U. S. Supreme Court, it was said. The most recent anti-Ascap legislation was passed by the Louisiana Senate a week ago.

The annual reports of Gene Buck, president, and John G. Paine, general manager, and other officers were given to the meeting. The treasurer's report indicated current receipts of the society are at a normal level and may approximate $2,000,000 for the first six months.

Hess, Wm. Rodgers Are Heard at Fargo

(*Continued from page* 1)

W. F. Rodgers, New York, sales manager for M-G-M, gave testimony calculated to show the extremely high competition in all fields of the industry. He said the lowest cost of an M-G-M picture in recent years was $190,000, the highest $2,800,000, the average about $700,000. He said M-G-M demands that its pictures play the best houses and that $100,000 has been paid for rental on a first run, the picture probably licensing for as low as $10 later. The majority of exhibitors pay less rental on a film than the actual cost of the print, he said.

Hall, Langford Wed

HOLLYWOOD, June 8.—Jon Hall and Frances Langford were married at Prescott, Ariz., it was revealed here last night. The couple plan a wedding trip to Tahiti.

Continue Fight for High Power Grants

WASHINGTON, June 8.—Supported by more than 50 exhibits, representatives of the "Clear Channel Group" today continued their fight for superpower before the F.C.C. Committee on New Broadcasting Regulations.

Presenting a mass of tabulations, graphs and charts, J. H. DeWitt, Jr., of station WSM, Nashville, chairman of the Engineering Committee of the group, spent most of the day in a technical explanation of his research to determine the effect upon smaller stations and the public of powers in excess of 50 kilowatts.

Only two courses are open to the commission in its effort to provide adequate service for all listeners in the country, DeWitt said. One is to increase the power of the existing stations, the other to increase the number of stations. The latter, he said, is impossible to any substantial degree because of the lack of broadcasting frequencies.

If clear channels were abolished and attempt made to cover the country with service only from regional stations, 570 additional stations would be required; 100 frequencies would be needed to accommodate the necessary number of stations to give the listener only one program and 300 frequencies to give him a choice of three. The total expenditure in new stations to give a one-program service would be over $41,000,000, he said. On the other hand, he pointed out, the use of super-power will give a choice of programs to practically every section of the country at a much lower cost.

DeWitt expressed the opinion that super-power would not tend to increase duplication or change listeners' habits.

Radio Golf Tourney To Be Held Tomorrow

The third annual River Vale Radio Golf Tournament, bringing together artists and announcers from NBC, CBS and Mutual, will be played at the River Vale Golf Club, Bergen County, N. J., tomorrow. The CBS team has won the previous two matches, and a victory tomorrow will give them permanent possession of the cup.

Ben Grauer will captain the NBC contingent, which also includes Horace Heidt, Phil Duey, Lyle Van, Clyde Lucas and Graham McNamee.

The CBS team will comprise Andre Baruch, Howard Phillips, Al Rinker, Walter Pierson and Buddy Clarke. Mutual's team will be made up of Harry Carlson, Jack Poppele, Jack Lowe, Willson Tuttle, Michel Roscoe, Jack Byrne and Otis Williams.

Democracy Union on Air

The American Union for Democracy has inaugurated a new series over WQXR Tuesday nights from 8 to 8:30 P. M., in which a well known personality introduces a refugee from Germany or Austria. Last Tuesday night, Jane Pickens, singer, presented Ossy Renardy, 17-year-old Viennese violinist. On next Tuesday's program, Oliver LaFarge, author of "Laughing Boy," will introduce Prof. Felix Robert Mendelssohn, famous Austrian 'cellist.

▸ *Radio Personals* ◂

FRED WARING will celebrate a birthday today . . . Walter Cassel will be guest on the Al Pearce show June 21 and on the Chesterfield program the following night . . . Ted Streibert, Mutual's general manager, off to Washington for a few days . . . The "Radio Rubes" will be heard in a new series of programs over the NBC-Blue, except WJZ, on Thursdays.

+

The J. McTigues are the parents of a baby girl, their second child. He is in the NBC press department . . . Via American Airlines yesterday, G. W. Grignon of Press Radio to Chicago, Fred A. Lange of CBS to Boston and H. Mariness of RCA Manufacturing to Chicago.

Wells Head of Radio Manufacturers' Unit

CHICAGO, June 8.—Albert S. Wells, Chicago radio manufacturer and president of Wells Gardner & Co., was elected president of the Radio Manufacturers' Association today at the closing session of the organization's 14th annual convention at the Stevens Hotel.

The new president has been identified with the industry since 1924. He succeeds Leslie F. Muter of Chicago, who served for four terms, and who was elected treasurer today. Bond Geddes of Washington was reelected executive vice-president, and John William Van Allen of Buffalo was reappointed as general counsel. The directors elected include: Harry G. Sparks, Jackson, Mich.; Glenn W. Thompson, Columbus, Ind.; Octave Blake, New York; James C. Daley, Bellwood, Ill., and J. McWilliams Stone, St. Charles, Ill.

Sales Heads to Meet

DES MOINES, June 8.—Craig Lawrence, commercial manager of the Iowa Broadcasting System, will preside at sessions of the sales managers' division of the National Association of Broadcasters in a meeting at Detroit, June 12 to 16.

Hummerts Off to London

Frank and Mrs. Hummert, heads of the New York office of the Blackett-Sample-Hummert agency, left for Europe yesterday aboard the *Queen Mary*. They will remain in London for several weeks, where their agency is opening a new office.

To Televise Ceremony

LONDON, June 8.—The trooping of the colors, colorful English military maneuver, will be televised here tomorrow, with the use of the Scophony Baird television system.

Herbert Petty Returns

Herbert L. Pettey, associate director of WHN, will return from Washington today.

Change Status of WJTN

WJTN, Jamestown, N. Y., formerly an optional NBC-Blue station, has been changed to a bonus station.

Taking America by **STORM!**

RUDOLPH VALENTINO

IN

"The Son of the Sheik"

WITH MODERNIZED MUSIC AND DRAMATIC SOUND EFFECTS

A GEORGE FITZMAURICE PRODUCTION

WITH VILMA BANKY

HELD OVER!
Held Over!
Held Over!
HELD OVER!

NEW YORK
Reviewers say:
There does not seem as if a substitute for Valentino has appeared in Hollywood as yet.

CLEVELAND
Reviewers say:
Valentino's personality still breathes the same vitality as in 1926. The beauty of the desert is splendidly portrayed.

BALTIMORE
Reviewers say:
Convincing proof is furnished in Valentino's picture to warrant theatres holding the picture over . . . the crowds proved that . . . and it is a picture that is worth seeing, one that is entertaining and fast moving.

CHICAGO
Reviewers say:
In the acting of Valentino there is an undated quality that goes as well today as fifteen years ago. Valentino's charm is probably the same that made Cleopatra fall for Mark Anthony.

PHILADELPHIA
Reviewers say:
His dark, handsome face, his potent personality, the magnetism that won feminine devotion all over the country—in metropolitan centers and down to the tiniest hamlet able to boast of a movie house.

BOSTON
Reviewers say:
"The Son of the Sheik" proved too prosperous to budge. No such glamour has appeared since. Valentino draws the crowds.

WASHINGTON
Reviewers say:
"The Son of the Sheik" is sheer romance . . . the main interest Rudolph Valentino's good looks. Another interest, the absorbing attention the audience gave to the picture. Valentino seems to answer a definite need in the movies.

AND . . PLAYING "BOX OFFICE" SELL-OUTS IN FIFTY OTHER KEY CITIES . . .

Once again the great Valentino lives and loves, and moves the hearts of millions—in this supreme screen achievement of impassioned romance, set in the wilds of the great Sahara.

Powerful and primitive in its appeal to the emotions, beautifully set against a symphonic background of melody and sound, the "Son of the Sheik" is the very essence of human drama.

VARIETY ***says*** . . . Chicago.

Business in the loop currently is being led by two widely opposed types of entertainment. One is the ultra-modern swing stuff of Tommy Dorsey orchestra on the stage of the Chicago . . . the other is a 16-year-old picture, "Son of the Sheik" in the small Garrick.

Actually the best pace in town is the Valentino revival, which is dragging in every type of trade, men and youngsters as well as the femmes.

Write . . . Wire . . . Phone
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to the Motion
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Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 133 NEW YORK, FRIDAY, JUNE 10, 1938 TEN CENTS

ʗhaplin Names ʗchwartz As JA Director

'ubstitutions on Board Authorized Recently

Charles Schwartz of the law firm Schwartz & Frohlich has been signated a member of the United rtists board of directors by Charles aplin, it was learned from an auoritative source yesterday.

The move follows the recent action the United Artists board in reducg the board membership from 12 to . The initial six members followg the change in the company's byws were the five producer-owners, r. Chaplin, Mary Pickford, Douglas irbanks, Samuel Goldwyn and Alexder Korda, and Dr. A. H. Giannini, esident. The producer-owners were thorized at the same time to serve the board themselves or to signate five members to serve in eir places.

As exclusively reported by MOTION ICTURE DAILY at the time, most or of the producer-owners would

(Continued on page 7)

VPA Film Project Urged by Voorhis

WASHINGTON, June 9.—Formation roughout the country of public rums to show motion pictures proced as a WPA project is proposed Representative H. J. Voorhis of alifornia as providing a rounded oject for the relief of unemployed m industry labor.

Voorhis last month proposed a PA project to produce educationals, t found himself up against the probn of providing outlets for such films

(Continued on page 7)

Iouse Group Voting On Air Probe Today

WASHINGTON, June 9.—The House iles Committee will vote tomorrow ıether to report any of the pending easures calling for a Congressional vestigation of the Federal Commuations Commission and the broadsting industry.

Agreement was reached today to te without further delay, in order at, if a measure was reported, op-

(Continued on page 8)

More Radio—P. 8

U A Shows Gain

Hollywood, June 9.—The earnings of United Artists for first five months of 1938 amounted to $1,140,000, after taxes, as compared with $242,000 for the corresponding period of 1937, according to information obtained at the headquarters of the company here today. The distribution company's earnings are governed by the number and type of pictures released during any given period. A wide variance in releases will be reflected in a wide variance in earnings.

Argument at Fargo To Conclude Today

FARGO, N. D., June 9.—With final argument in the theatre divorcement hearing scheduled for tomorrow, the three-judge Federal court recessed at noon today, opposing attorneys having completed the introduction of witnesses. There will be a decision before the jurists leave town, the court declared.

Defense attorneys stipulated that the testimony of several major film company sales managers, whom the plaintiffs had called to Fargo to put on the stand, could be waived because it would closely parallel that of men

(Continued on page 4)

Cleveland Theatres On Half-Week Basis

CLEVELAND, June 9.—Independents, subsequent run and neighborhood theatre owners, representing 98 per cent of the membership in the Cleveland M. P. Exhibitors' Association, today voted to close their theatres three or four days a week.

The date for the inauguration of the policy will be decided at a meeting to be held next Thursday.

REGIONAL GROUPS ASK CONCILIATION

Query McMahon at RKO Plan Hearing

Cross examination of Oliver McMahon, RKO controller, about amortization payments in excess of the depreciation budget during 1937 featured yesterday's hearing on the proposed amended plan of reorganization for. RKO before Special Master George W. Alger.

With the exception of one witness who is expected to testify briefly on behalf of Ernest W. Stirn, Class A stockholder, all testimony has been completed. Argument on the plan will be heard on June 14.

Mr. McMahon testified under cross examination that amortization payments during 1937 had exceeded bud-

(Continued on page 4)

Says U.S. Players No Aid to British

The contention that the use of American stars would gain wider acceptance for British films in this market has never been proved, says Alfred Hitchcock, English director, who will leave tomorrow on his first visit to Hollywood.

"There are only a half dozen big attractions among Hollywood players, and there aren't enough to go around, not even for Hollywood," is the way he puts it.

Regarding M-G-M's "A Yank at Oxford," starring Robert Taylor, which was made at Denham, Mr.

(Continued on page 4)

Petitions Being Sent to Heads of All Major Companies

Petitions urging immediate action in putting a trade practice regulation program into force will be addressed to the president of every major distribution company by territorial exhibitor organizations throughout the country within the next few weeks, it was learned here yesterday.

The move began simultaneously this spring with petitions already having been addressed to company heads by three regional exhibitor organizations not affiliated with either of the two national organizations, M.P.T.O.A. and Allied States. The regional organizations are M.P.T.O. of Virginia, West Virginia Managers Association and the M.P.T.O. of Iowa.

This week, the Southeastern T.O.A. at its annual convention in Chattanooga authorized similar action by the officers of that M.P.T.O.A. unit and, in addition, approved a resolution recommending the national organization's 10-point plan as the one best suited for adoption by the industry. This action by the southeastern organ-

(Continued on page 7)

Warner Race Track Makes Debut Today

HOLLYWOOD, June 9.—Tomorrow will be an unofficial half holiday here with the brains, beauty and talent of the production colony out in full force and finery to pay Jack Warner homage at the premiere of Hollywood Park, Inglewood, the new $2,500,000 racing plant of which he is chairman of the board.

A scant 10 miles from the heart of cinema land and equipped with improved mechanical devices for the improvement of the thoroughbred that

(Continued on page 7)

Harmony Keynotes Close of I. A. Meet

CLEVELAND, June 9.—The four-day I. A. T. S. E. biennial convention which came to close today immediately following the report of committes was remarkable in that everyone of the 17 resolutions offered were adopted unanimously and that the Grievance Committee had no report

(Continued on page 7)

'Twas Perfect Day for Golf So a Record Crowd Tried It

By J. M. JERAULD

It was a perfect day for golf—bright sun, gentle breezes, temperature just right for sitting around and watching them get out of sand traps. Therefore, there were about 200 cases of sunburn and approximately 30 coats of tan at the end of the 26th annual golf tournament of *The Film Daily* played yesterday at the Glen Oaks Country Club, Great Neck. The tans were owned by the regular golfers.

It was the biggest turnout yet at one of these affairs and the attendance at the dinner was still larger.

The team play began at 10 A. M. and the foursomes got going about 1:30 and finished about 7:30. The dinner interrupted several bridge

(Continued on page 4)

My Word!

By Irene Kuhn

◆ Ferde Grofe is being talked about in connection with the assignment to do an original musical score for "Gone With the Wind." . . . Bill Zimmerman of the RKO legal department expects to become a father any day now. . . . Mrs. Malcolm Kingsberg, wife of the vice-chairman of the Keith-Albee-Orpheum board, has just returned from a three-month trip to Honolulu with their son, Harold.

◆ *Movie Parade,* the RKO theatre magazine, is carrying two and three-quarter pages of national and six pages of local advertising, all paid for, in its second issue now being distributed. The mag, free to exhibitors and patrons, has brought in several unsolicited dimes which honest theatre patrons left on tables when they picked up the mag while the attendan. was absent.

◆ Former City Editor George Clarke, now publicizing prominents in show business, is building a gallery of back-of-your-head pictures. Expects to use it as a deflater on excessive ego and topheavy temperament. "Just lead the subject into the gallery, point to the pictures and the caption 'you're as important as the back of your head' and the storm will subside," opines George. He is revolutionizing portraiture for publicity, too. No more "mug pix"—Clarke clients must be photographed in action or at least in some pose related to what they're doing.

◆ Alfred Hitchcock, British director, will write a picture for Charles Laughton on his way back to England three weeks hence. His wife will collab. . . . Granville Toogood, popular Philadelphia bachelor, copy chief for N. W. Ayer & Son there, is a novelist on the side. Harcourt Brace will publish his latest.

◆ Dimitri DeBoisseff, exiled Russian nobleman, is responsible for the latest debunking story, with an ironic twist. Our own Statue of Liberty, he avers, was first offered by France to the Imperial Russian Government for St. Petersburgh, but was rejected, after which France presented it to America.

◆ Alice Miller, lyricist, daughter of Mrs. Eleanor Miller who runs the Empire State Building bookshop, is publishing her latest song, "Vagabond's Prayer." She did "Song of a Tree' with Pulitzer prize composer Lamar Springfield.

◆ Charlie (Lovable Dummy) McCarthy hops off from Newark airport tonight on the first leg of an 11,000-mile flight to Manila to make personal appearances. Charlie has been doing Washington, waggling his jaw at celebrities and getting pointers from high-ranking Filipinos on his trip. He boards (literally) the Philippine Clipper at San Francisco on the 15th and will be on hand for the opening of the "Goldwyn Follies" in Manila on the 30th. P. S.—Edgar Bergen will go along, too.

Purely Personal

CHARLES McDONALD, formerly identified with the production and distribution of short subjects and now a director of special pictures for the U. S. Bureau of Forestry at Washington, and Mrs. McDonald are at the Park Central for 10 days.

•

Stanley Williamson, formerly connected with the development of sound slidefilms by retail organizations, has been appointed assistant supervisor of field training schools for clients of the Jam Handy organization.

•

Leo Robin and Ralph Rainger, songwriters, have been signed by Max Fleischer to do the score on the forthcoming "Gulliver's Travel." They are due from the coast next week and will start work at once.

•

Howard Dietz, director of M-G-M advertising and publicity, will meet the winner of the Metro Amateur Table Tennis Tournament this afternoon at the Strand Academy.

•

Joseph Seidelman, Universal foreign manager, who will sail tomorrow on the *Nieuw Amsterdam,* will be away three or four months visiting the company's European offices.

•

Kenneth Thomson, executive secretary of the Screen Actors Guild, will leave for Skowhegan, Me., today to confer there with Arthur Byron, Actors Equity president.

•

Ralph Benatzky, Continental composer, who arrived on the *Ile de France,* left yesterday for California to start work for M-G-M.

•

Nunnally Johnson, 20th Century-Fox associate producer, will leave tomorrow for the coast to start supervision of "Jesse James."

•

Harry Keiper, U. A. studio purchasing agent, will leave today for the coast via American Airlines, with a stopover at Chicago.

•

Fred Lange, Paramount manager for Continental Europe, arrived in New York yesterday from the coast by plane.

•

Florence Greene of *Better Theatres* will sail tomorrow on the *Carinthia* for Nassau and Havana.

•

Robert Audrey's play, "How To Get Tough About It," has been purchased by M-G-M.

•

Bess Berman, secretary to Darryl F. Zanuck, is in from the coast for a 10-day stay.

•

Laurence Schwab will return to the coast tonight on an American Airliner.

•

David Palfreyman of the M.P.P.-D.A. returned to New York yesterday.

PHIL REISMAN, RKO foreign sales manager, is en route from Buenos Aires to Santiago, Chile. From there he goes to Lima, Peru, where he will meet Ben Cammack, Latin American general manager, who is en route there from Mexico City.

•

Herman Wobber, new 20th Century-Fox sales chief, has been swamped with congratulatory messages on his appointment, many coming from the coast. Joseph M. Schenck, chairman of the board, was among those sending telegrams.

•

Helen Mason, formerly in charge of the film division of Victor Animatograph Co., left yesterday for Toronto where she will join the staff of General Films, Ltd.

•

Kate Clawson, Hollywood designer, is in town to start designing costumes for "Knights of Song," Glendon Allvine's play which will open in September.

•

Arthur De Bra of the M.P.P.D.A. will be discharged from Mt. Vernon Hospital this weekend. He underwent an appendicitis operation there a week ago.

•

Jerry Wilson, sales manager of Principal Film Exchange, celebrated his birthday and wedding anniversary the other day.

•

Walter Lynch of Mecca Laboratories has returned from a jaunt to the Adirondacks.

•

Richard Condon has joined Walt Disney's publicity staff in the east.

•

. . . Pittsburgh

Sam and Mrs. Defazio celebrated their 22nd wedding anniversary last week.

George Tyson has left for Atlantic City where he will spend the summer directing the annual Showmen's Jubilee, which winds up with the selection of Miss America.

John McGreevey's five-year-old boy is laid up with a fractured knee.

•

. . . Denver

Jack Krum has quit the film business and has opened a retail liquor store.

William Ostenburg and Mrs. Ostenburg have moved to their home in Evergreen, Col., for the summer, from Scotts Bluff, Neb.

Al Gould will entertain the members of the Rocky Mountain Screen Club at his summer home in Swanee June 12.

Harry Huffman, city manager here for Fox theatres, has been reelected president of the Denver Tourist Bureau.

Dick Powell Plans Tour

Dick Powell is planning a tour of 12 key cities where he will contact exhibitors and make personal appearances in the interest of "Cowboy from Brooklyn," in which he is starred. The tour will start in about four weeks.

Rogers, Saal In Today

Roy Rogers, Republic's newest western star, will arrive in tow of Bill Saal of the home office from Chattanooga today. They have been touring the midwest and south, where Rogers has made personal appearances.

Executives Return From Fargo Hearin

Home office executives and t Paramount legal battery who ha been in Fargo, N. D., in connecti with the Federal statutory court hea ings there on the constitutionality the state's affiliated theatre "divorc law began their return east yesterda

A. W. Smith, Jr., United Arti sales manager, and Gabriel L. M.P.P.D.A. general attorney, ar in New York by plane from Far yesterday. William Gehring, 2(Century-Fox central division manag will arrive here today. William Rodgers, M-G-M general sales ma ager; Neil F. Agnew, Paramou vice-president and distribution hea Y. Frank Freeman, Paramount vi president and theatre head, and t company's legal representatives w leave Fargo today, arriving in N York, Sunday. In the legal staff a Austin C. Keough, Paramount vi president; Louis Phillips, Thomas Thacher and A. C. Bickford. Gra well L. Sears, general sales manag of Warners, was not called to Far

"Kidnapped" at $24,00

"Kidnapped" finished with $24,(for a second week at the Roxy, af a first week's $45,000. "Gangs New York," a holdover at the C terion, netted $7,500 in a secc stanza, compared with $13,000 for first. "Arson Racket Squad" v follow "The Sign of the Cross," wh will open at the Criterion today.

Smith Honored by Ki

London, June 9.—C. Aubrey Smi character actor, has been honored King George VI with the title Commander of the Order of British Empire.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and P lisher; J. M. JERAULD, Managing Edi JAMES A. CRON, Advertising Manager. E TORIAL STAFF: Charles S. Aaronson, Jack P ner, Al Finestone, Thomas Fitzsimmons, Shei A. Kane, Irene Kuhn, Joseph Priore.

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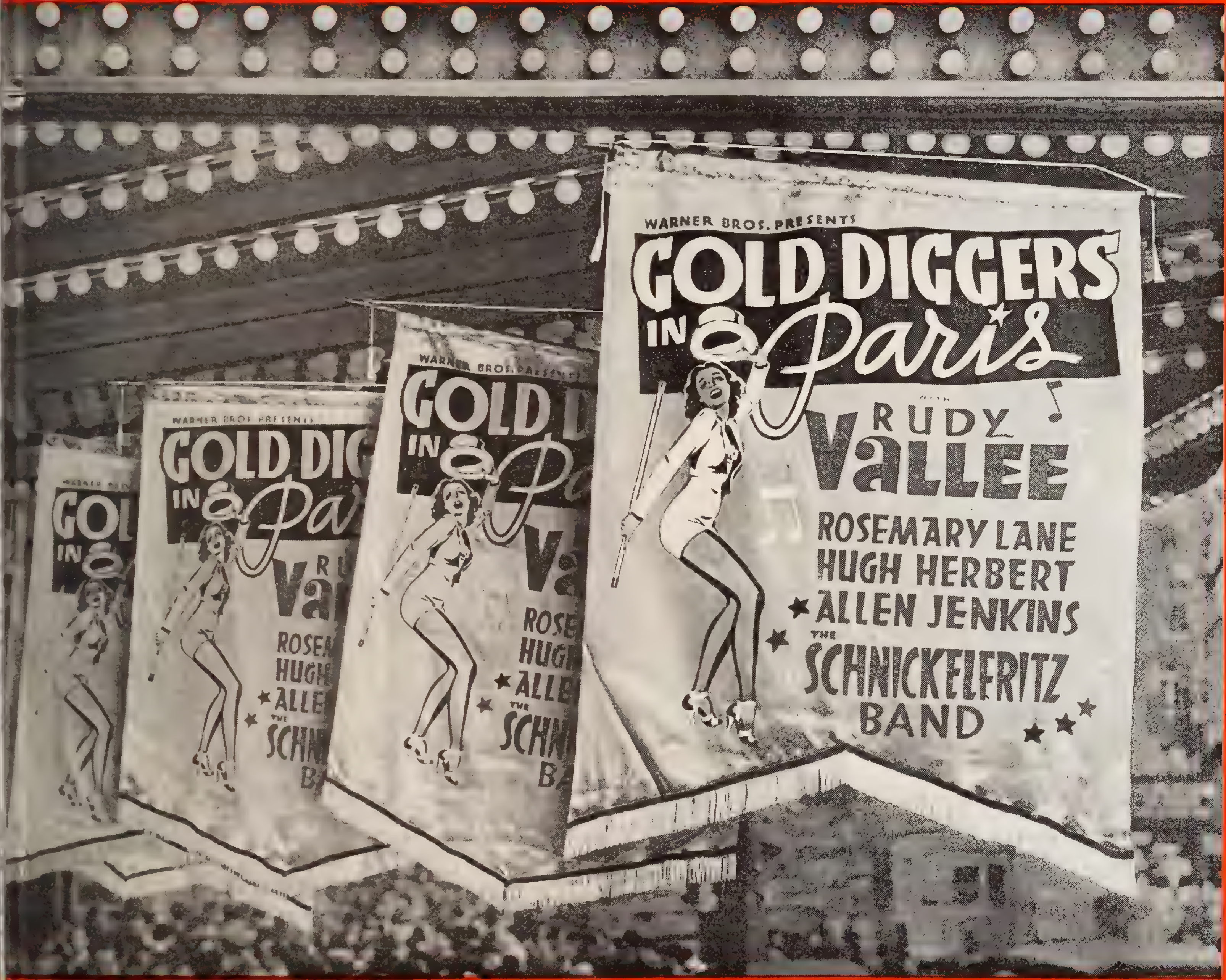
his Weeks' Banner Event!


WARNER BROS. PRESENTS
GOLD DIGGERS IN Paris
WITH RUDY VALLEE
ROSEMARY LANE
HUGH HERBERT
ALLEN JENKINS
THE SCHNICKELFRITZ BAND

GOLD DIGGERS IN PARIS
with RUDY VALLEE
ROSEMARY LANE • HUGH HERBERT
ALLEN JENKINS • Gloria Dickson • Melville Cooper • Mabel Todd • Fritz Feld • and THE
SCHNICKELFRITZ BAND
Directed by Ray Enright • Musical Numbers Created and Directed by Busby Berkeley
Screen Play by Earl Baldwin and Warren Duff • Story by Jerry Wald, Maurice Leo • From an Idea by Jerry Horwin and James Seymour • Songs by Harry Warren and Al Dubin

Robin Hood!
Crime School!
Gold Diggers!
Warner Bros.!!!

Says U.S. Players No Aid to British

(*Continued from page* 1)

Hitchcock maintains this is a different matter, since production was by an American organization, and it would be difficult for a purely British company to repeat the performance.

Mr. Hitchcock believes that the production of better quality English films by American companies under the new quota requirements will not create a trend for wholesale importation of Hollywood players as a commercial matter, but that talent will be brought over if needed to fill a particular part.

He does not agree with Samuel Goldwyn and others who have warned Hollywood to be on guard against French production, which, it is contended, may become a competitor. French pictures, he says, are too local in their appeal and in England and here attract limited audiences.

This will be Mr. Hitchcock's first trip to Hollywood since he started making pictures 18 years ago. His plans for American production will have to be deferred for another year, he says, because of his English commitments. He is to direct a Charles Laughton film for Mayflower, affiliate of G. B., and will make two more for G. B. later. He will probably also direct a film for 20th Century-Fox.

Query McMahon at RKO Plan Hearing

(*Continued from page* 1)

get requirements by $594,437. It was made clear, however, that these payments did not affect earnings.

John Stover, attorney for Stirn, questioned the witness about the reasons for the omission of receipts from the Music Hall and Center Theatres in some of the annual reports, and the inclusion of these figures during other years, but no reason was given. It was also brought out that depreciation for theatre operations of RKO totaled approximately $1,500,000 annually.

Nathan Rosenberg, attorney for H. Cassell & Co., independent debenture holder, stated that he still has under consideration the question of pressing his claim that the plan violates the United States Constitution. He said a definite decision would be made before argument on the plan took place.

Argument at Fargo To Conclude Today

(*Continued from page* 1)

in similar positions who already have testified.

Other rebuttal witnesses of the plaintiffs included Sigrid Grand, Jamestown, N. D., owner of the Opera House; Y. Frank Freeman, Paramount vice-president and theatre head; Austin C. Keough, general counsel and vice-president of Paramount, and Al Alnson, Duluth, district manager for the American and Minnesota amusement companies, plaintiffs with Paramount in the suit testing the constitutionality of the North Dakota 1937 statute denying producers and distributors the right to operate theatres in the state.

'Twas Perfect Day for Golf So a Record Crowd Tried It

(*Continued from page* 1)

games an hour later. In the meantime, Jack Harrower dashed off literature and Don Mersereau figured out the scores with the aid of an adding machine.

There was some good playing — everybody agreed on that — but it wasn't near the 18th hole. About 100 kibitzers scattered around on the hilltop close to the clubhouse and placed bets on who would make putts in two or three or four, or who would get out of a sand trap in two or three or four. One man lost $40 on a putt and Herb Fecke drove across the green twice to an accompaniment of cheers and groans.

One foursome made up of Ray Gallagher, Ted Sullivan, Roy Winkler and Ken Aneser played for $4 a hole. At the finish Gallagher and Sullivan owed $35. They made it double or nothing. It was double. Gallagher figured $70 would be easier to remember if he ever decides to pay it.

Players Well Shirted

Charlie Casanave came over a hill in a robin's egg blue shirt. It was a sensation in the evening light and all the hilltop spectators began to bet on him. He messed up a sand trap a bit. Joe Hornstein had on a yellow shirt which made him a favorite. Arthur Lee had trouble with his putting. His belt buckle got in his way, or something. Mitchell May, who has a reputation as a golfer, was a regular Seabiscuit to the bettors but he bounced a ball into a sand trap and excavated it in four strokes.

"Maybe he had a hard night and doesn't care," suggested the losers who had been taking the long end of the bets.

Twenty men played tennis — for some reason or other.

The winners of the long list of handsome prizes included:

Team prizes: Winner, (sets of golf clubs), M-G-M, captained by Tom Gerety; second, (sets of golf clubs), RKO, captained by Lou Miller; third, (electric shavers), Warners, captained by Bob Williams; fourth, (desk sets), National Screen, captained by George Dembow; fifth, (cigarette lighters), Ampa, captained by Ralph Rolan; sixth, (cigarette lighters), Press, captained by James Cron.

Many Individual Winners

Individual prizes included:

Low net: *Film Daily* and *Variety* trophy, won by William Brandt; low net runner-up for the RKO Pictures trophy, Joe Malcolm; low net, second runner-up, for the DuPont trophy, Melvin Hirsch.

Low gross, for the Quigley Publications trophy and a round trip to Los Angeles via TWA: Billy Frankel. Low gross runner-up, for the Columbia Pictures trophy, Mitchell May, Jr. Low gross, second runner-up, for the Mitchell May, Jr. Co. trophy, Arthur Seidman.

Low net exhibitor, for the United Artists trophy, Louis Brandt. Low net exhibitor runner-up, for a W. & J. Sloane rug, Sam Rinzler.

Low gross exhibitor, for the G. B. trophy, Marty Levine. Low gross exhibitor runner-up, for the Alexander Film trophy, H. Rinzler.

Putting contest, winner, Louis Brandt; runner-up, Bingo Brandt; second runner-up, Al Semels.

Driving contest, winner, V. J. Nolan; runner-up, A. J. Powers; second runner-up, Lester Reiger.

Low gross for member of foreign department, Leonard Palumbo.

Birdies, Monroe Eisenberg; runner-up, George Blair.

Best dressed tennis player, Si Seadler.

Booby prizes were awarded to S. Barret McCormick, Clarence Secor, Bernard Kling and Northrup Richey.

Old Ones Draw

Kansas City, June 9.—Tom Wilhoit, who operates the Lyric at Plattsburg, Mo., some time ago inaugurated the policy of having "Old Favorites and Requests" night on Friday, and the one-night change has developed into one of the best days of the week.

Wilhoit trades "clucks" for good back numbers and plays the latter Friday evenings.

Eastern Actors to Convene June 21

The eastern branch of the Screen Actors Guild will hold its annual membership meeting in New York June 21. Kenneth Thomson, executive secretary, will go to Skowhegan, Me., tomorrow to spend the weekend in conferences with Arthur Byron, president of Actors Equity Association.

The eastern office of the Screen Actors Guild will not hold its annual negotiations with eastern producers until after its negotiations with west coast producers have been completed.

Northeastern Sales Area Formed by RKO

Continuing the revision of its sales territory begun last month with the creation of new southeastern and southwestern districts, RKO yesterday formed a third new territory consisting of the Albany, New Haven and Boston exchanges and appointed J. H. McIntyre manager of the new northeastern district.

Mr. McIntyre, who was formerly southern district manager, with headquarters at Dallas, left for Boston last night where he will make his new headquarters. He is a native of that city and 14 years ago was a salesman for the Paramount exchange there.

Cameraman to Lecture

Hollywood, June 9.—A series of lectures on cinematography will be given at the University of Southern California by Gregg Toland, Samuel Goldwyn's cameraman. He will use as his illustrative material "The Lady and the Cowboy," which he photographed.

Sol Lesser Resumes Series with Midge

Hollywood, June 9.—Sol Lesser day purchased a substantial interest "Terror of Tiny Town," Jed Bu production with a midget cast. Lesser budgeted additional funds placing the film back in work further development and the signi of the midgets to term contracts. will make a series of quality fea employing the midgets. The films be in the nature of burlesques on c temporary attractions, using the ba story ingredients with the permiss of their producers.

Mr. Lesser will take the pict east when completed to work out releasing deal for the series.

To Complete "U" A Move West Short

The removal of Universal's adv tising, publicity and exploitation he quarters to the studio will be co pleted this weekend. Harry Ormist exploitation manager, and J. Alb Hirsch, western advertising manag will leave New York for the coast Monday. John Joseph, director of departments, and David Lipton, we ern publicity manager, preceded th to the studio by several weeks.

The move leaves Lou Pollock charge of the advertising and p licity activities which will be c tinued from the home office. He been designated eastern manager the departments by Mr. Joseph.

Peskay Expected to Quit Canadian Po

Edward J. Peskay is expec shortly to submit his resignation president of Grand National Fil Ltd., of Canada. He was elected the post on June 1.

Mr. Peskay's resignation last we end as vice-president and general s manager of G. N. necessitates the el tion of a new head of the Domin subsidiary, according to word recei from S. Ernest Pelson, comptroller Toronto. He explained that parent company holds a 75 per c interest in the subsidiary.

Talk Theatre Refundin

Refunding of the bonded indebt ness of the 3,800-seat Fox Thea in Spokane is the subject of con ences here between Fox West C officials and Spyros Skouras and ba ing representatives. The amount volved is understood to be $300, Participating in the conferences Charles P. Skouras, head of W Coast; Charles A. Buckley, vi president and legal head, and Alf Wright, Los Angeles attorney 20th Century-Fox and the circuit.

Consolidated Leading

For the first half of the sea Consolidated Film Industries le the Movie Baseball League stand with six games won and none l Loew-Metro, Columbia and N teams are in a triple tie for sec place, and International Projec Skouras Theatres and RKO bring the rest of the standing in the or named. All games are played at George Washington High Sc Stadium, Monday, Wednesday Friday nights and Saturday morni

'Sheik" High In Bad Slump On the Coast

Los Angeles, June 9.—With prac-ally all the first runs in the ums it took "The Sheik," on a ıaı with "Where There's a Will," to ake the only respectable profit. The oss at the 4-Star was $3,567, over ır by $267.

The only other downtown house to over the line was "Holiday" and aint in New York," which grossed ,700 at the Hillstreet. The same ll at the Pantages was weak with ,500.

Total first run business was $76,298. verage is $90,950.

Estimated takings for the week end-g June 8:

"THREE COMRADES" (M-G-M)
'CRIME TAKES A HOLIDAY" (Col.)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** 2,286. (Average, $12,500)

'EARLS OF THE CROWN" (Lenauer)
ESQUIRE—(900), 40c-55c, 7 days. **Gross:** 200. (Average, $2,500)

"THE SHEIK" (Para.)
WHERE THERE'S A WILL" (G. B.)
STAR—(900), 40c-55c, 7 days, 2nd ek. **Gross:** $3,567. (Average, $3,250)

"LENIN IN OCTOBER" (Amkino)
GRAND—(750), 35c-40c, 7 days, 2nd week. **ross:** $900. (Average, $1,200)

"HOLIDAY" (Col.)
THE SAINT IN NEW YORK" (RKO)
ILLSTREET—(2,700), 30c-65c, 7 days, 2nd ek. **Gross:** $6,700. (Average, $6,500)

"THREE COMRADES" (M-G-M)
"CRIME TAKES A HOLIDAY" (Col.)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **oss:** $14,895. (Average, $14,000)

"HOLIDAY" (Col.)
THE SAINT IN NEW YORK" (RKO)
PANTAGES—(3,000), 30c-65c, 7 days, 2nd ek. **Gross:** $6,500. (Average, $7,000)

"YOU AND ME" (Para.)
"LADY IN THE MORGUE" (Univ.)
PARAMOUNT—(3,595), 30c-65c, 7 days. **ross:** $8,750. (Average, $18,000)

VOMEN ARE LIKE THAT" (F. N.)
"THE KID COMES BACK" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,-D), 30c-65c, 7 days. **Gross:** $10,600. (Av-age, $14,000)

"WOMEN ARE LIKE THAT" (F. N.)
"THE KID COMES BACK" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,-D), 30c-65c, 7 days. **Gross:** $10,900. (Av-age, $12,000)

Robin Hood" Hits $9,400, New Haven

New Haven, June 9.—"Adventures Robin Hood," single-featured at e Roger Sherman, defeated compe-tion of the citywide Tercentenary lebrations and the general slump ith a gross of $9,400, just twice the rmal week's business at this house. he bill was held.

"Cocoanut Grove" and "Hunted en" at the Paramount attained the ,500 average.

Total first run business was $21,-0. Average is $20,000.

Estimated takings for the week end-g June 3:

BATTLE OF BROADWAY" (20th-Fox)
"LITTLE MISS ROUGHNECK" (Col.)
COLLEGE—(1,499), 25c-35c, 7 days. **Gross:** 800. (Average, $2,800)

"KIDNAPPED" (20th-Fox)
"START CHEERING" (20th-Fox)
LOEW-POLI—(3,040), 35c-50c, 7 days. **oss:** $6,200. (Average, $8,000)

"COCOANUT GROVE" (Para.)
"HUNTED MEN" (Para.)
PARAMOUNT—(2,348), 35c-50c, 7 days. **oss:** $4,500. (Average, $4,500)

"ADVENTURES OF ROBIN HOOD" (W. B.)
ROGER SHERMAN—(2,200), 35c-50c, 7 ys. **Gross:** $9,400. (Average, $4,700)

Hollywood Preview

"Three Blind Mice"

(20th Century-Fox)

Hollywood, June 9.—Studded with marquee names and packaged in the best 20th Century-Fox wrappings, the plot about the poor girl who poses as rich to catch a rich husband and the poor boy who does likewise is played out in triplicate, divertingly and with wholly agreeable results in this brisk, polished summer comedy. With such personalities as Loretta Young, Joel McCrea, David Niven, Stuart Erwin, Marjorie Weaver, Pauline Moore, Binnie Barnes and Franklin Pangborn giving the picture their competent best, it is hard to believe it can miss.

William A. Seiter directed from a screenplay by Brown Holmes and Lynn Starling which goes back to a play by Stephen Powys. Lew Pollack and Sidney D. Mitchell contributed a catchy theme song that will probably get itself into the hit parade. Associate Producer Raymond Griffith imparted to the proceedings something of the suavity which distinguished him as an actor in silent films, the David Niven of now closely approaching the Griffith of then in manner and humorous effectiveness.

Most of the action takes place at Santa Barbara, with Del Monte and a California rancho accounting for the rest. To these swank environs from Kansas come three sisters in quest of wealthy husbands. They mistake the impoverished McCrea for wealthy and rich Niven for a fortune hunter. Complications multiply without becoming confused and much amusing dialogue and many genuinely laughable situations are put by before the final explanations and clinches. The film is prefectly timed for June release.

Running time, 75 minutes. "G."

New York Preview

"When Were You Born?"

(First National)

Mystery melodrama with the emphasis on the astrological is offered here. The film seems to be made to order for exploitation and the alert exhibitor in telling his patrons via advertising that no matter what month they were born in they will hear something about themselves as the story unwinds.

Astrology as it is known today is presented as an interesting excursion into half-science, half circumstantial deduction. Manley Hall, an astrologer, wrote the original story and appears in the prologue giving an explanation of his subject. The creative writing on his part injects his forte with fair coherence into the plot. At any rate the film is entertainment of a new and different sort which should, in addition, give audiences something to think about, not unpleasantly.

Anna May Wong is cast as a Chinese astrologist who becomes involved in a murder case due to her predictions. She interests the police with her charts and methods and they enlist her aid in tracking the killer. In good time he is apprehended, but not before the story has run a reliable course of suspense and action. Margaret Lindsay, Lola Lane, Anthony Averill, Charles Wilson, Frank Jacquet, Leonard Mudie, Maurice Cass and a number of other character players give good characterizations. The story is a bit on the talkative side. The story is set in San Francisco. William McGann directed.

Running time, 65 minutes. "G."

Washington Awaits Ford

Washington, June 9.—John Ford will arrive here June 15 to start "Splinter Fleet" for 20th Century-Fox.

Col. Jason S. Joy was in town several days ago to confer with Navy officials relative to taking some "shots" at the U. S. Naval Academy.

Heads Merchant Group

Cleveland, June 9.—Marvin Samuelson, manager of Warners' new $350,000 Colony, has been elected president of the Shaker Heights Merchants' Association. The association is composed of merchants operating in the Shaker Square district.

Regents See "Wreckage"

On an appeal, the special subcommittee of the board of regents yesterday screened "Human Wreckage" at the local projection room of the Motion Picture Division. Viewing the film were Regents Susan Brandeis, George J. Ryan and Gordon Knox Bell.

"Human Wreckage" was denied a license recently by Motion Picture Director Irwin Esmond under Section 1082 of the education law. The distributors, Cinema Service Corp., brought the appeal. Charles Brind and Mr. Esmond appeared for the Department of Education. Following the screening, the board heard arguments by opposing counsel.

"Pilot" Back In Washington Again Is Lead

Washington, June 9.—A return engagement of "Test Pilot," playing at Loew's Columbia last week, netted $6,300 gross, $2,700 over average.

"Vivacious Lady" at RKO Keith's also did well with a gross of $12,000, $1,400 over average.

Total first run business was $65,000. Average $73,700.

Estimated takings, exclusive of tax:

Week Ending June 2:

"TEST PILOT" (M-G-M)
(Return Engagement)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days. Gross: $6,300. (Average, $3,600)

"VIVACIOUS LADY" (RKO)
RKO KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $12,000. (Average, $10,600)

"KENTUCKY MOONSHINE" (20th-Fox)
LOEW'S CAPITOL — (3,434), 25c-66c, 7 days. Stage: Abe Lyman's Orchestra and His California Revue. **Gross:** $19,500. (Average, $20,900)

"ADVENTURES OF ROBIN HOOD" (F. N.)
EARLE—(2,218), 25c-66c, 7 days, 2nd week. Stage: Albertina Rasch Ballet and other acts. **Gross:** $16,000., (Average $18,400)

"ADVENTURES OF MARCO POLO" (U. A.)
LOEW'S PALACE—(2,370), 25c-55c, 7 days, 2nd week. **Gross:** $8,200. (Average, $15,900)

"TORCHY BLANE IN PANAMA" (W.B.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,300)

"Robin Hood" Gets $12,000 at Denver

Denver, June 9.—"Adventures of Robin Hood" was an outstanding draw in a week of cloudy and rainy weather. It packed the Denver repeatedly and pulled $12,000, over normal by $3,500.

"Cocoanut Grove" was held over for two days at the Denham after it had grossed $7,500. "Four Men and a Prayer" held up to $4,000 at the Aladdin after a week at the Denver. "Adventures of Marco Polo" was still strong at the Rialto with $2,500 after a week each at the Denver and Aladdin.

Total first run business was $37,900. Average is $32,750.

Estimated takings for the week ending June 1:

"FOUR MEN AND A PRAYER (20th-Fox)
ALADDIN—(1,400), 25c-40c, 7 days, following a week at the Denver. **Gross:** $4,000. (Average, $3,500)

"VIVACIOUS LADY" (RKO)
"GO CHASE YOURSELF" (RKO)
BROADWAY—(1,100), 25c-40c, 7 days, following a week at the Orpheum. **Gross:** $2,500. (Average, $2,500)

"COCOANUT GROVE" (Para.)
DENHAM—(1,750), 25c-35c-40c, 7 days. **Gross:** $7,500. (Average, $5,500).

"ADVENTURES OF ROBIN HOOD" (F. N.)
DENVER—(2,525), 25c-35c-50c, 7 days. **Gross:** $12,000. (Average, $8,500)

"YELLOW JACK" (M-G-M)
"HOLD THAT KISS" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $6,400. (Average, $7,500)

"OVER THE WALL" (W. B.)
"ISLAND IN THE SKY" (20th-Fox)
PARAMOUNT—(2,200), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,500)

"ADVENTURES OF MARCO POLO" (U. A.)
"RECKLESS LIVING" (Univ.)
RIALTO—(878), 25c-40c, 7 days. "Adventures of Marco Polo" followed a week each at the Denver and Aladdin. **Gross:** $2,500. (Average, $1,750)

Ad. Libs

A Lather

Nat M. Williams, operator of the Rose at Thomasville, Ga., believes that no advertising is effective unless it gets across a slant which stays with the prospective patron. Carrying out his theory after installing Carrier Air Conditioning in the Rose, Williams took space in all the newspapers in his territory to make an offer of "50 cents to any fat lady who can work up a lather after our new air cooling system has been turned on." Needless to say, the Rose's air conditioner was the talk of the state for months.

❧

Big Time

Charles E. McCarthy and Arch Reeve believe that nothing but "big time stuff is good enough for the ads on the 20th Century-Fox shorts. So Armando, who swings a mean brush on caricatures and is a big name in art circles, has been retained to do the art work.

❧

On Parade

Ten marching "Yellow Jacks" are being used by Oscar Doob's exploiteers on "Yellow Jack." Ten six-footers dressed in tropical costumes, white shoes with yellow socks, yellow shorts, bush coats and yellow sun helmets, are attracting attention in the neighborhood of the circuit's theatres, ball games, race tracks and other places where there are crowds. Ten-foot yellow letters on black backgrounds on the back of each coat spell out: "Yellow Jack." The fever may spread.

❧

It's June

The bridal season being on, Joan Gaynee, assistant to Fred Bullock, head of the 20th Century-Fox department, was honored by a surprise luncheon at the Park Central yesterday to honor her marriage on June 18 to Arthur Richard Cushman, a graduate of the U. S. Naval Academy and prospective lawyer. Thirty-three members of the home office staff attended and several gifts were presented the bride-to-be. The couple will reside in Charlottesville, Va.

❧

Posies

That was a neat trick by Al Margolies of G. B., in sending out those big, handsome gardenias, with a card enclosed pointing out that "3 on a Weekend" is playing at the Continental. It was a tieup with a Flowers, Inc., which makes it all the better.

Close Filmarte Sunday

The Filmarte will close for the summer after the performance of Sunday. The house will reopen in September, continuing its policy of foreign films.

The Newsreel Parade

Movietone News
Vol. 20, No. 78
(20th Century-Fox)

Good action shots of the Japanese bombardment and capture of Suchow have the opening position in this release. Jersey City's demonstration in support of Mayor Frank Hague is an interesting glimpse of a much-discussed situation. There are shots of the successful trial flight of the huge new Douglas airliner just completed at Santa Monica, and of Cordell Hull making a plea for world peace and understanding.

Sidney R. Kent at the I. A. T. S. E. Cleveland convention with George Browne and William Green; the Alfred G. Vanderbilt wedding and a pre-wedding posing of John Roosevelt and his fiancee, Anne Lindsay Clark, are among the "names in the news." In the sports section are training camp glimpses of Joe Louis and Max Schmeling, surfboard riding at Venice, Calif., and diving exhibitions at Los Angeles. Hydraulic mining for California gold finds a place in the reel and Lew Lehr has fun with a girls' cross country race. Good news and entertainment material, in all, which matches the high production standards of this reel. Running time, 10 mins. K.

News of the Day
Vol. 9, No. 276
(M-G-M)

Diversified material and the light touch where it helps the most make this an excellent release. The intensity of the Japanese attack in China is impressively pictured in the bombardment and occupation of Suchow. There are some good shots of the Alfred G. Vanderbilt wedding party on Long Island which should interest the socially minded, and of John Roosevelt and his fiancee at the latter's Massachusetts country home. The 42-passenger Douglas airliner gets a flat tire for the cameraman just before its takeoff on a trial flight and then completes a successful spin over southern California.

The film industry's amicable relations with labor get a place in the reel when the camera finds Sidney Kent, William Green and George Browne together at the I. A. T. S. E. convention in Cleveland. The Shriners' rodeo show during their Los Angeles convention, shots of the Max Schmeling and Joe Louis training camps and of the Queens County Handicap at Aqueduct, won by War Admiral, make up the sports section, completing the reel. Good material, well photographed, narrated and edited. Running time, 9 mins. K.

Paramount News
No. 89
(Paramount)

Mayor Hague demonstrates he is a showman in this issue. His Americanism parade in Jersey City, with flares along the streets, searchlights, huge electric signs, waving flags, etc., seems to indicate in a big way that his home town is behind him in his fight to keep radicals out of the community.

The remainder of the reel has varied appeal. John Roosevelt and his fiancee, Anne Lindsay Clark, are shown in a variety of poses; Alfred G. Vanderbilt's wedding to Manuela Hudson is presented, and some assorted poses of Max Schmeling and Joe Louis in training for their next fight are presented. Louis talks in one scene.

One of the spectacular clips is the first flight of the huge four-motored Douglas airliner. It is an impressive sight. China is covered from the Japanese side of the fighting, the commentator making it clear that the shots were made by the Japanese army and censored before being sent to this country. Running time, 9 mins. J.

RKO Pathe News
Vol. 9, No. 93
(RKO)

Exclusive scenes of the recent bombardment of Canton by Japanese airmen rushed to this country by fortunate trans-oceanic connections, showing the destruction, death and panic in the Chinese city leads this number. In pictorial content they compare with the best newsreel coverage given the Oriental conflict to date. The accompanying narration is potently worded, stressing the inhumanity of war on innocent noncombatants. Photographer A. T. Hull's camera has given the reel material with which showmen should be able to attract attention.

Other material in the reel includes scenes of the participation in the Harlan, Ky., labor union case, Max Schmeling and Joe Louis in training, Jersey City's Mayor Hague and his "Americanism" parade, John Roosevelt and his fiancee at Nahant, Mass., William Green, Sidney R. Kent and George Browne at the Cleveland I.A.T.S.E. convention; the new Douglas DC-4 in trial flight and War Admiral defeating Snark in the Queens County Handicap. Running time, 9½ mins. P.

Universal Newsreel
Vol. 10, No. 674
(Universal)

This reel makes up in versatility and variety what it may lack in significant or sensational news, with 14 clips crowded into its length. Darting here and there with no waste motion, the issue offers an interesting series of glimpses of what is going on.

In order of appearance, the reel pictures: the Shriners' parade in Los Angeles; the test of the new Douglas transport on the coast; Italy's King reviewing troops in Africa, including the hard riding desert cavalry; Mayor Hague leading his personal parade in Jersey City; Sidney R. Kent, William Green and George E. Browne at the I.A.T.S.E. convention in Cleveland; a cyclist's memorial service in England; West Point cadets getting tank instruction in Maryland; Annapolis boys off on their summer cruise; John Roosevelt posing with his fiancee; a bathing suit preview in Rockefeller Plaza; Max Schmeling and Joe Louis seen in action at their training camps; Olympic divers in a Los Angeles exhibition, and War Admiral winning a close race at Aqueduct. Running time, 9 mins. A.

Cinema Circuit Add
Two Houses in Bron

The Cinema Circuit, operated Max A. Cohen, president of Alli Theatres of N. Y., is undergoing expansion. Two theatres were add in the last week and other additio are in prospect.

The circuit now has nine theatre Yesterday the After-Glow Realty C leased to Mr. Cohen the President 827 Westchester Ave., the B The house was leased in the name the Annex Amusement Co. It will reopened tomorrow night. Last wee Mr. Cohen acquired the Trend, in tl Bronx.

Four of the circuit's units are Manhattan, three in the Bronx, one Brooklyn and one in Lyndhurst, N.

Heads Sterling Sales

TORONTO, June 9.—Walter J. Ke nedy, formerly with Empire Univers Films, Ltd., has been named gener sales manager of the newly organiz Sterling Films, Ltd., which will pr mote the distribution and exhibiti of 16mm. films in Canada, using por able equipment for exhibition in sma towns. O. R. Hanson, president Empire Universal, made the appoir ment.

20th-Fox Shooting Her

Twentieth Century-Fox has be doing quite a bit of shooting arou New York for forthcoming film Scenes of the Mayor's office at t City Hall have been made for "Alwa Goodbye." Pictures around the wate front were taken recently for "El Island." Yesterday Joe Farrington Movietone News, who handles loc atmospheric shots for the studio, h a camera at the Brooklyn Navy Ya

Fight Films to "U"

Universal has acquired exclusi world right, outside of this count for the distribution of the films the Louis-Schmeling fight June Preparations have been made to tran port the pictures within 24 hours aft the event. J. H. Seidelman, vic president in charge of foreign d tribution, handled the deal for U versal.

Wall Street

Board Changes Fractionally

	Open	High	Low	Close	Ne Chan
Col.	11⅞	11⅞	11⅞	11⅞	—
Col. pfd....	32⅞	32⅞	32⅞	32⅞	—
Cons. pfd...	5⅜	5⅜	5⅜	5⅜	—
E. K.	154	155	153⅛	154¾	—
G. T. E. ..	11½	11½	11½	11½	...
Loew	41⅞	42⅜	41⅞	42⅜	+
Para.	7	7¼	6⅞	7¼	+
Para. 2	8⅛	8⅜	8⅛	8¼	+
RKO	2	2⅛	2	2	—
20th Fox ..	21⅛	21½	21	21½	+
20th pfd....	29	29¾	29	29¾	+
W. B.	4⅜	4½	4⅜	4½	+
W. B. pfd.	30	30	30	30	...

Technicolor Rises on Curb

	Open	High	Low	Close	Ne Chan
Monogram	1½	1½	1½	1½	...
Sonotone ..	1⅝	1⅝	1⅝	1⅝	...
Tech.	23	23⅜	22¾	23⅜	+
Univ. Corp.	1⅞	1⅞	1⅞	1⅞	—

Para. Bonds in Lone Advance

	High	Low	Close	Ne Char
Loew 3½s '46.....	99⅞	99⅞	99⅞	...
Para. Pict. '47....	71¾	71¾	71¾	+
RKO 6s '41.......	66¾	66¾	66¾	...
W. B. 6s '39......	69	69	69	...

(Quotations at close of June 9)

Regionals Ask For Start on Conciliation

(Continued from page 1)

ation is indicative of similar moves made by other M.P.T.O.A. units oughout the country, it was said. o regional organization is known to e on record as opposed to the 10- oint plan.

Initial discussions of trade practice gulation proposals by major com- any heads are expected to occur at he quarterly meeting of the M. P. . D. A. board of directors next Vednesday. The meeting, originally cheduled for June 8 was postponed r one week. By the time it is held is believed that Congress will have djourned and the fate of the Neely-ettengill bill will be known definitely, though it has been conceded even y Senator Neely that the House easure has no chance of passage this ssion.

Warner Race Track Makes Debut Today

(Continued from page 1)

as had both professional and ama- eur turf experts dithery for days, the In- lewood course is fully supplied with p grade horses from the country's ost distinguished stables and im- essive success is predicted for the 3-day meet.

Dedicatory ceremonies will be car- ed to the nation by the three major etworks commencing at 1 P. M., hen Joe Hernandez, California's vorite race announcer, introduces ost Warner, who will welcome the rongs expected to set a new high ark in opening day attendance. He ill be followed by Carleton Burke, airman of the California racing oard, and impromptu observations those eminent sportsfolks, Al Jol- n, Jack Benny, Pat O'Brien, George urns and Gracie Allen, will ensue.

Among the 300 box holders are Jack d Harry Warner, Walt Disney, ouis B. Mayer, Joseph M. Schenck, harles R. Rogers, Darryl Zanuck, am Katz, William Goetz, David elznick, Charles Skouras, John M. tahl, Hunt Stromberg, Dr. Herbert almus, Frank Lloyd, William Le aron, Mervyn LeRoy, Ronald Col- an, Bing Crosby and outstanding gures in every branch of the industry.

Among the distinguished contestants vored to win the Premier Handi- p, ace event on the opening card, e Speed to Spare, Woodberry, rown Jade, Happy Bolivar, Bill arnsworth and King Saxon.

For further details consult your cal newspapers.

Carl Schaefer to Wed

HOLLYWOOD, June 9.—Carl Schaefer, reign department publicity man at arners, and Virginia Clark, Van uys girl, will be wed in September.

GB Has Wallace Story

LONDON, June 9.—G. B. has acquired e film rights to "Bones of the iver," by the late Edgar Wallace. roduction will begin shortly.

Chaplin Names Schwartz As UA Director

(Continued from page 1)

designate others to board membership in their places as a result of the impending removal of all United Artists executive and administration functions to New York from Beverly Hills. In this connection, it was reported that James Mulvey was expected to be designated as Mr. Goldwyn's representative; Edward C. Raftery as Miss Pickford's representative; Sir Connop Guthrie for Alexander Korda, and either Dennis F. O'Brien or another eastern representative for Mr. Fairbanks. Future meetings of the board will be held here.

Murray Silverstone, chairman of the executive committee, who is en route here from Hollywood, will not become a member of the board because of specific limitations in his contract with the company, it was learned. Mr. Silverstone will attend the United Artists sales convention at the Waldorf-Astoria, Monday, and will sail for England Wednesday on the *Normandie* to wind up his affairs in London preparatory to establishing his headquarters at the home office here.

WPA Film Project Urged by Voorhis

(Continued from page 1)

without competing with commercial exhibitors.

The suggested public forums, to be organized by the Federal Office of Education, would be required to pay rental for use of films produced by the WPA, thus making the project self-sustaining.

"Something must be done about the thousands of unemployed moving picture workers," Voorhis said. "It is an inexcusable neglect of a great opportunity for our nation to put them on direct relief or some project where their talents cannot be used.

"The non-labor cost of making pictures is unquestionably high. On the other hand, it is my belief that the whole cost can be met out of revenues derived from the rental of the films which might be produced and that this could be done without competing in any way."

Symphonic to Make "Barber of Seville"

HOLLYWOOD, June 9.—Al Rosen, sales head of Symphonic Films, today disclosed a deal pending with Paramount under which a complete opera, "The Barber of Seville," will be filmed by Symphonic for Paramount release. Auditions for singers will begin next week. The music will be played by the 122-piece National Philharmonic Symphony Orchestra of the United States, which already has completed three musical shorts for Paramount release.

Frederick Feher will be producer and conductor. Mr. Feher and I. M. Nobel, head of the company, will arrive tomorrow from conferences in New York with Barney Balaban.

Harmony Keynotes Close of I. A. Meet

(Continued from page 1)

to make in the absence of any grievances, also that except for one incident harmony was maintained throughout the entire conclave.

This exception concerned a resolution to return complete autonomy to studio locals which was sponsored by Jeff Kibre for I. A. progressives. Harsh words and invective came when Irwin Hentschel spoke for a resolution charging International mismanagement and intimidation of Local 37. The charges were answered by Harry Holmden, who produced evidence that Mr. Hentschel held communication with Harry Bridges, indicating C.I.O. affiliation. The resolution charged the International with levying special assessments and spending without membership consultation, disregard of constitutional provisions relating to membership, absence of proper new member qualifications, progressive deterioration of working conditions creating a critical wave of unemployment, attempts to expand a semi-industrial studio scope thereby arousing the hostility of other categories of workers and other flagrant charges.

Holmden, Bioff Upheld

Mr. Holmden's report discredited the Hentschel attack and resulted in a motion by William P. Raoul, Atlanta delegate, that the convention go on record to endorse and approve the action of William Bioff and Mr. Holmden in handling the studio locals under International supervision. The motion passed unanimously with a rising vote of confidence in the officers. Mr. Hentschel requested permission to withdraw this resolution prior to its presentation. The request was refused by the Resolutions Committee.

Complete unionization of New York theatres is anticipated as the result of a resolution that whereas continued International assistance is necessary to effect this condition I. A. T. S. E. should use its offices to accomplish complete unionization. George E. Browne promised continued International support.

Other resolutions, either referred to the general office or recommended for concurrence, were to empower this convention to provide group life insurance for individual membership, endorsement of the present International administration, notice to United States War Department requesting post theatres be restricted to enlisted men with union operators on the ground that admittance of the public provides unfair competition to private theatre enterprises and, finally, opposition to all forms of propaganda on the screen.

California Measure Hit

The committee further recommended concurrence in a resolution stipulating that the alliance go on record to defeat the proposed initiative measure in California, which proposes curtailment and regulation of labor unions together with a requirement of incorporation. All local unions affiliated with the alliance in California will be apprised of details of this measure.

The committee recommended nonconcurrence in a resolution relative to international quarantines as being political in nature. The resolution demanding a union label on all films produced by I. A. members, including newsreels, shorts and commercial subjects, was referred to the executive board. Support of the Sirovich bill was recommended.

One of the most important resolutions offered by the committee provides that the I. A. T. S. E. declares itself opposed to the inclusion of guilds under the National Labor Relations Board and that proper steps be taken to declassify guilds as labor organizations and that the convention make demands on the American Federation of Labor to withdraw their charters and that copies of this reolution go to the N. L. R. B. and A. F. L.

NLRB Asks Names For Writers' Poll

HOLLYWOOD, June 9.—Dr. Towne Nylander, regional director of the National Labor Relations Board, today asked the 18 studios involved in the forthcoming film writers collective bargaining election to submit to him names of writers eligible under the Board's findings to vote, whether Screen Playwrights or the Screen Writers Guild be their choice of agency. Only those on payroll as of today are eligible.

Meanwhile, Leonard S. Janofsky, attorney for the Guild, today petitioned Federal Court judges here to be notified immediately should Screen Playwrights and/or producers seek an injunction to prevent the writers' vote, the date for which will be decided upon by Dr. Nylander June 14 at a conference of the organizations involved.

Joseph M. Schenck, head of the Producers Association, arrived today from New York and went into conference with Fred Beetson, Association executive secretary. Attorneys for the studios affected have tentatively scheduled a meeting for Monday to discuss the course of action to be taken.

Union-Studio Talks On Wages Uncertain

International unions which are signatories to the five-year basic agreement with major producers still are uncertain whether or not the annual meeting for negotiation of wage and hour changes will be held this year, it was learned yesterday.

Several of the internationals are reported to desire a meeting within the next few weeks but it is apparent that there is no unanimity of viewpoint among the signatories on the subject. Pat Casey, producers' labor representative, who has been expected in New York for the past several weeks, may not come east for some time yet due to the recent developments involving the Screen Writers' Guild and the Screen Playwrights.

Wage increases, even union spokesmen admit, are out of the question this year and inasmuch as there is little other business of a significant nature in view, there is a likelihood that the annual negotiations will be dispensed with.

Had Hull Improving

INDIANAPOLIS, June 9.—Had Hull, branch manager for Grand National here, suffered a heart attack en route to Evansville on Monday. He is at the Martinsville, Ind., Memorial Hospital and his condition is said to be improving.

Banner LINES

AL COOK, radio editor of the *World-Telegram,* in his Tuesday column, noted that the preceding evening was a fat night on the radio, what with the Alfred Kreymborg production of "The Planets" on NBC and Joan Crawford in "A Doll's House" on CBS. It was a fat night for Mr. Cook, too, aside from the radio programs.

Both programs were on the air at the same time and that presented a dilemma, for the *Telegram's* able and conscientious air reporter wanted to review both productions. He solved the problem, however, by listening to the CBS show at home, and then chased over to NBC where a recording of "The Planets" was played back for him.

A corridor stroller noted Mr. Cook seated in lonely grandeur in the studio, and some minutes later in walked a waiter bearing a tray of cheese sandwiches and eight bottles of beer. And so thanks to John Royal, NBC's vice-president in charge of programs, who was our corridor stroller, Mr. Cook enjoyed a fat evening personally and on the air.

▼

For some years preceding their Hollywood fame, the Mauch twins, Billy and Bobby, were regular members of the "Let's Pretend" cast, CBS children's show, and during those years "romance" bloomed between young Billy and little Vivian Block, another member of the cast.

Now back in New York, the Mauch boys the other day made a guest appearance in their alma mater program, and Miss Block, now a young lady of 16, chatted animatedly with Billy during rehearsal, discussing her childhood "romance" with him. It was some time before "Billy" broke down and told her he was really Bobby.

▼

For some time now the production man on the "Hilltop House" show has been having fun with Frank Gallop, announcer, marking Gallop's copy of the script with such euphonious monikers as "Barbiroli Bimstein," "Chevalier de Rappaport" and the like.

Recently the production man was late, so the cast picked their own scripts out of the pile, but Gallop couldn't find his. It was there all right, but Gallop was so used to receiving scripts bearing dizzy appelations that he had difficulty locating the one which was marked simply, "Gallop."

▼

This is what comes of sending a night club editor to cover a television broadcast. George Ross, the *World-Telegram's* White Way reporter was so impressed by the televised production of "Susan and God" that he excitedly ran about the studio looking for someone to take his order for an RCA television receiver. It was then that George learned that television, despite the recent ballyhoo, still hasn't rounded that well known corner.

—JACK BANNER

F. C. C. Hears of Benefit to WLW From Super-Power

WASHINGTON, June 9.—The financial benefits accruing to WLW as a result of super-power operation were briefly touched upon today before the Federal Communications Commission committee on new broadcasting rules, but details were reserved for the hearing to be held on the station's application for extension of its permit, following the present investigation.

The cost of increasing power, it was testified by R. J. Rockwell, technical supervisor of the station, was $345,717, of which $330,906 was for transmitter equipment. With incidentals of various kinds the total cost of installing super-power was about $400,000. However, he admitted, the cost of equipment might be greater today for stations planning to jump from 50 to 500 kilowatts.

Rates Described

James H. Shouse, vice-president in charge of broadcasting, submitted figures on rates and finances of the station and explained the base one-hour event rate, after many fluctuations, went from $600 in December, 1933, to $1,200 in October, 1934, which figure has been maintained since. The increase, he insisted, was due to the considerably higher cost of super-power operation.

Efforts by commission counsel to cross-examine the Crosley officials regarding profits were objected to by Duke Patrick, counsel for the station, his objection being upheld by Chairman Case, who pointed out those details would be gone into during the hearing on the station's application.

Presentation of the clear channel group's argument on super-power was concluded by Dr. C. B. Jolliffe, who testified regarding the possibilities of interference with countries in Europe and South America should super-power be adopted. Because of differences in time and season, he said, there would be no serious interference.

Bill Would Restrict High Power Stations

WASHINGTON, June 9.—Prohibition against the use of network programs by stations with operating power in excess of 50 kilowatts is contained in a bill introduced in Congress by Representative Peterson (Dem.) of Florida.

Since only one station now operates with more than 50 kilowatts, the bill, which cannot receive consideration this session, would not affect the present broadcasting setup, but its enactment would limit the use of super-power to independent stations.

Heads Trade Copy Unit

Thomas C. Butcher has been appointed head of the trade copy department at Benton & Bowles. Before he joined the agency a year ago, he was a trade copy writer at Batten, Barton, Durstine & Osborn.

Robert Redd Marries

LOS ANGELES, June 9.—Gogo Delys, singer, and Robert Redd, radio writer and producer, were married here.

Hits High Power

Washington, June 9.—Broadcasting station power in excess of 50 kilowatts was condemned today by Senator Burton K. Wheeler (Dem.) of Montana.

Senator Wheeler introduced a resolution setting forth that in the view of the Senate super-power is not in the public interest. The resolution is designed to act as a warning to the Federal Communications Commission that it should not raise the present maximum power, one of the matters now under discussion before the F.C.C. committee on new rules for broadcasting stations.

McGill to Lecture On Radio at Iowa U

Earl McGill, CBS casting director and in charge of several of the network's programs, will leave tonight for Iowa City where he will deliver a two-week course on radio production at the University of Iowa. He probably will also produce some programs over WSAU, which is affiliated with the university.

Mr. McGill was invited to give the course by Dr. H. Clay Harshbarger of the university's department of speech, who was at Columbia on a Rockefeller Foundation scholarship several months ago and observed Mr. McGill's work during a visit to the studios.

On July 7, Mr. McGill will start a six-week course on radio program technique at New York University. He gave similar lectures there last year. He will also speak at the Midwest School Broadcast Conference in Chicago on July 19, in conjunction with a round table on the production of educational programs.

In a recent judging of broadcasts at Ohio State University, two of Mr. McGill's programs in the 26-week "Brave New World" series received first award and honorable mention. The series was directed to Pan-American goodwill. Three of his "School of the Air" broadcasts were also cited for awards.

Consul Will Join in Salute to Argentina

The Hon. Conrado Traverso, Consul-General of Argentina in the United States, has consented to speak on the special short wave broadcast organized under the joint auspices of *Teatro al Dia* and the CBS international station W2XE, to be broadcast June 28 as a gesture of goodwill towards Argentina and the sister republics of Latin America.

The members of the Spanish American consular staff also have been invited.

Show Planning Tour

CINCINNATI, June 9.—The "Renfro Valley Barn Dance," a WLW-Mutual program, will begin a summer road tour June 11 when the program will come from Fort Wayne. Major cities in Ohio, Illinois, Indiana, Kentucky and West Virginia will be included in the tour.

Examiners' Report Up for FCC Actio

WASHINGTON, June 9.—The Fe eral Communications Commissi today had before it a large numb of examiners' reports on which plans to act before the summer rec of hearings next month.

Reports received in the recent it was announced, recommended granting of applications for new s tions of F. C. Todd, Gastonia, N. 1,420 kilocycles, 100 watts night, 2 watts day; Clinton Broadcasti Corp., Clinton, Ia., 1,310 kilocycl 100 watts night, 250 watts day, a Burlington Broadcasting Co., Burlin ton, Ia., 1,310 kilocycles, 100 watts.

Approval also was recommended f the applications of WJBO, Bat Rouge, La., for increase of pow from 500 to 1,000 watts; WPA Thomasville, Ga., for increase of d power from 100 to 250 watts; KFH Wichita, for move of station fr Abilene, Kan., to Wichita, a WMBS, Uniontown, Pa., for increa of day power from 100 to 250 wat

Arlington Plea Denied

Other reports recommended t denial of applications of Arlingt Radio Service, Inc., for an 1,140-kil cycle, 1,000-watt daytime station Arlington, Va.; W. C. Irvin for 1,500-kilocycle station at Amaril Tex., with 100 watts night, 250 wa day; Amarillo Broadcasting Corp. f a 1,500-kilocycle, 100-watt station Amarillo; Joe L. Smith, Jr., for 1,210-kilocycle station at Beckley, Va., with 100 watts night, 250 wa day; Broadcasters Inc., and F. Todd for 1,420-kilocycle station Gastonia, N. C., with 100 watts nig 250 watts day; Great Western Broa casting Co. for a 1,500-kilocycle, 1 watt station at Omaha; McCor Broadcasting Corp. for a 1,200-ki cycle, 100-watt daytime station at M Comb, Miss., and Four Lakes Broa casting Co. for an 830-kilocycle, 1 watt daytime station at Madison, W

Denial also was recommended applications of KGDM, Stockton, C for increase of power from 1,000 5,000 watts and change of frequen from 1,100 to 1,150 kilocycles; WIS Milwaukee, for increase of nig power from 250 to 1,000 watt WAPO, Chattanooga, for change frequency from 1,420 to 1,120 ki cycles and increase of power from 1 watts night, 250 watts day to 5 watts night, 1,000 watts day.

House Group Voting On Air Probe Toda

(*Continued from page* 1)

portunity would be afforded for consideration before adjournment the session.

In reaching this decision, membe of the committee forewent furth questioning of F.C.C. members r garding charges made by Commissio er Payne that a large radio lobby o erated in Washington.

Set New WHN Serial

A new serial, "The Forty-Niners will begin over WHN June 13 fro 8 to 8:30 P.M. The show will directed by Maurice Barrett and written by Storrs Haynes.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 134 NEW YORK, MONDAY, JUNE 13, 1938 TEN CENTS

Loyola Univ. Gives Quigley Honor Degree

Archbishop McNicholas In Added Tribute

Los ANGELES, June 12.—Loyola iversity today conferred the honary degree of Doctor of Literature on Martin Quigley, editor-in-chief Quigley Publications, for his efts in originating the industry's oduction Code and other activities pporting the cause of decency in tion pictures.

Honorary degrees also were conred upon Archbishop John J. Cantll of Los Angeles and Dr. Robert Millikan, noted scientist and memr of the faculty of the California stitute of Technology.

Following the presentation ceremies, Mr. Quigley was guest of nor at a dinner tendered at the nathan Club by the faculty and ard of Regents.

The university's citation in the gree awarded to Mr. Quigley is as lows:

'It is well within the facts to sugst that there exists today no means influencing the masses more potent n the motion picture.

'Its sphere of influence is bounded v by the four corners of the earth. told millions in every land attend

(Continued on page 6)

BS Signs Welles For Drama Series

rson Welles and the Mercury eatre have been engaged by CBS present nine one-hour weekly broadts over that network each Monday m 9 to 10 P.M., beginning July 11. The programs are to have the gen l title, "First Person Singular," l in addition to being the featured

(Continued on page 10)

usical Festival Is lanned on NBC Web

new summer festival of popular sic has been set by NBC to begin y 2 from 10 to 11 P.M. on the ie. The festival will continue ough July, August and September. Among the big names in popular sic who will appear in the series Paul Whiteman, both Dorsey

(Continued on page 10)

More Radio—P. 10

Dinner for Quigley

Hollywood, June 12.—Invitations have been issued by Joseph M. Schenck and Louis B. Mayer for a dinner on Monday evening in compliment to Martin Quigley on the occasion of his receiving the honorary degree of Doctor of Literature from Loyola University of Los Angeles.

Studio heads and other persons important in Hollywood production have been invited to attend.

National Will Add Houses to Coast Circuit

National Theatres is in the market for additional houses and, despite generally reported declining theatre grosses, has no plans for disposing of any of its units, an executive of the circuit said yesterday.

Fox West Coast, the far west division of National Theatres, will shortly start construction of four theatres, all neighborhoods. One will be in Los Angeles and will require a shift in zoning and policy. Another will go up in Fresno, as a neighborhood first run, and two are planned between Oakland and Berkeley. The four units will represent an investment of $600,000, according to Charles A. Buckley, vice-president of Fox West Coast.

No general expansion program is under way, but the circuit will add theatres where they can be acquired advantageously. This spokesman said the policy is not confined to National Theatres, but that all large circuits are willing to make additions despite business conditions. If a good theatre is losing money under its present operation, a circuit would be willing

(Continued on page 10)

Trem Carr to Stop Producing for "U"

HOLLYWOOD, June 12.—Trem Carr will leave Universal after completing six more Bob Baker westerns. Mr. Carr has refused to continue with his Trem Carr, Inc., producing for Universal release despite proffers of new contracts. Currently he is negotiating with another major to produce two high budget specials with novelty backgrounds.

Mr. Carr has been producing under an arrangement with Universal for the last two years.

U.A. to List 30 Features: Shorts Series

Two from Selznick; Five From Goldwyn Named

United Artists will announce a schedule of 30 features and 12 Technicolor shorts at its first sales meeting, which will open at the Waldorf-Astoria this morning.

The schedule includes only the final two features remaining to be delivered by David O. Selznick on his current contract, although the impression is that this producer will renew his releasing deal with the company, in which case he might contribute two or three additional pictures. No mention is made of the $1,000,000 feature which Douglas Fairbanks said recently he planned to make in London for new season release.

The list of 30 is made up of five features each from Samuel Goldwyn, Alexander Korda, Walter Wanger and Edward Small; eight from Hal Roach, including four Laurel and Hardy fea-

(Continued on page 9)

U. A. Tie-in Set for Producers-Ad Men

HOLLYWOOD, June 12.—A policy of coordinated action between United Artists producers and their respective publicity and exploitation departments was studied this weekend at an informal conference of U. A. producers. The platform had been drafted for them by the publicity department heads.

The projected plan provides that U. A. producers and publicity departments will band together to follow a definite policy of cooperation and that to this end Russell Birdwell, Selznick International director of advertising and publicity, will attend the weekly meetings of the producers. He

(Continued on page 9)

Coast Expects No Selznick Pact Yet

HOLLYWOOD, June 12.—Indications here are to the effect that the question whether Selznick International will remain with United Artists for the new season would not be answered at the sales convention in New York. This is seen in the fact that the only Selznick pictures to be discussed at the conclave are "The Young in Heart" and "Made for Each Other,"

(Continued on page 9)

Holmden Says Guilds Rated As Employers

Declares IATSE Wants Only "Wage-Earners"

The I.A.T.S.E. will not claim jurisdiction over stars and other high-salaried talent, whom it characterizes as "employers" because of their participations in profits and their "astronomical salaries," but will press its claims to jurisdiction over "wage earners," Harland Holmden, third vice-president, declared in a statement issued over the weekend at the request of MOTION PICTURE DAILY for a clarification of the I.A.'s jurisdictional policy.

"The I.A.T.S.E. has never claimed jurisdiction over employers, and many of the members of the Screen Actors Guild and other socalled guilds are employers because of their share in the profits of production," Mr. Holmden stated. His reference to "other so-called guilds" is believed to include the Screen Writers and Directors guilds.

"These people," Mr. Holmden's statement continues, "are partners of the producers. Our claim is over the wage-earner who is seeking to make a livelihood for his family and not over the star who is making $200,000 a year and wants $300,000 and is using the mass of workers for his selfish

(Continued on page 6)

Fargo Case Ends; Ruling Due Soon

FARGO, N. D., June 12.—The theatre divorcement hearing before a three-judge Federal court here, testing the constitutionality of the state law, ended on Friday, following an agreement of both sides to limit the arguments. An early decision is promised.

Thomas D. Thacher, chief counsel for the plaintiff, branded the North Dakota act denying producers and

(Continued on page 6)

Universal 26-Week Net Loss $588,285

Universal Pictures Co., Inc., has reported consolidated net loss for the 26 weeks ended April 30, 1938, of $588,285, as compared with a consolidated net loss of $509,035 for the first 26 weeks of the previous fiscal year. The period to April 30 represents

(Continued on page 10)

My Word!

By Irene Kuhn

◆ Hal Horne's sumptuous new panelled offices in the Walt Disney Enterprises suite in the RKO Building are equipped with the latest sybaritic gadget—Air-O-Lamps. . . . These are art metal table lamps of simple design with a small electric fan concealed beneath the shade.

◆ If you want to see a camel that can go through the eye of a needle, Hazel Flynn will show it to you in the Charbneau collection of miniatures on view in the Music Hall. . . . Swing fans might like to view the world's smallest working model of a piano, so tiny it has to be played with an ivory toothpick. . . . There's a new addition to the collection this year, a piece of the Blarney stone. Mr. Charbneau has witnesses to prove it's the McCoy.

◆ Due in on the *Bremen* tomorrow, after more than two years abroad, are Bebe Daniels and husband Ben Lyon. They are bringing with them a record of the BBC production of "The Silent Melody" in which they sang. When the record is played here it will be heard for the first time by the English girl composers who did music and lyrics, Vivian Lambalet and Barbara Roubien.

◆ Current issue of *Town and Country* has a picture of Rosalind Russell and Mrs. Chester LaRoche, the latter made up to look like Rosalind. No special trick, this, for they are sisters, and New York friends of Mrs. LaRoche, who is fashion editor of the mag and the wife of one of the town's advertising execs (Young & Rubicam) insist she is the prettier.

◆ Ruth Morris, rested up from a week's vacation in the Adirondacks, is back at her desk today. . . . Edmond O'Brien, seen in "Star Wagon" and on the road in Mark Antony, has been signed for the leading male role in "Fools' Hill" at Westport and Mt. Kisco.

◆ Alfred J. McCosker, head of WOR, rushed up from the FCC hearings in Washington Friday for his 24th wedding anniversary and rushed right back again last night.

◆ Charles Bonn of the Jules Brulatour office will leave Wednesday for his class reunion at Cornell.

◆ Bachelor Harry Cuthbertson, head of Paramount News technical department, has sold his boat and will go in for raising ring neck pheasants instead of waves.

Hicks, Lange Leave L. A.

HOLLYWOOD, June 12.—Ending conferences on Paramount's London producing, John W. Hicks, Jr., head of the foreign department, and Fred Lange, general manager for Europe, left here Friday night for New York, the former by train and Lange by plane.

Purely Personal

HERB GRIFFIN, executive vice-president of International Projector Corp., and GEORGE FRIEDL, JR., of the sound department, left Friday by plane for Hollywood where they will confer with heads of the studios and the Academy.

•

JAMES FINN, editor and publisher of the *International Projectionist*, left the Gotham Hospital over the weekend after a siege of pneumonia which prevented him from attending the I.A.T.S.E. convention.

•

ROGER FERRI, editor of the *Dynamo*, 20th Century-Fox house organ, left over the weekend for Callander, Ont., to obtain some first hand information on the production of "Five of a Kind."

•

W. J. KUPPER, 20th Century-Fox division manager, left over the weekend for New Orleans. W. C. GEHRING, central division head, plans a trip to Canada next week.

•

SOLON NEGRANOU, managing director of the 55th St. Playhouse, has invited a number of judges to attend special screenings of "The Courier of Lyons."

•

HARRY ORMISTON and J. ALBERT HIRSCH will leave for the Universal studio today to establish their headquarters there.

•

NATE J. BLUMBERG, Universal president, will arrive in New York from the coast by train today.

Seeks Injunction on Use of 20th Century

F. Gilbert Pollay, trading as 20th Century Music Publishers, filed suit yesterday against 20th Century-Fox and 20th Century Music Corp., subsidiary of Fox, seeking to restrain the use of the title 20th Century or Twentieth Century by the defendants.

Pollay claims in his complaint that he adopted his trade name in 1913 and that he has used that title continuously since then in the sale of sheet music and musical instruments throughout the greater part of the United States. He asserted that prior to 1935 and 1936 neither of the defendants used the title Twentieth Century, but since then have attempted to prevent him from registering his trade name in the U. S. Patent Office, claiming infringement. Fox's title dates from its registration in the U. S. Patent Office June 22, 1936, under Trade Mark No. 336,090, when it was secured, the plaintiff contends, in violation of his rights. In addition to an injunction restraining the defendants from the use of the title 20th Century, Pollay asked for damages.

Would Quiz Pathe Officers

Application was filed Friday in the N. Y. Supreme Court to examine O. H. Briggs, president, and T. P. Loach, secretary and treasurer of Pathe Film Corp. and Pathe Studios, Inc., in a $5,940 suit against these companies by John F. O'Keefe as assignee of Joyce Payne, who allegedly recoverd a judgment in California as assignee of Zasu Pitts against Pathe Studios for $5,940.

Mr. O'Keefe had brought suit seeking to have an alleged transfer of over $1,000,000 from Pathe Studios to Pathe Exchange, predecessor of Pathe Film Corp., declared void t the extent of his judgment as "fraud on creditors." He claime that this amount was a "preferentia payment" received by Pathe Exchang for the sale of Pathe Studios to RKO

Sailing List Crowded

Among those due to sail on th *Normandie* on Wednesday are: Maurice Silverstone, chairman of th U. A. executive committee; Morri Helprin, London Films represen tive here; Joseph McConville, Colu bia's foreign head, and Mrs. McConville; Fred Lange, European manage for Paramount; Henry Sherek, London stage producer; Gladys Swarthou and her husband, Frank Chapman Clifton Webb, Louise Henry, Pegg Hopkins Joyce, Mrs. Jacqueline Cochran Odlum, wife of Floyd Odlum Marian Anderson, singer, and Mrs Jeanne Marie Chauchoin, mother o Claudette Colbert.

J. Cheever Cowdin, Universal boar chairman, has a reservation on th *Normandie*, but his office said he ma defer sailing for about a week.

Columbians' Outing Hel

The annual outing of the Columbian Club was held Saturday at th Pinebrook Country Club, Nichols Conn. More than 200 attended Prizes were awarded to winners i the golf tournaments for men an women and a special musical revu was staged in the evening.

Nathansons to Europe

MONTREAL, June 12.—N. L. Nathanson, president of Famous Player Canadian Corp., Ltd., sailed yesterday from Quebec on the *Empress o Britain*, accompanied by Mrs. Nathanson and their children, Jean, Joha and Paul.

Hollywood Preview

"The Rage of Paris"

(Universal)

HOLLYWOOD, June 12.—Danielle Darrieux lives up to her billing and somewhat beyond it in her first American film. She is as good to look at as a well serviced press has taught the public to expect and a good deal more talented. The spontaneity of response displayed by a largely paying premiere audience indicates that the lady is, to use the Hollywood phrase, in.

Douglas Fairbanks, Jr., Helen Broderick, Mischa Auer, Louis Hayward and Charles Coleman are the players most helpful to the importee in about that order. Producer B. G. De Sylva and Director Henry Koster handled the story and screenplay by Bruce Manning and Felix Jackson in a manner to bring out all of the star's best points without placing the whole burden on her shapely shoulders nor yet upon those other ornamental anatomical features emphasized by the photographers. It is as an actress rather than mere beauty that Mademoiselle Darrieux is presented to her new public.

The place is New York and the time is now. Mademoiselle Darrieux enters the picture as a French girl out of work whose attempt to hire out as a model to the rich Fairbanks fails comically. Miss Broderick proposes to Head Waiter Auer that he finance Mlle. Darrieux in her impersonation of a wealthy French girl for the purpose of winning the rich Hayward for her husband. Hayward's friend, Fairbanks, seeks to disillusion him and is repeatedly outwitted, ultimately falling in love with and marrying her himself.

The action is smooth, brisk and effective. The humor is principally that of situation and dialogue with only minor and momentary resort to slapstick. Exploitation emphasizing the star as an imported comedienne of extraordinary attainment is clearly indicated.

Running time, 75 minutes. "G."

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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'GOLD DIGGER' GOING TO THE MARKET

Hollywood Elected Her!

In a poll of all the girls in 'Gold Diggers in Paris', Ethelreda Leopold was voted 'for her beauty, talent and personality' THE GOLD DIGGER OF 1938. Her country-wide tour cashes in.

SHE'S ON HER WAY around the country to meet press and public with the strongest ticket-selling idea in years! The barrage of 'breaks' has already started in Albany, Philly, New York, Baltimore and Washington. Watch it roll on and on and on right up to your door!

GO RIGHT

The Whole Thing's a Warner Stunt!

The sensational tour of 'T
Gold Digger of 1938' gives
the Warner promotion you
pect for an event as impor

No Admittance to the Mint—one of the smart Philly gags that hit papers for news-section breaks.

'The Shovel to the City' presented to 'Gold Digger' by Philly's Mayor Wilson on stop no. 2 of tour.

Tour Starts With Nation-Wide Broadcasts!

Coast-to-coast went the news that 'The Gold Digger of 1938' is coming to town! NBC aired it, fan magazines featured it, all wire services blanketed the newspapers with it . . . a tremendous trans-continental send-off for a tremendous attraction!

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☞ **New Story — New C**

RUDY VALLEE · Rosemar

Allen Jenkins · THE SCH

GLORIA DICKSON · MELVILLE COO

Directed by RAY ENRIGHT · Musical Numbers

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GOLD

GGERS

ARIS

Entertainment All the Way! ☞

ne · Hugh Herbert

KELFRITZ BAND

BEL TODD · FRITZ FELD

Directed by Busby Berkeley

The Schnickelfritzes play — Rudy Vallee and Rosemary Lane sing 4 song sensations

I Wanna Go Back to Bali
The Latin Quarter
A Stranger In Paree
Daydreaming
By Warren and Dubin

MUSICALUNATICS!

Warners are solidly behind it — do likewise and it's a cinch for a clean-up!

Loyola Univ. Gives Quigley Honor Degree

(Continued from page 1)

upon its exhibition. So vast is its audience, and so complex in character, that it challenges the best thought of our times.

"A medium so importantly a part of the lives of so many millions of the world's people could not carry on without proper direction and sound guidance. Thus it comes about that Loyola University has the opportunity to single out for conspicuous acclaim a man who, almost unaided, has done more to insure acceptable moral standards in motion pictures than any person anywhere.

"Here is a man who has given over a life time to a study of the many problems suggested by the universal appeal of motion pictures. Almost from the inception of the art he was quick to sense the dangers which lie, sinister like, in this new and glamorous form of popular entertainment.

Code Called "Working Guide"

"He it was who conceived and, later, saw to the preparation, of the motion picture Production Code of Ethics which is now the *Magna Charta* that serves as a practical working guide of moral principles for those engaged in the production of motion pictures in the United States.

"He it is who 'fought the good fight' for decency in motion pictures, for proper moral standards by which these pictures can be made to entertain without, at the same time, perverting those principles of Christian morality upon which great nations must build if they are to survive.

"A distinguished editor and a successful publisher, with a trenchant pen and a courageous heart, he has been the leader in the movement which has resulted in those finer things that now distinguish our American-made motion pictures. His was the voice that pointed out the dangers by which the wrong kind of motion pictures served to imperil public morals. At the same time he was the first to provide a practical working scheme which would remove from these films the elements that tend to corrupt and to debase.

Idealism Cited

"A man of unimpeachable personal character, possessed of a kind of integrity which is all too rare in these days of confused thought and rampant commercialism; a man of culture; a man of intense Christian idealism, Loyola University counts it a distinct privilege to confer the Honorary Degree of Doctor of Literature upon Martin Quigley."

Following the citation there was read a telegram from Archbishop John T. McNicholas of Cincinnati in which the prelate commended Loyola and its president, Rev. Charles MacQuillen, for recognition of Mr. Quigley's contribution to the betterment of the industry. The message said:

"That the president and faculty of Loyola University have recognized Mr. Martin Quigley by conferring on him the honorary degree of Doctor of Literature will merit the commendation of all informed persons. His sterling qualities of mind and heart, his militant idealism, his consecration to duty, his stern refusal to compromise with wrong, his long struggle to make the cinema sane, wholesome entertainment, have been an inspiration to all who know Mr. Quigley best."

First Publication in 1915

Mr. Quigley's career began with service as a reporter on newspapers in his native Cleveland, in Detroit and in Chicago, where, starting in the early years of the modern feature era of the screen, he began the building of his line of motion picture publications, the first of which, *Exhibitors Herald,* dated from 1915, the antecedent of his *Motion Picture Herald,* an international weekly in which several early and contemporary publications were merged with the first publication. He also publishes Motion Picture Daily in New York, and two reference annuals, *Motion Picture Almanac* and *Fame.*

The movement for and concept of the Production Code under which the motion picture industry of America now operates began with Mr. Quigley's efforts of 1929, leading subsequently to the adoption of the Code by Hollywood's producer organization early in 1930 and, in June of 1934, to the special instrumentation of the document by the establishment of the Production Code Administration of the Motion Picture Producers and Distributors of America, Inc., with Joseph I. Breen as the administrator.

Mr. Quigley's advocacy of the Production Code has been a predominant phase of his contention for self-regulation of the industry of the screen, in opposition to the many movements for governmental regulation, and a part of his contention against propagandist forces that the exclusive responsibility of the screen theatre is for decent entertainment.

Fargo Case Ends; Ruling Due Soon

(Continued from page 1)

distributor the right to operate theatres, as "unjust, drastic, unnecessary and arbitrary," in his argument. He said the law was drawn not in the public interest but to favor the independents who obtained its passage, and that it does not regulate competition, but excludes it.

Francis Murphy, who opened the defense argument, contended the state in making the law was not concerned with a conflict between two classes of exhibitors, but with what is loosely referred to as a monopoly through a condition of domination.

Virginia MPTO Meet To Hear Kuykendall

Virginia Beach, June 12.—About 200 exhibitors are expected to attend the semi-annual convention of the M.P.T.O. of Virginia at the Cavalier Hotel here tomorrow. Ed Kuykendall, president of the M.P.T.O.A., will be one of the speakers.

William Sussman of New York, 20th Century-Fox eastern division manager, will attend but is not down for a speech. The day will be chiefly given over to an open forum. William F. Crockett of the Bayne, Virginia Beach, is president, and Sydney J. Gates of Norfolk is general convention chairman.

Holmden Says Guilds Rated As Employers

(Continued from page 1)

aims. The officers of the socalled guild, falsely parading as a labor organization, cannot befog the I.A.T.S.E as they have befogged their own people and the wage-earners in their ranks by laying smoke screens and raising false issues."

"In plain language, so simple that all who read may understand," Mr. Holmden's statement concludes, "the I.A.T.S.E. claims jurisdiction over wage-earners, and not those receiving astronomical salaries and who are participants in production profits and who have foresworn one of labor's sacred rights in agreeing by contract with the prodecers that they will not strike for any cause nor in support of any labor organization any time during the next 10 years."

The latter reference is to the "no-strike" agreement included in the 10-year pact between the Screen Actors Guild and the producers.

Frank Gillmore, president of the Associated Actors & Artistes of America, the parent of A. F. of L. organization for talent, of which the Screen Actors Guild is a member unit, declined to comment on the Holmden statement other than to say, "The first move is theirs. I see no reason why we should become involved in a controversy of words with them at this stage."

Kenneth Thomson Silent

Kenneth Thomson, executive secretary of the Screen Actors Guild, declined comment also. An official of the guild who refused to be quoted, however, pointed out in answer to the reference to the "no-strike" clause in guild contracts that "any labor contract honestly entered into is an agreement not to strike."

Guild officials were inclined to be skeptical of the I.A.'s resolution asking the A. F. of L. to revoke the charters of the guilds on the ground that they are not labor organizations and protesting the recent N.L.R.B. classification of writers as "labor." Some viewed the move as a complete abandonment by the I.A. of its jurisdictional claims over talent, since, they contend, if the A. F. of L. were to accede to the I.A. and give guild members a "non-labor" status, presumably such members would not then be eligible for I.A.T.S.E. membership.

Labor officials, however, pointed out that the I.A. is embarrassed in its procedure by the existence of A. F. of L. charters in the talent organizations and that, if it succeeded in having these withdrawn it would be free to organize talent units of its own.

Plans Two Camera Trips

An expedition into little traveled regions of Africa is planned by Truman H. Talley, head of Movietone News, and will be conducted by Ettore Villani, the newreel's chief in Italy. Another expedition is planned to South America. Details will be set when Mr. Talley returns here on Wednesday from abroad.

Guilds Silent Upon I.A. Condemnatio

Hollywood, June 12.—Officers o the Screen Writers, Directors an Actors Guilds were silent today ove the adoption of resolutions condemning them at the I. A. T. S. E. convention in Cleveland.

The directors will confer befor stating their policy. A spokesman o the writers pointed out that the National Labor Relations Board election would determine whether th guild or the Screen Playwrights wer the official bargaining agency and tha the I. A. T. S. E. is out of the picture under the Wagner Act. Important developments are due at a general meeting of writers to be hel Monday night.

The Producers Association wil meet Wednesday night to hear reports on a series of conferences between producers and actors on th annual reopening of the agreement t make further changes in working conditions, salaries, etc.

Expect Organizing Efforts Here Soo

Organizing of front-of-the-hous employes in theatres in the metropolitan area is expected by Local 306 t receive immediate impetus as a resul of the pledge of cooperation to th local by the I.A.T.S.E. at its Cleveland convention last week.

The International, according t George Browne, president, will proceed with the organization of front-of-the-house employes throughout th country in the near future. The organizing will include doormen, cashier ushers and ticket takers. Local 30 has had its organizing drive under wa here for some time, but, with th pledge of cooperation from the paren organization, the work will be pushe to its conclusion, it was said.

Organizing moves are understood t have been launched already in Chicago and St. Louis.

Company Changes Nam

Sales on Sound Corp. has change its corporate name to S.O.S. Cinem Supply Corp.

Wall Street

Board in General Decline

	Open	High	Low	Close	Net Chang
Col.	11⅞	11⅞	11⅞	11⅞	....
Cons.	1⅛	1⅛	1⅛	1⅛	....
E. K.	154	154	153	153	—1 3/
E. K. pfd...	160	160	158½	158½	....
G. T. E. ..	11½	11½	11½	11½	— 3/
Loew	41¾	41¾	41¾	41¾	— 5/
Para.	7⅜	7⅜	7	7	— 1/
Para. 1	74½	74¾	74½	74¾	+1 1/
Para. 2.....	8¼	8¼	8¼	8¼	....
Pathe	4¾	4¾	4¾	4¾	— 1/
RKO	2	2⅛	2	2	....
20th Fox ..	21½	21½	21¼	21¼	— 1/
W. B.	4½	4½	4⅜	4½	....

Curb Has Fractional Gains

	Open	High	Low	Close	Net Chang
Monogram	1⅝	1⅝	1⅝	1⅝	+ 1/
Tech.	23⅜	23⅜	23	23	— 1/
Univ. Corp.	2	2	2	2	+ 1/

Para. Warner Bonds Rise

	High	Low	Close	Net Chang
Loew 3½s '46....	99⅞	99⅞	99⅞	....
Para. Pict. 6s '55	90¾	90¾	90¾	....
Para. Pict. '47....	72	72	72	+ 1
W. B. 6s '39......	69¼	69	69¼	+ 1

(Quotations at close of June 10)

POST CARD
Having Wonderful Time

What! .. A hit-calibre show released in mid-summer? .. You bet! .. From RKO! .. A turn-away stage sensation with marvelous word-of-mouth reputation, cast with money names, and made into a screenshow destined to do business to stand up against what you do in the best show weeks in the year! ... A great summer romance as TIMELY as its own bathing-boating-fishing vacation-camp backgrounds!

GINGER ROGERS AND DOUGLAS FAIRBANKS JR.

Having Wonderful Time

WITH

PEGGY CONKLIN · LUCILLE BALL · LEE BOWMAN
RICHARD (RED) SKELTON · ANN MILLER · DONALD MEEK

A PANDRO S. BERMAN *Production* *Directed by* ALFRED SANTELL

Screen play by ARTHUR KOBER Adapted from his New York Stage success as produced by MARC CONNELLY

RKO RADIO PICTURES

Executives at United Artists Convention Here

M. SILVERSTONE
Executive Com.
Chairman

G. W. SCHAEFER
Vice-President
Distribution

A. W. SMITH, JR.
General Sales
Manager

HARRY BUCKLEY
Vice-President
Exchanges

HARRY GOLD
Eastern Sales
Manager

L. J. SCHLAIFER
Western Sales
Manager

M. W. GREENTHAL
Advertising and
Publicity Head

U.A. to List 30 Features: Shorts Series

(*Continued from page 1*)

ture length comedies and the two from Selznick.

The schedule follows:

Goldwyn

"The Lady and the Cowboy." William Wyler, director, with Gary Cooper and Merle Oberon. Screenplay by S. N. Behrman.

"The Daring Age," with Sigrid Gurie, Adolphe Menjou, Joel McCrea and Jascha Heifetz, violinist.

"Wuthering Heights," adapted by Ben Hecht and Charles MacArthur, with Merle Oberon. William Wyler, director.

"The Last Frontier," with Gary Cooper, Andrea Leeds and Walter Brennan. Henry Hathaway, director.

"Beach Boy," with Jon Hall and Andrea Leeds.

Korda

"Drums," a Technicolor film of India, with Sabu, Raymond Massey, Roger Livesey and Valerie Hobson. Zoltan Korda, director.

"Prison Without Bars," with Corinne Luchaire, new French star, Edna Best and Barry Barnes.

"Four Feathers," in Technicolor, with Ralph Richardson, John Clements, Roger Livesey and Barry Barnes.

"The Thief of Bagdad," in Technicolor.

"Over the Moon," by Robert E. Sherwood, in Technicolor, with Merle Oberon.

Selznick

"The Young in Heart," with Janet Gaynor, Douglas Fairbanks, Jr., Paulette Goddard, Roland Young and Billie Burke. Richard Wallace, director.

"Made for Each Other," with Carole Lombard and James Stewart. Scenario by Joe Swerling from a story by Rose Franken.

Wanger

"Algiers," with Charles Boyer, Sigrid Gurie and Hedy Lamarr. John Cromwell, director.

"Personal History," by Vincent Sheean, with Henry Fonda and Louise Platt. William Dieterle, the director.

"Stagecoach," a John Ford production.

"Winter Carnival."

"A Man and His Women," from the Sacha Guitry play. With Charles Boyer.

Small

"The Duke of West Point," with Jack Dunn and Tom Brown.

"King of the Turf," with Adolphe Menjou.

An untitled South Seas drama with Jon Hall and Sigrid Gurie.

"Kit Carson, Avenger."

"The Man in the Iron Mask," with Andrea Leeds.

Roach

"There Goes My Heart," with Fredric March, Virginia Bruce, Patsy Kelly, Alan Mowbray, Nancy Carroll, Eugene Pallette. Norman Z. McLeod, director.

"Topper Takes a Trip," with Constance Bennett, Roland Young, Billie Burke and Alan Mowbray. Norman Z. McLeod, director.

"Robbery Under Arms," with Margaret Sullavan and Brian Aherne, Roland Young, Alan Mowbray and Patsy Kelly.

"The Water Gypsies," with Jean Arthur.

Four Laurel and Hardy comedy features.

The 12 Technicolor shorts, called "World Windows," will lead off with "Mt. Vesuvius," "Fox Hunting" and "Rome in Symphony."

Expect 100 at Meet

Approximately 100 salesmen, branch and district managers and home office executives will attend the five-day meeting at the Waldorf-Astoria, which will be opened by A. W. Smith, Jr., sales manager, this morning. George J. Schaefer, vice-president and general manager of distribution, will address the meeting, and Murray Silverstone, chairman of the executive committee, who arrived in New York from the coast yesterday, will attend several of the sessions.

Other speakers will include Harry Gold, eastern division manager; Harry D. Buckley, vice-president in charge of exchanges; Arthur W. Kelly, vice-president in charge of foreign distribution; Paul Lazarus, contract manager; Harry Muller, treasurer; Monroe Greenthal, director of advertising and publicity, and L. J. Schlaifer, western division manager.

The product discussion will be conducted this afternoon and tomorrow by Mr. Schaefer, who will close the general meeting tomorrow afternoon with a discussion of new season's sales plans. On Wednesday, Thursday and Friday individual meetings of managers and salesmen will be held.

Entertainment for the delegates will include a visit to the International Casino, tomorrow night; the Brooklyn-Cincinnati night game, Wednesday. Tonight the men will be guests of W. G. Van Schmus at the Music Hall following screenings of "Drums" and "Algiers."

U. A. Tie-in Set for Producers-Ad Men

(*Continued from page 1*)

will speak on the program at their next meeting.

The new platform was drawn up by Al Vaughan and Jerry Dale for Samuel Goldwyn, John LeRoy Johnstone for Walter Wanger, Murphy McHenry for Edward Small, Frank Seltzer and Magda Maskey for Hal Roach and Mr. Birdwell. These executives also will meet weekly to discuss mutual problems. A statement from the group said:

"Innovations in style and distribution of news matter will be introduced and, although governed by one policy, a greater competitive spirit is expected under the new working arrangement. The big pictures and top ranking stars of the United Artist producers will be the direct beneficiaries of the exchangeable facilities which such an organization makes possible."

Resume Discussions On Schaefer's Pact

Negotiation of a new United Artists contract for George J. Schaefer, vice-president and general manager of domestic distribution, was resumed yesterday following the arrival in New York of Murray Silverstone, chairman of the executive committee, from the coast. Mr. Silverstone and United Artists attorneys conferred with Mr. Schaefer at his home.

Indications are that a deal will not be set prior to Mr. Silverstone's departure for England, Wednesday, on the *Normandie*. He will be abroard for a few weeks winding up his affairs in London before returning to establish his headquarters at the home office.

Coast Expects No Selznick Pact Yet

(*Continued from page 1*)

the last two under the current releasing deal.

Selznick publicity director Russell Birdwell's contribution to the exploiting of Selznick product will be a specially printed newspaper which confines all mention to these two pictures.

Murray Silverstone, Thomas Walker and Hal Roach left Thursday by train for New York. They are the only ones making the trip from the west coast. Lowell Calvert will represent Selznick. James Mulvey will handle the Goldwyn affairs. Other New Yorkers will handle Wanger and small company participation.

"Ragtime Band" May Get August Showing

"Alexander's Ragtime Band" will go into the Roxy some time in August, and a run of four or five weeks is anticipated. A "Hollywood premiere" had been considered for the film at Carnegie Hall, as a tieup with the music angle, but this idea has been discarded.

A definite date for the opening at the Roxy hinges on the return from Europe of Darryl F. Zanuck, who will put the finishing touches to the editing in Hollywood.

Both "Sheiks" Held Over

The two Rudolph Valentino films on Broadway entered a third week on Saturday and may go a fourth. "The Sheik" is reported to have grossed $8,500 in a second week at the Gaiety, compared with $11,000 for the first stanza. "Son of the Sheik," at the George M. Cohan, is said to have played to the largest attendance and receipts at the theatre in the past 10 years.

Wobber to Join Board

Herman Wobber, newly appointed general manager of distribution of 20th Century-Fox, is expected to be elected a member of the board at the next meeting of the directors on July 7. He will succeed the late John D. Clark.

M-G-M Acquires "Curie"

M-G-M has acquired film rights to "The Life of Marie Curie," by the scientist's daughter, Eve Curie.

▶ Radio Personals ◀

TERRY LEWIS, talent scout for Young & Rubicam, has left for a month's stay at the coast. . . . Hugh Bevill, NBC's chief statistician, flew to Washington late last week. . . . Eva Turner, singer from Covent Gardens, London, arrived here last week and will proceed to Hollywood where she will sing the lead in "Aida" at the Pasadena Bowl June 25. . . . Bob Crosby will try Kay Kyser's stunt by airing an audience participation show from the Blackhawk restaurant in Chicago during his late dance spot on the Mutual network. Sid Gary will appear as guest on the WHN "Original Amateur Hour" tonight with Jack Waldron. . . . Rachel Carlay, the "Manhattan Merry-Go-Round" singer, will help celebrate the *Washington Post's* fifth anniversary on a gala broadcast over WRC today. . . . Al Roth's family has joined him here in New York. They came on from St. Louis. . . . Benay Venuta's contract over Mutual has been renewed for another year. . . . Llewellyn Moss, WHN staff vocalist, is out temporarily with tonsilitis.

+

Gene O'Fallon, accompanied by his daughter, is spending a few days here. He is the owner of KFEL, Denver . . . Another station visitor here is Don Davis of WHB . . . Madge Tucker, head of NBC's children's program department, will leave on vacation Wednesday . . . Benson Barker and F. A. Wankel, television engineers, and Florence Marks of the press department of NBC, left on vacation Saturday.

Musical Festival Is Planned on NBC Web

(*Continued from page* 1)

brothers, Fred Waring and others of that quality. Additionally, NBC is organizing a group of orchestras, and these will be heard under the direction of Ferde Grofe, Lennie Hayton, Al Goodman, Norman Clouthier, Robert Emmet Dolan. Among the programs planned is one from Hollywood with Meredith Willson's orchestra, with screen players and motion picture conductors participating.

Suit Details Ordered

Adeline Francis Ryan, plaintiff in a plagiarism suit against Frank Crumit and Batten, Barton, Durstine & Osborn, Inc., was directed by Federal Judge John W. Clancy on Friday to file a bill of particulars. The plaintiff brought suit in April of this year, charging the defendants with having plagiarized the lyrics of her copyrighted song, "Her Old Spanish Shawl" by broadcasting them to the tune of "The Gay Caballero." An accounting of profits and an injunction were asked by the plaintiff.

French Executive Due

Jean Antoine, general director of Radio City, Paris; Marcel Blaustein, administrator, and N. J. Canetti, art director, are due on the *Normandie* today.

CBS Signs Welles For Drama Series

(*Continued from page* 1)

player, Welles will write, cast, direct and produce the series. While no director will be assigned by CBS to the broadcasts, Davidson Taylor of the CBS program department will act as the general supervisor.

The Mercury Theatre's stage repertoire will not be produced in this series, the plan being to present originals.

The new drama series is Columbia's answer to NBC, which recently inaugurated a series of Pulitzer Prize winning presentations. Last year NBC and CBS indulged in dramatic warfare, with both networks presenting Shakespearean cycles at concurrent times and during the same evenings. The Mutual network also, was in on the rivalry last year, presenting Welles in dramatizations of "Les Miserables."

Mutual's plans in the way of an elaborate dramatic series for the current season are still unsettled, although doubtless that network will be heard from very shortly.

Film Quiz Series to Start Here on WMCA

"Five O'Clock Revue," a new film quiz series, with a group of soloists including Jerry Baker, Jane Clifton and Nat Brusiloff's orchestra, will begin on WMCA today at 5 P.M. on a five times a week basis. Min-Aqua is the sponsor. The contract is for 52 weeks.

The quiz will consist of questions concerning motion pictures and film personalities, which will be asked of the audience by WMCA's screen commentator, Powell Clark. The questions will be assembled by the editors of the Macfadden film magazines.

WOR Signs B. Chandler

Beth Chandler, rhythm singer, has been signed by WOR-Mutual and will start her own program over Mutual June 19. Miss Chandler is the daughter of William Chandler, an executive of the Miller Music Corp.

F. W. C. Grosses Good

The business of Fox West Coast in the first 18 weeks of this year is "just as good" as in the comparable period last year, and on the whole is satisfactory, according to Charles A. Buckley, vice-president of the circuit.

In the last six weeks, however, intakes have been off about 10 per cent, he said, but conditions on the coast compare favorably with many other sections of the country.

Walters Is Chairman Of RKO Golf Tourney

J. Henry Walters has been named chairman of the golf committees for RKO's fourth annual tournament, to be held at the Westchester Country Club, June 21. Ralph Rolan is secretary and John Farmer, treasurer.

The following committees have been named:

Arrangements—Leo Spitz, A. H. McCausland, Ned E. Depinet, Major L. E. Thompson, J. Henry Walters, John J. O'Connor, Jules Levy, Malcolm Kingsberg, William Merrill, Leon Goldberg, William H. Clark, William Mallard, John Farmer, R. S. Gavin, Cresson Smith, Lou Miller, A. Kirwan, L. E. Gaudreau, John Dowd, Harry Mosley, Tom O'Connor, Ed Sniderman.

Events and Handicap—Frank Jones, chairman; J. Henry Walters, Ed McEvoy, James Clark, Harry Pimstein, Harry Mosley, Fred Meyers.

Tickets—John Farmer, Lou Miller, R. S. Gavin, Tom O'Connor, Charles McDonald, L. E. Gaudreau.

Awards—James Dolan, J. Redmond, Harry Gittleson, Arthur White.

Publicity—S. Barret McCormick, Rutgers Neilson, John Dowd, Ben Grimm, Bill Kernan, Jack Level, Ralph Rolan, Leon J. Bamberger.

Prizes—D. Canavan, A. Kirwan, Fred Lakeman, L. E. Gaudreau, R. S. Gavin, John Dowd.

Reception—A. A. Schubart, Max Fellerman, M. Poller, Louis Goldberg, Ed Sniderman, James Mulhall.

Golf Team of CBS Captures Radio Cup for Third Time

With a bow in the direction of Grantland Rice: As the setting sun kissed the western horizon (it would be funny if the setting sun kissed the eastern horizon) a yell of exultation burst from the throats of the throng assembled about the 18th hole of the River Vale golf course, denoting that the result of the match that the sporting world had been awaiting with bated breath for these many days, was no longer in doubt.

Meaning that the CBS golf team repeated its victory of the past two seasons over the teams of NBC, WOR and WMCA, in the annual radio golf tourney, Friday, thereby winning permanent possession of the Radio Cup.

The strutting Columbians are Andre Baruch, Howard Phillips, Al Rinker, Walter Pierson and Buddy Clarke. Their team score was 550. The other scores: NBC, 559; WMCA, 570, and WOR, 667, the last one calling for a deep weep, indeed.

The best individual score was turned in by Horace Heidt of the NBC contingent, with an 80. George Frey of the same team was next with an 81, while Howard Phillips turned in a card of 82.

The personnel of the vanquished teams: representing NBC, Ben Grauer, Horace Heidt, Phil Duey, Lyle Van, Clyde Lucas and portly Graham McNamee; WOR, Harry Carlson, Jack Poppele, Jack Lowe, Willson Tuttle, Michel Roscoe, Jack Byrne and Otis Williams; WMCA, Ira Herbert, Cecil Hackett, Bill Wiseman, Lou Hyams, John Littletade and Charles Perkins.

National Will Add Houses t Coast Circu

(*Continued from page* 1)

to take it over and attempt to pu in the black, it was explained.

New season film buying is u way at National Theatres with c panies exclusive of M-G-M, Colum and Warners, with which two-y contracts were set last year. The 20th Century-Fox deal has been p poned by the illness and death of J D. Clark, but is expected to be ne tiated successfully without much fu er delay.

Charles P. Skouras, head of West Coast, will arrive on the c tomorrow with Mr. Buckley Thomas Page, head statistician, a conferences here with Spyros Skou Alfred Wright, Los Angeles attor who participated in the discussi also left here for California over weekend.

National Will Hold 2 Regional Sessio

National Theatres has canc plans for a national convention at Monte, Cal., Aug. 1 to 5, and inst will have regional meetings at Ka City and Los Angeles, starting in third week in August. Denver, M waukee and Kansas City divisi will attend the meeting in the la city, and San Francisco, Seattle Los Angeles divisions will meet the west coast.

In addition to home office exe tives, headed by Spyros Skouras, divisional and district executive sonnel and bookers, attending will managers from each of the 26 distr in the circuit, selected on the basi leadership in the second annual dr which will end July 4. A total $10,000 in cash prizes will be tributed among the winners.

The total attendance will be ab 80 at both meetings, arrangements which are being made by E. Rhoden, Fox Midwest division h in Kansas City, and Charles Skouras, Fox West Coast opera head. New season policies and c paigns will be set.

Sales managers of the major c panies will be invited to attend meetings.

Universal 26-Week Net Loss $588,2

(*Continued from page* 1)

one-half of the Universal fiscal y

The loss for the 13 weeks e Jan. 29, 1938, was $388,797, as c pared with $403,966 for the co sponding period a year ago, and the 13 weeks ended April 30, $199,487, as compared with $105 for the same period of the prev year.

Services for Mrs. Wal

Funeral services were held Sa day at Notre Dame Church for Johanna Mary Walsh, mother Grace Walsh of the Warner home fice.

Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

. 43. NO. 135 NEW YORK, TUESDAY, JUNE 14, 1938 TEN CENTS

chaefer Hits Dualling with Big Pictures

ys Product Shortages Result from Policy

he current shortage of product attributed by George J. Schaefer, ited Artists vice-president and estic distribution head, speaking the opening session of the comy's eastern sales meeting at the ldorf-Astoria yesterday, to the ssipation" of box-office attractions ough the showing of two good feaes on the same program as a coning policy over a period of nths.

r. Schaefer asserted that he was criticising the double feature pol- as such, nor "any policy which the ibitor believes necessary in the ration of his theatre."

But it is criticism," he said, "of

(*Continued on page* 11)

olumbia's 9-Month Profit Is $438,268

olumbia Pictures Corp. reports a profit of $438,268 for the nine ths ending March 26 after all ges and deductions, but before iding for tax on undistributed its. This compares with a profit 1.189,354 after similar deductions the same period last year.

he balance sheet of the company ved current assets to be $11,652,- and current liabilities $1,531,824. rking capital was put at approxiely $10,120,000.

he directors have decided to omit dividend for the second quarter on common, but a stock dividend of per cent has been declared, pay- Sept. 16, to common stock and ng trust certificate holders of rd Sept. 2.

pprove Settlement For Debts of G. N.

s Angeles, June 13. — Federal e William P. James today aped the recommendations of Loyd ght and Edward Alperson, coees of Grand National, to comise the $63,000 indebtedness of d National Studios, Inc., by pay- $54,000 and the $140,000 indebted-

(*Continued on page* 9)

adio News—P. 12

Film Monoply Quiz Foreseen In Washington

Part of Wide Study of Trust Situation

By BERTRAM F. LINZ

Washington, June 13.—Broad studies of allegedly monopolistic conditions in the motion picture industry are threatened, as Congress enters the last lap of the session, under the O'Mahoney resolution for a joint Congressional-executive committee to study the anti-trust situation, which the House is expected to adopt before adjournment. The measure was approved by the Senate, June 9.

The proposed $500,000 study of monopoly, to run for probably two years, which will lay the groundwork for a general modernization of all laws relating to restraint of competition, is to be conducted by a 12-man

(*Continued on page* 9)

House Vote Set on Air Probe Measure

Washington, June 13.—With the way cleared for adjournment of Congress Wednesday night or Thursday, Administration leaders today developed a tentative program for handling the legislation which is to be disposed of before the end of the session.

The Connery resolution for a House investigation of broadcasting, given the approval of the House Rules Com-

(*Continued on page* 12)

COAST LEADERS HONOR QUIGLEY

Mayer Tells of Quigley's Work

Hollywood, June 13.—Louis B. Mayer paid warm tribute to Martin Quigley for his work in behalf of the film industry, at the banquet in honor of the publisher here tonight. Mr. Mayer said:

"I would like to recite for any who don't know the early history of Dr. Quigley that somewhat over 20 years ago there were many trade journals being published in New York, with no particularly constructive policies. Dr. Quigley started the *Exhibitors Herald* in Chicago, away from the center and capital of all financial operations in our business. He had foresight and courage and out of all that confusion in a few years he cleared up the situation and today he prints as fine a trade journal as any industry can boast of.

"He has the foresight because of his faith in and love for this industry of which he felt he was an important part. He foresaw dangers to that industry. You know the saying, "Everybody has two businesses, his own and the motion picture." Martin Quigley took that philosophy to his heart. We were sailing along toward what might have been a very dangerous port. Without fear of failure he ventured out to chart a safe course.

"Remember that his income is from this industry, and if he was wrong he

(*Continued on page* 4)

Writers' Guild Decides on No Affiliation With CIO or AFL

Hollywood, June 13.—The Screen Writers' Guild, at a meeting to which non-members were invited and at which plans were laid for the election under the auspices of the National Labor Relations Board for the purpose of determining whether the guild or Screen Playwrights, Inc., shall represent the film writers as collective bargaining agency, adopted a policy of non-affiliation with either the American Federation of Labor or the C. I. O. and determined to cooperate with other groups to prevent encroachment of the I. A. T. S. E., which was characterized as a "racketeering labor organization."

The Screen Actors' Guild board met tonight to offer all cooperation to the writers in the forthcoming election, the date of which is to be set tomorrow by Dr. Towne Nylander, regional N. L. R. B. director at a conference between representatives of the guild, Playwrights and producers. The board of directors of the guild also met to aid the writers and to work out a program for the year.

Pay Tribute to Service Of Trade Publisher At Banquet

Hollywood, June 13.—Joseph M. Schenck and Louis B. Mayer, president and past president of the M. P. P. A., tonight entertained a party of distinguished representatives of the screen, clergy and laity at a dinner tendered Martin Quigley in tribute to his leadership and service in originating and instrumenting the Motion Picture Production Code, for which the editor and publisher had received the honorary degree of Doctor of Literature conferred by Loyola University at Los Angeles yesterday.

Speakers, in addition to Messrs. Schenck and Mayer, were Dr. Rufus B. Von Kleinschmid, president of the University of Southern California; Joseph Scott, attorney and civic leader, and the Rev. Charles A. McQuillan, president of Loyola University.

The dinner was given at the Cafe de Paree at the 20th Century-Fox studio.

In his opening address Mr. Schenck said of the Motion Picture Code, "Other names have been freely men-

(*Continued on page* 4)

Court Supervision Move Put on Shelf

Further action on the industry proposal for the appointment in conjunction with the U. S. Attorney General's office of a special master to hear complaints against Fox West Coast involving the 1930 consent decree entered into with the Government will be delayed indefinitely because of objections to the proposal advanced here last week by Charles Skouras and other West Coast officials, it was learned yesterday.

While it was emphasized that the proposal has not been abandoned because of the current opposition to it,

(*Continued on page* 11)

MPTO of Virginia Opposes Neely Bill

Virginia Beach, June 13. — The M.P.T.O. of Virginia at its midsummer convention today approved the action of its board in expressing opposition to the Neely bill. By the action President William F. Crockett, who presided, explained that the board

(*Continued on page* 2)

MPTO of Virginia Opposes Neely Bill

(*Continued from page* 1)

did not condone the evils of block booking and it did see the need of a certain amount of housecleaning.

Informal opposition also was expressed to double features, although it was pointed out that Virginia has been comparatively free from the practice.

Carter Barron, eastern district manager of Loew's, spoke against unfair trade practices and urged that admission prices be maintained throughout the recession.

Morton G. Thalheimer of Richmond expressed the opinion that the increased cost of exhibiting under the provisions of the Neely bill would fall on the exhibitor. John Payne, Ascap general manager, broke a long-standing precedent when he appeared before the M.P.T.O. He depicted the background of his organization and cited its purposes and how, in reality, it helped the industry. Ascap, he said, had no intention of increasing fees. The organization, he said, would rather collect from the producers than from the exhibitors, but he pointed out that, under the copyright law, Ascap could not do that, although it would be less costly.

One of the high spots of the business session was an entertaining address by E. N. MacWilliams, for two decades a vaudeville star and now a programmer of the National Broadcasting Company.

Legislative Report Read

The report of Col. Robert T. Barton, Jr., counsel of the organization, was read to the convention. It dealt with the activities of the last session of the Virginia legislature and the legislation that affected the exhibitors. A sketch of the work of the legislative committee was given by Ben Pitts of Fredericksburg, vice-president of the association.

The convention closed with the annual banquet, followed by a dance and floor show at the Cavalier Beach Club.

The convention was arranged by General Chairman Sydney J. Gates of Norfolk.

Reserve Decision on B. N. Plea in Phila.

Philadelphia, June 13.—The new plea for supersedeas in the case involving the banning of Bank Night here was heard today in Supreme Court and decision was reserved until Friday, when the court will reconvene. Former Attorney General Margiotti and David Friedman represented the Roxy Theatre in the proceedings.

Previous supersedeas requests of other litigants, including that of the Palm Theatre, originator of the games case which provoked Judge McDevitt's general ban in Common Pleas Court last April, have been denied.

The new action contends that since the appeal will not be argued until the Fall, the theatre will suffer great financial losses if not permitted to operate games until the final decision. The motion was fought today by Assistant City Solicitor Ryan, maintaining that Judge McDevitt had already ruled on the question of losses and that the lower court had not erred in its findings.

◂ Purely Personal ▸

John E. Otterson expects to sail for Europe tomorrow on the *Normandie* to complete arrangements for the acquisition of several European pictures which he plans to remake here for the American market. Fred W. Lange, Paramount manager for Continental Europe, returning to his post after an American visit, will be a *Normandie* passenger also. Joseph A. McConville, Columbia foreign manager, and Mrs. McConville, likewise have reservations on the French liner, as have Murray Silverstone, chairman of the United Artists executive committee, and Morris Helprin, American advertising and publicity representative for Alexander Korda.

•

Gladys Swarthout, accompanied by her husband, Frank Chapman, will sail tomorrow on the *Normandie* for a combination vacation trip and concert tour of England, France and Italy. She will return in August.

•

Larry Paulson, Shanghai manager for 20th Century-Fox, who has been visiting here, left over the weekend for Minneapolis en route to San Francisco and his headquarters in China.

•

Shirley Temple, who is on an extended motor tour with her mother, is now in the Grand Canyon area and due in New York toward the end of June. There will be no personal appearances.

•

Budd Rogers, vice-president and general manager of Alliance Film Corp.. left Sunday night on a business trip to Boston. He will return at the end of the week.

•

James R. Grainger left last night to visit Republic offices in Philadelphia and Washington. He also will make stops in Baltimore and Richmond.

•

Carl Laemmle and Jack Ross, his secretary, are scheduled to sail on the *Normandie* June 29 on an extended European holiday.

•

Dave Blum of Loew's foreign department returned with Mrs. Blum yesterday from a two-month European trip.

Y. Frank Freeman, Austin C. Keough, Louis Phillips and William F. Rodgers were back at their New York offices yesterday from Fargo, N. D. Thomas D. Thacher and A. C. Bickford, of Paramount counsel, have also returned to New York.

•

J. Cheever Cowdin, Universal board chairman, also expects to sail tomorrow on the *Normandie,* although his plans still are subject to change.

•

Gradwell Sears says there's no truth to those reports he is in Hollywood or elsewhere. He's in New York and has been since Thursday.

•

Joe Moskowitz of 20th Century-Fox is due Thursday from Callander, Ont., where shooting is in progress on the next Dionne quintuplets' film.

•

Truman H. Talley, head of Movietone News, will arrive Thursday morning, instead of tomorrow, on the *Conti di Savoia.*

•

Don Calhoun of the scenario group of the Jam Handy organization has been appointed to the executive creative contact staff.

•

Frederick Guy Beauchamp's and Roland Pertwee's story, "Death on the Table," has been acquired by M-G-M.

•

Dorothy Hechtlinger, aide to Darryl F. Zanuck at the 20th Century-Fox studios, is in town for a vacation.

•

Anna Wallace has been named assistant to Scott Faron, Ross Federal advertising and publicity director.

•

John Miller and Ruth Seidman of G. N. left yesterday to join the headquarters staff on the coast.

•

Al Margolies, advertising and publicity director for G.B., left yesterday for a brief vacation.

•

Louis Sobol's story, "The Gay Nineties," has been purchased by Warners.

•

Tullio Carminati is due to sail on the *Normandie* tomorrow.

Allied Adds Members

A number of new members have recently been added by Allied Theatres of N. Y., according to Max A. Cohen, temporary state chairman. E. Thornton Kelley of Allied of New Jersey left for Albany yesterday to resume the membership drive there. Mr. Cohen will attend a meeting of upstate members at the De Witt Clinton Hotel in Albany next Monday. Harry G. Kosch, counsel for the group, and Abe Levy of Brooklyn, secretary, also plan to attend.

Edith Skouras to Wed

Hollywood, June 13.—Edith Skouras, daughter of Charles P. and Mrs. Skouras, will become Mrs. Jack Jungmeyer, Jr., June 25. Mr. Jungmeyer is an assistant producer at 20th Century-Fox.

Hutchinson Conferring

Walter J. Hutchinson, 20th Century-Fox director of foreign distribution, is conferring with E. L. Rutledge, managing director in New Zealand, and Rafael Garcia, manager in Cuba, who arrived yesterday. Robert A. Kreier, assistant to Ben Miggins, European managing director, is due on the *Bremen* today.

Zanuck Seeking Titles

Hollywood, June 13.—The 20th Century-Fox studio has asked company employes to suggest final titles for four Darryl F. Zanuck productions. They are: "Splinter Fleet," "By the Dawn's Early Light," "The Life of Alexander Graham Bell" and the film in which Eddie Cantor will play "the average man."

Studio Setup at "U" Complete—Blumbe

Executive changes at the Unive studio have been completed and plant will function under the adr istration as it is now constitu Nate J. Blumberg, president, yesterday on his return to the h office from a month's visit at studio. No appointment of an e tive producer is contemplate added.

Mr. Blumberg's statement confi a story published in Motion Pict Daily, June 9, pertaining to studio executive setup.

Gillham West on Pla

Robert Gillham, Paramount dire of advertising and publicity, will l this weekend for Kansas City w he will meet Cliff Lewis and the will then proceed to Dallas w they will work out plans for Texas premieres of Paramount tures in conjunction with R. J. O'l nell of the Interstate Circuit. The premiere will be for "Tropic Holi in San Antonio, June 25, and the ond for "The Texans," July 16, al San Antonio.

RKO Holds Outing

The second detachment of home office employes to go on annual outing sailed up the H River yesterday to Bear Mou There were nine events on the gram in which almost everyone part. Prizes were given to wi in such doings as foot races, driving, wooden egg contests, ba throwing by women and soft baseball. The day was toppe with dinner at the Bear Mou Inn.

MOTION PICTURE DAILY
(Registered U. S. Patent Office

MARTIN QUIGLEY, Editor-in-Chief an lisher; J. M. JERAULD, Managing JAMES A. CRON, Advertising Manager, TORIAL STAFF: Charles S. Aaronson, Jac ner, Al Finestone, Thomas Fitzsimmons, A. Kane, Irene Kuhn, Joseph Priore.

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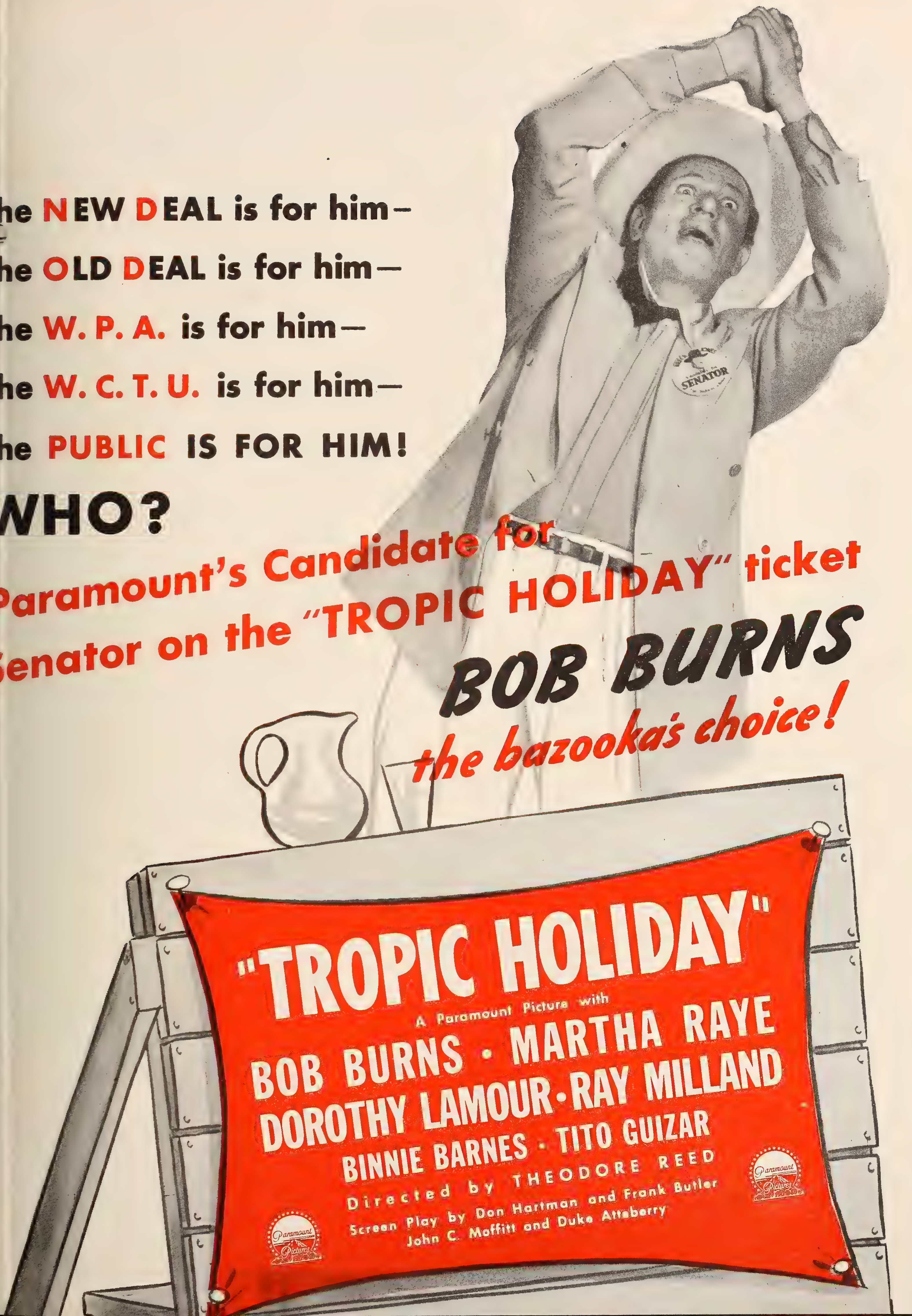
The **NEW DEAL** is for him—
The **OLD DEAL** is for him—
The **W. P. A.** is for him—
The **W. C. T. U.** is for him—
The **PUBLIC IS FOR HIM!**

WHO?

Paramount's Candidate for Senator on the "TROPIC HOLIDAY" ticket

BOB BURNS

the bazooka's choice!



"TROPIC HOLIDAY"

A Paramount Picture with

BOB BURNS · MARTHA RAYE
DOROTHY LAMOUR · RAY MILLAND
BINNIE BARNES · TITO GUIZAR

Directed by THEODORE REED

Screen Play by Don Hartman and Frank Butler
John C. Moffitt and Duke Atteberry

Coast Groups Honor Quigley With Banquet

(*Continued from page* 1)

tioned as motivating influences. Other persons more thoroughly publicized than he have been given the greater share of the credit for its invention. But those who are familiar with the facts know that the main spring of the movement, and most of the works as well, was our guest of honor Martin Quigley."

Schenck Expresses "Gratitude"

"It is true," said Schenck, "that we are here to pay honor to an individual, but it is likewise a fact that we are at the same time doing honor to a great idea, an idea which was given birth by a great institution. We are here this evening to pay homage to one of our fellow workers, for we all regard him as such, who, on Sunday, was accorded high honor and deserved recognition by a great institution of learning. We owe a great debt of gratitude for the formation of a force which all recognize as the most constructive and powerful artistic movement ever to enter the field of public entertainment. The facts concerning the reason and causes for it are familiar to all of us. Times change and we change with them. And nothing changes more rapidly than the taste in entertainment for the masses and classes. "That's been our great problem in the picture industry, trying to keep ahead of the public's changing tastes. In trying to do so, and probably following the public's taste in current and popular literature, we got into a jam. The public has a way of catching up with us every so often, and then, well, you know the story as well as I do. It would have been impossible for any single force that I can think of to have accomplished what was done through the production code, especially in unifying the industry, in making it think alike along certain lines without dangerously standardizing the product. There is little doubt that the plan was the most comprehensive ever devised to deal with a subject of such wide and vital importance.

"Fought Own Battles"

"Some may have disagreed with certain of its details, but I do not think there was one person in the industry who did not at the time recognize the honesty of the underlying motives and desire of those behind the movement not to cause any injury to our business. I am sure that there isn't one producer of importance in the industry who would not today place before any financial reward his duty to his fellow man or his responsibility to the youth of America, and the world as well.

"What has been accomplished by the code is familiar to all of us here, especially the standard it has established in decency for the screen. I don't want to embarrass Martin Quigley by a fulsome eulogy, but he has fought our battles vigorously for us in the past, just as he has honestly and as vigorously fought us when he thought we were wrong. Always he has been an honest champion of the motion picture industry and we rejoice with him in the recognition accorded him by Loyola."

> **"I am sure there isn't one producer of importance in the industry who would not today place before any financial reward his duty to his fellow man, or his responsibility to the youth of America, and the world as well."**
> ***—Joseph M. Schenck***

Martin Quigley, acknowledging the tributes of Mr. Schenck, Mr. Mayer and the other speakers, said, "The selection by the authorities of Loyola University at this time of a person associated with motion pictures for the award of a degree is an encouraging event. That I should be the person so selected is, of course, a matter of deep personal gratification. But most important of all is the fact that this action bespeaks on the part of the faculty of this University, located here in the center of the world production of motion pictures, a hearty and consistent appreciation of the efforts of American producers in the pursuit and accomplishment of a wholesome screen.

Public Has Responded

"There is little need now and under these circumstances to dwell on the regulatory methods which have won approval of the American motion picture from moral and social leadership the world over. But there are certain incidents in the industry's hard-fought victory over imposing difficulties which must not be forgotten.

"Let it be remembered that added to the manifold perplexities which confronted the industry in its application of the system of regulation and adjustment there was a great chorus of critics and commentators who, not taking the trouble to understand what the industry was doing, pleaded that to clean up the pictures would be to destroy their popular appeal.

"These critics have retreated in confusion. I often think of the writer in a great New York newspaper who, to show his contempt for the Production Code plan, said that under it the public would probably have to come to look at things like "Snow White and the Seven Dwarfs."

"This industry has demonstrated that within the framework of the Code there is ample latitude for making the best entertainments that have ever been prepared for a mass audience at any time anywhere. The public has responded by giving the greatest patronage to pictures produced under the Code that has ever been accorded to this or any other form of amusement.

Decency Best Policy

"The motion picture industry in the United States has demonstrated to the world amusement industry—and I hope for all time—that there is a new line for the copy books which reads—"Decency is the best policy." It is no longer debatable that if the motion picture is to gain and hold its widest possible audience it must be based on a common denominator of common decency."

Dr. Von Kleinschmid said: "I count it a distinct pleasure and genuine honor to be invited here tonight by a sister institution which has presented this well merited degree upon our distinguished friend Mr. Martin Quigley. It is one thing to be a publisher and editor when one's business is clearly and succinctly to place before the public the industry to the regulation of which and for the upbuilding of which the particular publication is devoted—but it is another thing to so manage a great publication that, while fulfilling its official work, it shall also take the place of leadership to effect that progress in the industry which it serves which warrants the approval and praise of not only other publishers but the industry itself and the onlookers who watch the industry carefully and those who are anxious for its success.

Achievement in Ethics

"I congratulate Dr. Martin Quigley upon his achievement. It is a distinct achievement not only in literature—and his degree is Doctor of Literature—but a distinct achievement in the field of ethics. After all, we are so prone to overlook the fact that we have a real job in life beside the job to which we address ourselves every morning and from which we attempt to withdraw ourselves every night. That is the job of so doing our work and so furthering its interests as to succeed in progress and not to neglect posterity. There is that task which lies beyond our job, which has the coming generation in mind.

"That is surely a trade journal's job. For it is looking to the very conception of the field which it covers—which it reveals—but it is looking for a better understanding and a better service on the part of that paper. This I think Dr. Martin Quigley has done.

Expression of Public Will

"I want to say that there is only one coin in which institutions of learning can pay a great debt. These institutions are the expression of the public will and public wish, just the same as the motion picture industry or other activities to which we address ourselves. These institutions can pay that debt in only one coin that I know of—that is the coin of larger service, with approval of service when it is rendered, and such designation of that approval as it is within its power to give. I am happy that Loyola has done this thing that any institution in America might be proud to do, for we are all more deeply concerned with motion pictures than the world is aware of. Since for us all you have done it we are proud with you in having brought into the brotherhood of the university men such an addition as Dr. Martin Quigley.

Scott Pays Tribute

Joseph Scott: "Of course I am delighted to see this outpouring of the industry in paying this tribute to Martin Quigley. I feel very keenly gratified about this party tonight. We think that Mr. Quigley and his movement has meant a great deal of benefit to your industry—because, men, when you get to that time of your life when your daughter is growing up and she is susceptible to good or evil influences it is too bad if you have to worry about that kind of picture she is going to see. It is a mighty wholesome thing to know that the influence of Mr. Quigley has permeated the ranks of the industry—and you can give a good account of your stewardship. Mr. Quigley strikes a high and wholesome note when he is here tonight as guest of honor. When

Mayer Tells of Quigley's Wor

(*Continued from page* 1)

would take the consequences, an
he was right he knew the men of
industry would rally to him and
him thanks for his courage. I
he who went on the proposition
we would not be pushed around
political censorship bodies, that
would censor ourselves, and that
should have a code that would
away with all censorship bodies.

"I believe we forget today the p
lems we used to have with cens
bodies. One state would pass a
and another would reject it. The
sighted men of this industry re
rallied to the Quigley theory and p
ciple. The others were in the mi
ity, but how many have to be w
before there is cause for regula
bodies? Those that were wrong
fearful of what Martin Quigley
sponsoring. The majority who
right rallied behind his effort to b
into line those who were shortsig
We have much to be thankful
Martin, and I am glad that I have
an opportunity to tell you so.

"I remember how kind you we
me when I was producing one pi
at a time. In fact you were nic
me when you thought I needed
than you have been since I have
the great M-G-M organization b
me. That is indicative of your
acter. You are deserving of the b
ings received for what you have
I have never heard, in 20 years,
thing said about you that I woul
love to have said about me. I
waited those 20 years to tell y
my great respect, love and affe
for you. May God bless you."

Mr. Quigley was initiated a
honored graduate of Loyola y
day it was doing full service t
industry and to a man who
deserves it."

Rev. McQuillan said: "I am
happy to be with you leaders o
motion picture industry on thi
spicious occasion.

"We have been very happy t
cord this honor to one of your
ber as we have in presenting w
ly, fittingly, the degree of Doct
Literature to Mr. Martin Qu
We have made no mistake in s
ing our man. As you realize, a
lic institution such as a schoo
an obligation and responsibili
our American public and to the
at large. We must father an
spect those who stand for the
things in our public life, so we
this tradition of singling out w
men and women in paying them
the only coin which we have a
disposal—this—honor—this doc
which stamps them as men wh
walking in the truth and goo

"Not only have we honored
Quigley personally—but we fe
were also honoring you men
stand for all of what is best, w
some and good in your very
ential business, the motion pictu
dustry. I am not going to ex
upon the very potent instr
which you have in your hands
own country and throughou
world. In honoring Mr. Quigl

(*Continued on page* 9)

During the months of July, August and September, United Artists will release six pictures that any company would be proud to present as the cream of an entire season's product. Yet these are only the forerunners of a line-up that promises to be by far the strongest in our history.

Read closely the cast of each of the six pictures; weigh carefully their possibilities. No amount of words can be as forceful as the facts themselves.

Sincerely yours,

GEORGE J. SCHAEFER

Big name casts in stories with a new freshness—back
SHOWMANSHIP. *That's the keynote of United Ar*

Walter Wanger presents

ALGIERS

starring

CHARLES BOYER • SIGRID GURIE • HEDY LAMARR

with Joseph Calleia, Alan Hale, Gene Lockhart, Mme. Nina Koshetz

Directed by John Cromwell • Story by Detective Ashelbe
Screenplay by John Howard Lawson
Additional dialogue by James M. Cain
Selected by "Redbook" the picture of the month

Selznick International presents

The YOUNG IN HEART

starring

JANET GAYNOR • DOUGLAS FAIRBANKS, Jr. • PAULETTE GODDARD

with Roland Young, Billie Burke, Richard Carlson

Adapted from the Saturday Evening Post serial, "The Gay Banditti", by I. A. R. Wylie
Screenplay by Paul Osborn and Charles Bennett
Directed by Richard Wallace
Produced by David O. Selznick

Hal Roach presents

THERE GOES MY HEART

starring

FREDRIC MARCH and VIRGINIA BRUCE

with Patsy Kelly, Alan Mowbray, Nancy Carroll, Eugene Pallette
Claude Gillingwater, Arthur Lake

Directed by Norman Z. McLeod
Screenplay by Eddie Moran and Jack Jevne

rful national advertising and exploitation . . in a word,
inment program for 1938-1939. —And here's the proof!

SEPT.
16

Selznick International presents

MADE FOR EACH OTHER

starring

CAROLE LOMBARD and JAMES STEWART

From the novel by Rose Franken
Screenplay by Jo Swerling
Produced by David O. Selznick

SEPT.
23

Alexander Korda presents

DRUMS (IN TECHNICOLOR)

with

SABU • RAYMOND MASSEY • ROGER LIVESEY
VALERIE HOBSON

Directed by Zoltan Korda
From the novel by A. E. W. Mason

SEPT.
30

Samuel Goldwyn presents

The LADY and the COWBOY

starring

GARY COOPER and MERLE OBERON

with David Niven, Walter Brennan, Thomas Mitchell

Directed by William Wyler
From the original story by Leo McCarey and Frank R. Adams

. . . . . and in addition . . . watch for these future hits from United Artists!

FROM SAMUEL GOLDWYN

THE DARING AGE, *starring Jascha Heifetz, Joel McCrea, Sigrid Gurie, Adolphe Menjou* • WUTHERING HEIGHTS, *starring Merle Oberon* • THE LAST FRONTIER, *starring Gary Cooper and Andrea Leeds* • BEACH BOY, *starring Jon Hall and Andrea Leeds.*

FROM ALEXANDER KORDA

PRISON WITHOUT BARS • FOUR FEATHERS *(in Technicolor)* THE THIEF OF BAGDAD *(in Technicolor) with Sabu* OVER THE MOON *(in Technicolor) starring Merle Oberon*

FROM WALTER WANGER

PERSONAL HISTORY • STAGECOACH, *a John Ford production* WINTER CARNIVAL • A MAN AND HIS WOMEN, *starring Charles Boyer.*

FROM EDWARD SMALL

THE DUKE OF WEST POINT, *starring Jack Dunn and Tom Brown* • THE MAN IN THE IRON MASK, *by Alexandre Dumas* KIT CARSON, AVENGER, *starring Joel McCrea* • KING OF THE TURF, *starring Adolphe Menjou* • *A romantic South Seas story, starring Jon Hall and Sigrid Gurie.*

FROM HAL ROACH

TOPPER TAKES A TRIP, *starring Constance Bennett, with Roland Young and Billie Burke* • ROBBERY UNDER ARMS, *starring Margaret Sullavan and Brian Aherne with Alan Mowbray, Patsy Kelly* • THE WATER GIPSIES, *starring Jean Arthur* • *Four Laurel and Hardy productions.*

BRIDGING 20 YEARS OF UNITED ARTISTS HISTORY
1939
UNITED ARTISTS
JUBILEE
PROGRAM

No wonder the industry is humming with the news:

PRINTED IN U.S.A.

THIS YEAR'S MONEY PICTURES WILL AGAIN BE Released thru UNITED ARTISTS

Film Monoply Quiz Foreseen In Washington

(Continued from page 1)

committee on which will be a half-dozen members of Congress and a like number of Federal officials nominated, respectively, by the Justice, Treasury Commerce and Labor Departments, the Federal Trade Commission and the Securities and Exchange Commission.

Three of these organizations—the Department of Justice and the two commissions—have been intensively interested in the motion picture industry and there is little doubt that they will develop all information they may have regarding films for consideration by the committee when it opens its hearings at some date as yet well in the future.

The whole investigation will be pretty much under control of the President, whose original proposal that it be conducted exclusively by department and commission heads was turned down by Congress in favor of a joint committee on which, originally, members of Congress would outnumber departmental representatives.

At the demand of the President, however, the representation was equalized and his control was further made certain by the provision of $100,000 to the committee for its expenses and the entrusting of the remaining $400,000 to the President, to be allocated as he saw fit among the departments and agencies for their part of the work.

Four A's Fails to Act on IATSE Stand

The board of directors of the Associated Actors & Artistes of America held a brief business meeting yesterday and adjourned for one week. So far as could be learned no action was taken on the I.A.T.S.E. convention resolution asking the A. F. of L. to revoke the charters of the talent guilds which are affiliates of the Four A's.

The committe which is working on amendments to the Four A's constitution reported "progress," but also indicated that several additional weeks might be required to complete the work. The changes in process are designed to make a more closely integrated organization for the Four A's affiliates in the performers' fields of stage, screen, radio and music.

Max Markmann Gaining

Max Markmann, Universal Newsreel cameraman connected with the New York office, is recovering at the Medical Center from burns he suffered while filming the trials of the new 20th Century Limited. Markmann was burned by live steam that issued from booster valves while he was making his shots from a location on the engine's tender at Cold Spring, N. Y. He was burned on the face, arms and hands and received emergency treatment at a Cold Spring hospital. He was later transferred to the New York institution which is noted for its treatment of burns. A spokesman at the hospital yesterday said Markmann was "coming along nicely."

Hollywood Preview

"Having Wonderful Time"

(RKO)

HOLLYWOOD, June 13.—Arthur Kober's stage play, prepared by himself for screen use, is scheduled for timely release July 1, in the summer vacation season with which it is concerned. Ginger Rogers and Douglas Fairbanks, Jr., portray the girl and boy principally dealt with in the presentation of summer camp life and the types of people who live it. The picture is an easy one to exploit.

Miss Rogers appears as a New York office girl who goes to a resort advertised as exclusive and finds it otherwise. Mr. Fairbanks plays a law school graduate employed here as waiter. They fall in love and she is willing to marry at once, but he is reluctant to incur matrimonial obligation until he has established himself in his profession. When, in a moonlit discussion of the matter, he offers a less formal proposal, she declines and, to arouse his jealousy, goes with Lee Bowman, the camp Casanova, to his cabin, where he makes a similar proposition which is likewise declined. She falls asleep in his cabin, is seen leaving next morning, publicly affirms her overnight stay there and walks away as Fairbanks and Bowman battle. Fairbanks follows, proposes marriage, expresses trust in her, and she accepts.

Alfred Santell directed and achieved in the handling of crowded scenes in which all talk at once somewhat the effect obtained in "Stage Door." Much of the dialogue is brightly amusing and Richard Skelton, as camp entertainer, offers some unusual comedy. Two songs by Sam Stopt and Charles Tobias are worked into the action.

Running time, 70 minutes. "A."

CEA to Press Plan For Small Exhibitor

By AUBREY FLANAGAN

LONDON, June 13.—Following the rejection recently by the Kinematograph Renters' Society (distributors) of the suggestion of the Cinematograph Exhibitors Association for a special plan applicable to smaller exhibitors, the C.E.A. now is preparing to press the matter.

The intention of the exhibitor group, already put into practice, is to gather factual material and data to use as ammunition. Forms are being sent to all exhibitors, asking the total theatre grosses of the past year and the reaction to a plan such as is proposed. The new campaign is solidly backed by the circuits, representing 1,500 to 2,000 theatres.

The next joint meeting of representatives of the K.R.S. and C.E.A. has not yet been scheduled, but will be following next week's C.E.A. conference at Folkstone.

Approve Settlement For Debts of G. N.

(Continued from page 1)

ness of Grand National Films, Inc., by paying $70,000.

The written order permitting the payments will be signed after hearing protests of creditors on slashing the amounts due them. The move is made to clear the books of many small bills.

'U' Makes More Changes

HOLLYWOOD, June 13. — Latest changes at Universal are: consolidation of the library and stenographic departments and the appointment of Nan Grant, librarian, to head the bureau; resignation of Flo Cantini, stenographic department head; replacement of George Dixon, head grip, by Bob Roberts, and replacement of Ralph Morgan, head of the special effects department, by Al Johnson.

RKO Allowances of $137,380 Are Made

Interim allowances totaling $137,380 were granted by Federal Judge William Bondy in the U. S. District Court here Saturday in the RKO reorganization proceedings. A total of $184,880 was requested by the interested parties.

Irving Trust Co., trustee of RKO, was granted $50,000 of the $60,000 requested for services rendered from Jan. 1, 1937, to date. Irving Trust previously had received $105,000. William J. Donovan, attorney for the trustee, requested $85,000 and received $55,000 for the period from March 1, 1937, to date. He was also reimbursed for $2,797 in disbursements.

Richard B. Scandrett, Jr., who acted as special master and passed upon $2,295,820 in claims against the debtor, asked $30,000 and received $12,500. Edward L. Ward, attorney for the Maryland receiver, obtained $4,000, as requested. Price, Waterhouse & Co. asked for and received $3,083.

Canadian Business Holds Up: Nathanson

QUEBEC, June 13.—Business is holding up well in Canada, N. L. Nathanson, president of Famous Players Canadian Corp., declared on Saturday before sailing for Europe on the *Empress of Britain* with his family.

He expressed the belief that the reason theatre business in Canada is less affected by economic conditions than in the United States is a matter of temperament. He declared that Canadians have a more solid, unchangeable attitude about economic conditions, and regard the films as a part of their daily lives. Replying to the recent remark of the British producer that Canadian films are not up to standard, Nathanson said that Canada hardly could be expected to turn out high grade films when the country represents only two per cent of the world market.

Coast Groups Honor Quigley With Banquet

(Continued from page 4)

hope that you feel that we have given you some symbol, some token of encouragement, to continue the work that you have done.

Seated at the speakers' table were Joseph M. Schenck, Louis B. Mayer, Rev. Charles A. McQuillan, Dr. Rufus Von Kleinschmid, Honorable Joseph Scott and Martin Quigley.

Present at the dinner as representatives of the industry were:

Sam Katz
Spencer Tracy
Sid Grauman
Sol Wurtzel
William Goetz
Charles R. Rogers
Harry Cohn
Al Lichtman
Sol Lesser
Henry Ginsberg
J. R. McDonough
Fred Beetson
Mendel Silberberg
John Considine, Jr.
Martin Quigley, Jr.
Winfield R. Sheehan
Scott Dunlap
Victor Clarke
Tom Pettey
Pat Casey
Geoffrey Shurlock
Cliff Work
Matthew Fox
George Murphy
Milton Breen
Jock Lawrence
Al Cohen
Harold Lloyd

Guests from Loyola University were: Rev. John F. Connolly, Dean of the Faculties; Rev. Joseph J. Donovan, Regent of the School of Law, and George M. Breslin, member of the Board of Regents.

The clergy of the Archdiocese of Los Angeles was represented by Msgr. James Keating and Rev. John J. Devlin.

Also in attendance were Francis Montgomery, Harry Crocker of the *Los Angeles Examiner,* Ralph Wilk of *Film Daily,* Howard Strickling, Les Peterson, Nat Dyches, Boone Mancall, William R. Weaver, Mildred Early and Gus McCarthy.

Wall Street

"U." Off 6 Points on Board

	Open	High	Low	Close	Net Change
Col.	11	11	11	11	— 7/8
E. K.	151	151	151	151	—2
Loew	41	41	40 5/8	40 3/4	—1
Para.	7	7	6 7/8	6 7/8	— 1/4
Para. 1.....	72 3/4	72 3/4	72 3/4	72 3/4	—2
Para. 2.....	8 1/8	8 1/8	8 1/8	8 1/8	— 1/4
Pathe	4 1/4	4 1/8	4 1/8	4 1/8	— 1/8
RKO	2 1/8	2 1/8	2	2	— 1/8
20th Fox ..	20 1/2	20 1/2	20 1/2	20 1/2	— 3/4
Univ. pfd.....	28	28	28	28	—6
W. B.	4 3/8	4 1/2	4 3/8	4 3/8	— 1/8
W. B. pfd...	30	30	30	30	.....

Little Curb Movement

	Open	High	Low	Close	Net Change
Tech.	23	23	22 5/8	22 5/8	— 1/8
Trans-Lux	2 1/8	2 1/8	2 1/8	2 1/8	.....

Loew Bonds Decline

	High	Low	Close	Net Change
Loew 3 1/2s '46.....	99 7/8	99	99	— 3/4

(Quotations at close of June 13)

MOTION PICTURE DAILY'S HANDY BOOKING CHART

[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	G. B.
May 20		Swiss Miss (G) (C) *Laurel and Hardy*	Numbered Woman (G) (D) *Sally Blane* *John Arledge*	Cocoanut Grove (G) (M) *MacMurray* *Hilliard*		Blind Alibi (G) (D) *Richard Dix* *Bourne*	Rascals (G) (D) *Jane Withers* *Robt. Wilcox*		The Devil's Party (G) (D) *McLaglen* ***Roberts***	Mystery House (D) *Purcell* *Sheridan*	The Show Goes On (D) *Neagle* *Carminati* (June 17)
May 27		Yellow Jack (G) (D) *Montgomery* *Bruce*	Phantom Ranger (O) *McCoy*	Hunted Men (G) (D) *Lloyd Nolan* *Carlisle*			Kidnapped (G) (D) *Warner Baxter* *Bartholomew*			Crime School (G) (D) *"Dead End" Kids* *Bogart*	3 on a Week End (G) (D) *Lockwood* *John Lodge* (July 1)
June 3		Three Comrades (G) (D) *Robt. Taylor* *Sullavan*		You and Me (G) (D) ***Raft*** ***Sidney***	Desert Patrol (O) *Bob Steele*	The Saint in New York (G) (D) *Hayward* *Sutton*	Josette (G) (C) *Simon* *Ameche*		Wives Under Suspicion (G) (D) ***Warren William*** ***Gail Patrick***	Little Miss Thoroughbred (G) (D) *Janet Chapman*	Crime Over London *Margot Grahame* *Paul Cavanaugh* (July 15)
June 10		The Toy Wife (G) (D) *Rainer* *Douglas*	Marines Are Here (D) *June Travis* *Gordon Oliver*		Ladies in Distress (G) (C) *Skipworth* *Polly Moran*	King Kong (reissue) *Wray*	One Wild Night (G) (C) *June Lang* *Lyle Talbot*			Gold Diggers in Paris (G) (M) *Rudy Vallee* *Rosemary Lane*	
June 17	Holiday (G) (D) ***Hepburn*** ***Cary Grant***	Lord Jeff (D) ***Bartholomew*** ***Rooney***		Prison Farm (D) ***Lloyd Nolan*** ***Carlisle***	Riders of the Black Hills (O) *3 Mesquiteers*	Blond Cheat ***Fontaine*** ***DeMarney***	Three Blind Mice (G) (C) ***Loretta Young*** ***Joel McCrea***	Blockade (A) (D) ***Madeleine Carroll*** ***Fonda***	Afraid to Talk (D) *Robt. Wilcox* *Dorothea Kent*	When Were You Born? (G) (D) ***Anna Wong***	G. N. Six Shootin' Sheriff (O) *Maynard* (May 20)
June 24	Stagecoach Days (O) *Luden* Highway Patrol (G) (D) *Wells*	Woman Against Woman *Bruce* *Marshall*	Romance of the Limberlost (D) *Jean Parker* *Eric Linden*	Bar 20 Justice (G) (O) *Boyd*		Border G-Man (O) *O'Brien*	Mr. Moto Takes a Chance (G) (D) *Lorre* *Rochelle Hudson*			White Banners (A) (D) *Claude Rains* *Fay Bainter*	Held for Ransom (D) *Blanche Mehaffey* *Grant Withers* (June 7)
July 1	City Streets (D) ***Fellows*** ***Carrillo***	Shopworn Angel (D) *Sullavan* *Stewart*		Tropic Holiday (C) *Bob Burns* *Martha Raye* *Dorothy Lamour*	Army Girl (D) *Madge Evans* *Preston Foster*	Having Wonderful Time (C) *Rogers* *Fairbanks, Jr.*	Always Goodbye (D) *Stanwyck* *Marshall*	South Riding (D) *Edna Best* *Edmund Gwenn*	Danger on the Air (D) *Donald Woods* *Nan Grey*		I Married a Spy (D) (July 1)
July 8		Love Finds Andy Hardy *Rooney* *Stone* *Parker*	Man's Country (O) *Jack Randall*	Return of the Fox (O) *Boyd*	Durango Valley Raiders (O) *Bob Steele*	Crime Ring *Allan Lane* Little Women (reissue) *Hepburn*	Panamint's Bad Man (O) *Noah Beery* *Smith Ballew*		The Rage of Paris (G) (C) *Darrieux* *Fairbanks, Jr.*	Cowboy from Brooklyn (M) (G) *Dick Powell*	Rollin' Plains (O) *Tex Ritter* (July 8)
July 15	West of Cheyenne (O) *Starrett* *Iris Meredith*	Fast Company *Florence Rice* *Melvyn Douglas*		Professor Beware (C) *Harold Lloyd* *Phyllis Welch*	Gold Mine in the Sky (O) *Gene Autry*	Mother Carey's Chickens *Ruby Keeler* *Anne Shirley* *Ellison*	Passport Husband *Pauline Moore* *Stuart Erwin*		Walls of St. Quentin (D) *Glenda Farrell* *MacLane*	Men Are Such Fools (G) *Wayne Morris* *Priscilla Lane*	High Command (D) (July 15)
July 22	Crime Takes a Holiday *Jack Holt*	Crowd Roars *Taylor* *O'Sullivan* *Frank Morgan*		Booloo (O) *Colin Tapley*		I'm from the City (C) *Joe Penner*	I'll Give a Million *Warner Baxter* *Marjorie Weaver* *Jean Hersholt*				Renfrew Rides North (O) (July 22)

Schaefer Hits Dualling with Big Pictures

(*Continued from page 1*)

[illegible] dissipation policy that blindly plunges ahead and books two important pictures on the same program, as was recently evidenced by the playing in important key runs of 'Bluebeard's Eighth Wife' and 'Jezebel.'"

He declared that if exhibitors had held "hit" pictures for a second or a third week last December, they now would have four or five big attractions accumulated and available for playing.

"Of course, the fact is recognized," he said, "that during recent months there has been a decline in business. But the improvement, in my opinion, cannot come from attacking the problem by dissipating strong starring-and-story attractions on the same program. I feel it is better for the exhibitor to suffer and be patient and try to solve this problem by thinking his way out than to glut his program unnecessarily."

Conceding that there is a famine of big product now, he contended it could have been avoided if exhibitors had had the foresight to anticipate the shortage and conserve the more important releases by playing them singly.

Describes Korda Arrangements

Discussing Alexander Korda's distribution arrangements with United Artists for the new season, Mr. Schaefer said that the British producer was to be given preferred terms for the socalled Empire pictures in order to enable him to make certain films for distribution in England only. While only five of Mr. Korda's most pretentious films will be distributed here, the arrangement permits him to make many more pictures than that for British distribution, Mr. Schaefer explained.

The five-day convention here is being attended by 100 home office executives and managers and salesmen from 14 exchanges. The new season program of 30 features and a series of 12 shorts was discussed at the afternoon session yesterday and this discussion will be continued this morning. A. W. Smith, Jr., sales manager, is presiding at the sessions.

Gold Discusses Recessions

Branch managers were instructed in the proper handling and shipping of prints by Harry D. Buckley, vice-president in charge of exchanges, who spoke at the morning session. He pointed out that with an investment of more than $1,200,000 in prints, improper handling sometimes accounts for an operating loss on exchange books, and reminded the men that a bad print also means a dissatisfied account.

Harry Gold, eastern division manager, in his talk at the first session, emphasized the value of man-power in difficult business periods.

Arthur W. Kelly, vice-president in charge of foreign distribution, predicted that foreign producers will gain a greater place in the American market and will tighten the competition for playing time in world markets. It may mean that a new phase of the business is at hand, he said, due to the lower production costs abroad which go hand in hand with the improving foreign production technique.

Other speakers at yesterday's sessions were L. J. Schlaifer, western division manager, and Paul Lazarus, contract manager.

Among the U.A. Men

George J. Schaefer, fully recovered from a cold which confined him to his home for several days last week, kept to his convention schedule as planned. His speech at the afternoon session was the highlight of the opening day program.

✚

Murray Silverstone, chairman of the executive committee, was unable to make an appearance at the meeting yesterday because of home office conferences and his preparations for sailing Wednesday on the *Normandie*. He will wind up his affairs in London and be back here with his family in a few weeks to establish his new headquarters at the home office.

✚

Andy Smith expects to see this year's rivalry between Harry Gold's eastern division and Jack Schlaifer's western division and in a unique challenge for the new season. Mr. Schlaifer's division finished ahead of the east this year.

✚

Arthur Kelly said his speech making is somewhat less inspired this year than it was last. He hasn't been below the Equator since 1937.

✚

Harry Buckley and Lowell Calvert made a good team of camera subjects. Calvert, incidentally, wouldn't discuss more than two Selznick International pictures for 1938-'39.

✚

Monroe Greenthal's department did a swell job decorating the convention hall. Greenthal appeared at the meeting yesterday in a swank new suit that he won on a bet. Wouldn't divulge what the bet was about.

✚

Andy Smith wouldn't spot Bob Mochrie a stroke after seeing the new golf bag which the Atlanta exchange sales staff presented him with. He insisted a bag like that belonged in the championship class. Scores: Mochrie, 125; Smith, 85.

✚

Elmer Donnelly of Indianapolis thought he had lost weight until they asked two page girls to pose with their arms about him. The two pairs of arms failed to circumscribe his girth.

✚

Paul Lazarus swears it was the *Normandie* they were watching from that window vantage point.

John Hicks, Sr., Stricken

John W. Hicks, Sr., father of the Paramount vice-president in charge of foreign distribution, is seriously ill at his Sedalia, Mo., home, according to information received at the Paramount home office. John Hicks, Jr., who was en route to New York from the Paramount studio when advised of his father's illness, went to Sedalia and will remain there pending a change in his father's condition.

U. A. Welfare Fund

A welfare fund has been established for the lower bracket salaried employes of United Artists, Harry D. Buckley, vice-president, informed the company' sales forces at their meeting at the Waldorf-Astoria yesterday. The fund is designed to aid employes in times of financial emergencies, he said.

Carolina Exhibitors To Meet on June 26

Charlotte, N. C., June 13.—More than 80 reservations have already been received for the annual summer convention of the Associated Theatre Owners of North and South Carolina, at Myrtle Beach, S. C., June 26-28, according to Mrs. Pauline H. Griffith, secretary-treasurer, who has offices here.

The officer declared the total of reservations greater than for any previous meeting this far in advance of the convention opening. The first day of the session will be devoted to business sessions and an extensive entertainment program has been arranged for the convention.

Boles Aide to Gross

San Francisco, June 13.—George Boles, former house manager of the Golden Gate here, has been named resident manager for RKO, as assistant to Jack Gross, new coast manager of RKO Theatres. Gross, recently named to succeed Cliff Work, has moved coast headquarters from here to Los Angeles.

"U" to Show "Paris"

Universal will have a trade showing of "The Rage of Paris," starring Danielle Darrieux at the Astor theatre today at 11 o'clock.

Court Supervision Move Put on Shelf

(*Continued from page 1*)

there was no ready forecast, nevertheless, as to how soon a decision for or against the plan could be expected. In addition to the Skouras opposition, it is known that Warners, Universal, RKO, Columbia and United Artists are either cool to the proposal or openly opposed to it. The bulk of the objections appear to be centered on the unprecedented industry plan to invite the Government in to settle clearance, zoning, film buying and any other complaints involving a contempt action under the 1930 consent decree. Some objectors also contend that the proposal would open the way to conspiracy actions against the distributors regardless of the findings of the special master.

Three or four meetings on the proposal were held last week with major company attorneys being given the views on the proposal of the Skouras officials, who included Charles A. Buckley, vice-president and an attorney; Alfred Wright, attorney, and Thomas Page, statistician for the circuit.

Sponsors of the proposal during the next few weeks will endeavor to work out a revision of it which will answer the Skouras objections, it was said.

Circuits Not to Close

Cleveland, June 13.—Heads of the local affiliated circuits—Warners, Loew's and RKO say they are not interested in the proposed plan of independent exhibitors to close Cleveland theatres three or four days a week during the summer months, or until such time as conditions warrant full time operation. Business at the affiliated houses is satisfactory, they state.

Benjamin Bernstein Dead

Cincinnati, June 13.—Benjamin Bernstein, father of Harold Bernstein, manager of the Plaza, suburban house, and director of the Independent Theatre Owners of Ohio, died at his home here today after a lingering illness.

AIR EXPRESSED
NEWSREELS
...scoop the
field!

To hundreds of theatres throughout the nation, AIR EXPRESS delivers headliner films—nearest in minutes—farthest overnight. Bookings protected, exhibitors pleased. It's a box office hit! Only screened films pay profits, so slash transit time with AIR EXPRESS—2500 miles overnight. Day and night, nation-wide service; also to Canada, Latin America, Honolulu, and Far East. Merely phone any RAILWAY EXPRESS office—AIR EXPRESS Division.

▸ Radio Personals ◂

CONRAD THIBAULT has been signed for a guest appearance on the "Hit Parade," July 2, over CBS. . . . Alvin Robinson has been promoted to senior announcer at NBC . . . Warren Wade, formerly of the NBC artists' service, has rejoined the network as a television production director.

+

F. Robinson of the Crosley Radio Corp. flew to Detroit yesterday via American Airlines. . . . Jack Whiting will be the air guest of Radie Harris on Mutual Thursday.

FCC Hearing on New Station Due Today

WASHINGTON, June 13.—The Federal Communications Commission has scheduled a hearing before an examiner tomorrow on the application of WHP, Harrisburg, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day.

On June 17, an examiner's hearing will be held on the application of KFEQ, St. Joseph, Mo., for increase of time from day to local sunset, with a night power of 500 watts.

Hearings at dates to be set later were ordered by the commission on the applications of Edward Breen and Allen R. Loomis, II, for a new 1,370-kilocycle station at Fort Dodge, Ia., with 100 watts power night, 250 watts day; Midwest Broadcasting Corp., for a 1,210-kilocycle, 100-watt station at Provo, Utah; Provo Broadcasting Co., for a 1,210-kilocycle station at Provo, Utah, with 100 watts night, 250 watts day, and WFBR, Baltimore, for experimental authority to operate a satellite station in Frederick, Md., on its frequency of 1,270 kilocycles, with 10 to 100 watts power.

Engineer's Meet to Feature Television

New developments in television will play an important part in the papers to be presented at the 13th annual convention of the Institute of Radio Engineers, to be held at the Hotel Pennsylvania for three days starting Thursday.

Radio cameras and electric "eyes" will be discussed at the Friday session when Dr. V. K. Zworykin, R. R. Law and associates are introduced. A television system as developed by the DuMont Laboratories will be described by T. T. Goldsmith, Jr., Saturday afternoon, as will the new mobile television units soon to be put into use by NBC.

To Air Chinese Party

WOR-Mutual will have a microphone in the heart of Chinatown Friday from 11:15 to 11:30 P. M. to describe scenes of the bowl of rice party there, one of the many such parties sponsored by United Council for Civilian Relief in China.

To Air "Mother Carey"

"Mother Cary's Chickens" will be previewed on "Hollywood Hotel" over CBS Friday, with Ruby Keeler, Anne Shirley and Fay Bainter.

House Vote Set on Air Probe Measure

(*Continued from page* 1)

mittee on June 10, is to be brought up for a vote at the first opportunity. If time permits, a vote will be sought also on the Sirovich bill for creation of a Fine Arts Bureau in the Interior Department, for which the way was cleared by Rules Committee approval.

Both houses, anxious to clean their slates as quickly as possible, disposed of a number of bills today.

The Senate adopted the Wheeler resolution declaring broadcasting powers in excess of 50 kilowatts not in the public interest, after Senator Burton K. Wheeler of Montana, author of the measure, explained that it was designed to prevent the establishment of a monopoly.

Question Wheeler

Wheeler was questioned regarding the effect of the resolution upon existing stations and explained that there would be none. The measure calls upon the F.C.C. not to authorize any station in either regular or other service to use more than 50 kilowatts power.

Following adoption of the resolution, Senator Robert J. Bulkley of Ohio made a motion to reconsider, but did not ask for immediate action. Final approval of the resolution depends on whether he presses his motion.

In the house, the Interstate and Foreign Commerce Committee voted to table a bill sponsored by Rep. George C. Sadowski of Michigan to require the F.C.C. to consider the question of competition in determining the "public interest" in application for broadcasting licenses.

Ad Federation Hears Edward F. McGrady

DETROIT, June 13.—Edward F. McGrady, former Assistant Secretary of Labor and now labor counsellor for RCA, was the principal speaker at business sessions of the 34th annual convention of the Advertising Federation of America which opened here today.

Mr. McGrady told the federation that industry was falling behind labor in presenting its virtues to the public. He suggested that industry should employ the methods of labor unions and present its side of the conflict between labor and industry through a program of public interest.

A message from President Roosevelt praised the Federation for its slogan "Advertising Makes Work."

Radio is to be the principal subject of discussion at tomorrow's session of the NAB sales managers' committee. Speakers will include Edgar Kobak, vice president of Lord & Thomas, who will compare the American system of radio with tax supported systems in other nations; Dr. Herman S. Hettinger, radio economist; and Charles E. Hicks, sales promotion manager of WXYZ, Detroit, as well as others.

Marches on Lux Show

Fredric March and his wife, Florence Eldridge, will be featured in the Lux Radio Theatre presentation of "Manslaughter" over CBS June 20.

Air Campaign

Omaha, June 13.—Foster May, news editor of WOW, is a candidate for the Democratic nomination for Congressman, and has developed a new idea in political advertising. He is pinning his hopes on a "front porch" radio campaign. A direct line will be run from his house to WAAW, and Mr. May will put on half-hour programs nightly at 7P.M. The public will be invited to come and lounge in Mr. May's front yard or on the big front porch and listen to or take part in the broadcast.

Offer Transcription On Safe 4th of July

Transcriptions appealing for "a safe and sane Fourth of July" are being offered without charge and express prepaid to radio stations by the National Society for the Prevention of Blindness.

The program runs nine minutes and consists of a brief interview with Lewis H. Carris, managing director of the Society, by Myron Weiss, associate editor of *Time,* followed by a dramatization of a typical fireworks accident in which a boy is injured. Jack Johnstone of the Biow advertising agency, directed the show, with David Resnick, the society's publicity director, supervising.

"Brave New Worlds" Program Wins Award

The Ninth Annual Institute of Education by Radio has nominated "Brave New Worlds," a recent CBS series, as the outstanding dramatization in the non-commercial educational class.

"Brave New World" was presented by CBS in cooperation with the U. S Department of Interior. Direction was by Earle McGill of the CBS staff.

CBS Studio Assigned

Due to the numerous requests from Pan-Americans who wish to attend the special short wave broadcast organized by CBS and *Teatro al Dia,* Elizabeth Ann Tucker, director of programs for the CBS international station, W2XE, has arranged programs for the CBS Playhouse No. 3, the largest of the network's theatre studios to be placed at the disposal of Quigley Publications for the broadcast. The program will take place June 29, from 9:30 to 10:15 P. M.

Plan WHN Interviews

WHN will interview incoming and departing passengers from the Pennsylvania Station with a new series of interview broadcasts to come directly from the causeway of the railroad terminal. The programs will be presented twice weekly at 1:45 P.M. on Tuesdays and Fridays. Jimmy Jemail will be at the microphone.

Gilman in New York

Don Gilman, NBC vice-president in charge of west coast operations, arrived here yesterday from Hollywood for a stay expected to last 10 days. He is accompanied by John Swallow, NBC west coast program head.

FCC Hearing Takes Up Listener Habi

WASHINGTON, June 13.—The L
tening habits of the radio public
to a considerable extent directed
sunspot conditions, members of t
Federal Communications Commissi
committee on new regulations we
told today by WLW engineers.

Going into the second week of
hearings, the committee further
quired into the effect of superpo
operation on WLW coverage. T
1935 postcard survey of listen
preferences made by the F.C.C., it w
testified by Meredith S. Runck, he
of the Crosley marketing and resear
department, showed WLW to be fi
choice in 14 and second choice in ni
states.

Due to the development of sunsp
since that time, however, technical e
perts of the station admitted, WL
might not now be the first choice
some of those areas, particularly
the south where the effect of magne
disturbances would be greatest.

Listener response, it was point
out, is affected to considerable exte
by the intensity of signals and, pa
ticularly in secondary areas, t
listener is likely to tune in the st
tion best received or, if a particul
program is desired, the station carr
ing that program with the strong
signal.

However, it was insisted, progra
desirability is a major factor in buil
ing up listener response, and ma
listeners will stick to a particular pr
gram on an inferior signal streng
rather than select some other pr
gram better received.

Court Orders Trial Of Lord-Pathe Su

U. S. Circuit Court of Appe
Judge Thomas W. Swan in a six-pa
opinion yesterday ordered a new tr
in the $50,000 breach of contract s
brought by Phillips H. Lord agai
Pathe News, Inc. The high co
opinion, which was unanimous, r
versed a ruling of Judge John
Clancy of the U. S. District Cou
which dismissed Lord's suit duri
trial in November of last year,
the grounds that the contract was n
sufficiently definite to be valid. Jud
Swan stated: "We hold that the co
tract as it reads is not too indefinite
be capable of enforcement."

Lord, who is well known for
radio and film roles as "Seth Parke
brought suit in December, 1935, st
ing that he had purchased a fou
masted schooner, "Georgette," with t
idea of circling the world to broa
cast and take pictures at various por
He claimed that in July, 1933, he h
made a contract with Courtla
Smith, president of Pathe, where
Pathe was to supply three technicia
to make the pictures. It was unde
stood, Lord stated, that any gro
profits would be equally shared. S
is based on an alleged wrongful r
fusal of Pathe to carry out this agre
ment.

According to Louis Nizer, couns
for Mr. Lord, the court's opinion i
dicates a new principle in that it u
held the contention that a certa
elasticity is permitted in agreemen
covering artistic ventures and th
substantial terms do not have to
agreed upon. If upheld, this opini
may have far-reaching significance
the industry, said Mr. Nizer.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 43. NO. 136 NEW YORK, WEDNESDAY, JUNE 15, 1938 TEN CENTS

List for NLRB Poll Refused By Producers

Move May Indefinitely Delay Election

HOLLYWOOD, June 14.—Several mintes after Maurice Howard, National abor Relations Board field examiner, et June 28 as the date for the election y film writers to determine their colective bargaining agency, attorneys epresenting the 18 studios involved hrew the plans into confusion by reusing to supply lists of writers on ayrolls June 4 for checking as to ligibility under the recent findings of he N.L.R.B. declaring film writers mployes. This may delay the vote ndefinitely.

Walter K. Tuller, of Omelveny, uller & Myers, representing Paraount and also spokesman for the ther producer attorneys, declared that he producers will carry to the highest ourts their contention that the Wager Act is inapplicable to the film in-

(*Continued on page 4*)

Connery Resolution Asking Radio Probe Defeated in House

WASHINGTON, June 14.—The Conery resolution calling for a House nvestigation of broadcasting and hich on June 10 had been approved y the House Rules Committee, toight was defeated in the House of epresentatives.

Additional developments in radio yesterday on page 8.

Universal to Have 4 "A's" July, August

Blumberg Throwing Dice On Summer Problem

Universal will send four "A" pictures—which it regards as its best entries of the season just closing—to the barrier in midsummer, Nate J. Blumberg, president, told MOTION PICTURE DAILY yesterday.

The racetrack allusion is not inappropriate inasmuch as many distribution executives, the Universal president relates, have the same feeling about risking midsummer release of big pictures that others have about eating oysters in an "R-less" month.

"They say I'm crazy," Mr. Blumberg remarked. "But we're throwing the dice this summer. Universal will have more 'A' pictures for release during July and August than any other company. I have been advised to hold some or all of them for later release on the theory that business may improve by the end of the summer and that, even if it doesn't, big pictures will get bigger returns in September

(*Continued on page 6*)

RKO Hearings End; Briefs Due June 25

Hearings on the proposed amended plan reorganization for RKO were concluded before Special Master George W. Alger yesterday when all sides completed argument on the plan. Briefs will be submitted June 22, with June 25 as the final date for reply briefs.

Mr. Alger refused to disclose when his report would be ready. He indicated, however, that he would submit a tentative draft to attorneys for sug-

(*Continued on page 6*)

GIANNINI LEAVES U.A. PRESIDENCY

No Successor Is to Be Named—Offices Will Be Moved to N. Y.

HOLLYWOOD, June 14.—Dr. A. H. Giannini, president and chairman of the board of United Artists for the past two years, today announced his withdrawal from the company.

Dr. A. H. Giannini

No successor to Dr. Giannini will be named for some time and, pending future developments, the company may function without a president indefinitely. The chief executive functions will be administered by Murray Silverstone, chairman of the executive committee, in New York where the company's headquarters will be concentrated in the future. It is understood that a provision of Mr. Silverstone's contract specifically states that he is not to become president.

Contract Believed Settled

Dr. Giannini's contract, which had a few months less than three years to run, is understood to have been settled for $200,000, or virtually its full amount. He will leave here Thursday for New York and will sail from there June 22 for a three-month vacation in London, Paris and Italy. Effective with his leaving, the Beverly Hills executive quarters of the company will be dismantled.

Dr. Giannini's statement announcing his withdrawal from the company follows:

"Two years ago, the United Artists Corp. requested me to become its president and chairman of the board

(*Continued on page 4*)

U.A. to Take Over Korda's Canada Sales

United Artists will take over the Canadian distribution of Alexande Korda's London Films product, effec tive with the opening of the new sea son, the United Artists sales force were advised yesterday at their east ern sales meeting at the Waldorf-Astoria. The product, heretofore, has been distributed in Canada by Regal Films.

The new distributing arrangement covers the five Korda features to be distributed in the United States next season. It will be the first time that United Artists has handled Canadian distribution for Mr. Korda since the formation of London Films. The deal will add appreciably to the annual volume of United Artists domestic distribution revenue.

The sales force was advised by Hal Roach that the Laurel and Hardy

(*Continued on page 4*)

Congressmen See Neely Bill Fight At Next Session

WASHINGTON, June 14.—Members of the House of Representatives indicated today that they do not consider the action of the Interstate Commerce Committee, tabling the Neely Block Booking Bill, conclusive and that a strong fight will be waged next session to get the measure through Congress.

A number of members have been prominent in the fight for the legis-

(*Continued on page 4*)

Zeidman to Produce For Malcolm Browne

Malcolm Browne Pictures Corp. has closed a producing deal with Bennie Zeidman, under which Mr. Zeidman will take charge of the production of the company's 20 features for the 1938-'39 season, according to John E. Browne, president. The product

(*Continued on page 7*)

Taking No Sides

Hollywood, June 14.—Walter Wanger has ordered affixed to the main title of his production, "Blockade," a foreword reading as follows: "This story of love and adventure is not intended to treat with or take sides in the conflict of ideas involved in the present Spanish crisis."

Otterson Has Cooperative Plan for Art Film Showing

Inter-Allied Films, the new foreign icture importing company established y John E. Otterson, former president f Erpi and of Paramount Pictures, as effected a cooperative deal by hich certain houses of the Brandt nd Trans-Lux circuits will be outets for Inter-Allied product in the etropolitan area, Mr. Otterson reealed yesterday. He will sail on the *Normandie* today to spend one month in France and England acquiring product of "special merit and artistic value."

Mr. Otterson said that he and his associates hope eventually to complete arrangements for a national chain of "art type" theatres to provide outlets for the product in the

(*Continued on page 6*)

My Word!

By Irene Kuhn

◆ Lefty Gomez and Babe Ruth play bocci (Italian bowling) nightly on the green in Conte's Garden Restaurant on Lafayette St. . . . Heywood Broun, American Newspaper Guild president, has deserted the bosky glens of Connecticut and the byways of Times Square for the Toronto convention. He will go to Michigan before returning to New York on the 30th.

◆ Now It Can Be Told Dept.—When Crosby Gaige did "The Eternal Road" a few years back, he and Alec Woollcott engaged in polite feuding over some of the master wit's cracks anent the continued postponements of the production. The night before the opening Gaige and Woollcott were in a poker game and Gaige lost a grand to the bard of Sutton Place. He did not pay off that night. But during the first act intermission on opening night, in plain view of all the critics assembled, Gaige decided on a unique revenge. He walked up to Woollcott and handed him a crisp $1,000 bill. Woollcott, however, was not in the least fazed. He took the bill, folded it in half and stuck it in his hat band in plain view of everyone, thus achieving an easy legitimate thousand dollar profit and million dollar last laugh.

◆ Few of his picture associates know that Jean Hersholt is the author of "A World Built on Books" in the *Colophon,* the important journal of book collectors. Hersholt's piece deals with the M-G-M research department. The actor is one of the most noted rare book collectors in the country.

◆ Sardi Sights—Luncheon pairs: Producer Eddie Dowling and Margot Grahame; Oscar Serlin and Philip Huston; Nancy Carroll and a good-looking young business man; Jacqueline Logan and Paramount's Henry Salisbury; Chester Erskine, just in from England, and Hume (Room Service) Cronyn.

THE MERCURY

AIR-COOLED SKYSLEEPERS

OVERNIGHT TO LOS ANGELES

Fly the COOL Southern ALL-YEAR route overnight to Los Angeles. Through service. No change of planes. Giant SKYSLEEPERS. Complimentary meals served by stewardesses.

Mercury Lv. 5:10 p. m. (*only 3 stops*)

Southerner Lv. 9:00 p. m. (*only 5 stops*)

FOR RESERVATIONS: Call Your Travel Agent or VANderbilt 3-2580. Ticket Offices: 45 Vanderbilt Ave., and Rockefeller Center, 18 W. 49th St.

AMERICAN AIRLINES *Inc.*

Purely Personal

JOSEPH A. McCONVILLE, Columbia foreign manager, who will sail for Europe today on the *Normandie* accompanied by **MRS. McCONVILLE,** was tendered a bon voyage luncheon at the Tavern yesterday. Present were **JACK COHN, A. SCHNEIDER, A. MONTAGUE, NATE SPINGOLD, RUBE JACKTER, LOU WEINBERG, LOUIS ASTOR, L. J. BARBANO, SAM MOSCOW, MAX WEISFELDT, MAURICE BERGMAN, MORTIMER WORMSER, JACK SEGAL, A. M. NOYE, DAVE O'MALLEY, IRVING MOROSS, LEONARD PICKER, MAX COHN, NAT COHN** and **ARNOLD PICKER.**

•

O. M. JACOBSON, traveling representative for the I.A.T.S.E., who is stationed on the coast, and **MRS. JACOBSON** and **ANN FREDERICK,** a relative, were visitors at the Quigley Publications offices yesterday. They were accomapnied by **P. A. MCGUIRE.**

•

REWASHANKER PANCHOLI, distributor for RKO and RCA Photophone in India, will sail today on the *Aquitania* after conferences here. He is accompanied by **J. SINGH,** chief engineer of **MR. PANCHOLI'S** Empire Talkie Distributors in Bombay.

•

RUDOLPH MATE, Universal cameraman who has been filming New York backgrounds for "Youth Takes a Fling," left for the West Coast yesterday. His next assignment will be to photograph farm sequences in Oregon for the same production.

•

A. D. SKOURAS, distributor for American companies at Athens and associated in theatre operation there, will sail today on the *Manhattan* after several weeks here. He is a nephew of **SPYROS, GEORGE** and **CHARLES SKOURAS.**

•

JOHN HICKS, SR., seriously ill at Sedalia, Mo., was reported "unchanged" yesterday. If his condition improves, his son, **JOHN HICKS, JR.,** Paramount vice-president and foreign manager, will return to New York immediately.

•

MRS. NATE J. BLUMBERG, wife of the Universal president, is at the Fifth Avenue Hospital for observation for a minor ailment.

•

AL WILKIE of Paramount went to Philadelphia yesterday to keep a luncheon date.

WILLIAM SUSSMAN, 20th Century-Fox eastern division manager, returned yesterday from Virginia Beach where he attended the M.P.T.O. of Virginia convention. **JOHN PAYNE,** Ascap general manager, was one of the speakers. **ED KUYKENDALL,** president of the M.P.T.O.A., scheduled to attend, was detained elsewhere.

•

JAMES CAGNEY, vacationing at Martha's Vineyard since completion of "Boy Meets Girl," will return today to Hollywood on the new streamlined Twentieth Century. He will appear next in "Angels with Dirty Faces," screen original, on the Warner schedule for next season.

•

GRADWELL SEARS has gone to Hollywood after all. Tuesday he denied rumors he was there. Last night he took a plane for the coast to confer with **H. M., ALBERT** and **JACK WARNER** and **S. CHARLES EINFELD** on forthcoming product.

•

FREDERIC LONSDALE, British dramatist, will sail on the *Normandie* today. Other passengers are **MRS. JULES MASTBAUM,** widow of the Philadelphia theatre man, and her daughter, **LOUISETTE.**

•

PAUL HOLT, film critic for the *London Daily Express,* and **NATHANIEL DUBBINS,** columnist of the *Sunday Express,* will leave for Hollywood today. They arrived Monday.

•

OTHO LOVERING, editor of Walter Wanger's film "Blockade," will attend the first evening showing of the picture tomorrow at the Music Hall following its morning premiere.

•

MELCHIOR LENGYEL, Hungarian playwright who has completed a script for the next **GRETA GARBO** production, will sail today for Europe on the *Manhattan.*

•

JOHN J. O'CONNOR, RKO theatres head; **FRED MEYERS, GUS LAMPE** and **MEYER SCHINE** of Gloversville lunched together yesterday.

•

ROSS STRADNER, of M-G-M, was an American Airlines passenger to Los Angeles yesterday.

•

CHUCK SHANNON, manager of Warners' Belmar, Pittsburgh, was in town yesterday.

Jersey Allied Meet Set for September

Allied Theatres of New Jersey will hold its annual convention in Atlantic City in September. Irving Dollinger, president, will appoint a committee to decide the date and make arrangements. This was made known after a meeting of the unit at the Lincoln Hotel yesterday.

Withdraw Louisiana Tax

BATON ROUGE, La., June 14.—A bill levying a tax of $500 a year on motion picture advertising for each theatre has been withdrawn by its sponsors.

The bill would have imposed the tax on shows with screen advertising where 550 or more seats were used and in towns of 25,000 or more.

Paramount to Have 14 in Three Months

Paramount has scheduled 14 films for release during September, October and November, it was said yesterday by Neil F. Agnew, distribution head.

"Sing You Sinners" will be the first release of the new season, to be followed, also in September, by "Return of the Fox," "Sons of the Legion," "Arkansas Traveler," "Campus Confessions."

October releases will include "If I Were King," "Men With Wings," "Touchdown, Army," "King of Alcatraz," "Mysterious Rider."

In November Paramount will schedule "Artists and Models Abroad," "St. Louis Blues," "Escape from Leavenworth" and another tentatively titled "Soubrette."

Fifteen New Films Approved by Legio

All 15 of the new pictures reviewe and classified by the National Legio of Decency for the current week wer approved, 10 for general patronage an five for adults. The new films an their classification follow.

Class A-1, Unobjectionable for Ger eral Patronage—"Desert Patrol," "Ir ternational Crime," "Mr. Moto Take a Chance," "Six Shootin' Sher "Spirit of Youth," "Stagecoach Da "Tropic Holiday," "Western Trails, "Whirlwind Horseman," "White Bar ners." Class A-2, Unobjectionabl for Adults—"Escuadron Azul" (Spar ish), "Mein Freundin Barbara" (Ger man), "They Were Five," "Whe Were You Born," "You and Me."

Goldwyn Resumes Wor

HOLLYWOOD, June 14.—"The Lad and the Cowboy" went before th cameras yesterday with Gary Coope and Merle Oberon co-starred. Th picture marks resumption of produc tion activity by Samuel Goldwyn afte seven months standstill, and will b followed by "Wuthering Heights, "The Last Frontier" and "The Darin Age." The latter will introduce Jasch Heifetz to the screen. S. N. Beh man wrote the script for "The Lad and the Cowboy," from an origin story by Leo McCarey and Frank I Adams, and William Wyler is d recting.

W. E. Passes Dividend

Directors of Western Electric Co at a meeting yesterday, passed th dividend due at this time. March 3 the company paid 25 cents a shar Dec. 28, 1937, 90 cents a share wa paid, bringing total of dividends fo the year to $3 a share.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Pul lisher; J. M. JERAULD, Managing Edito JAMES A. CRON, Advertising Manager. ED TORIAL STAFF: Charles S. Aaronson, Jack Ba ner, Al Finestone, Thomas Fitzsimmons, Sherw A. Kane, Irene Kuhn, Joseph Priore.

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Entered as second class matter June 10, 193 at the post office at New York, N. Y., und the act of March 3, 1879.

Subscription rates per year $6 in the America and foreign $12. Single copies 10 cents.

"Margaret Sullavan gives a truly great performance. Must be considered one of our greatest actresses."
—**DANA**, *Herald-Tribune*

"Miss Sullavan gives a performance of real and poignant power."
—**MISHKIN**, *Telegraph*

"Margaret Sullavan gives a magnificent performance."
—**COHEN**, *Brooklyn Eagle*

"Margaret Sullavan brilliantly effective."
—**JOHANESON**, *Mirror*

"Margaret Sullavan's is a shimmering, almost unendurably lovely performance."
—**NUGENT**, *Times*

"Margaret Sullavan's performance is outstanding, possibly the best dramatic performance of her career."
—**HALE**, *News*

AN OLD M-G-M CUSTOM!

SALUTE Margaret Sullavan!
LOVELY lady, newest M-G-M star!
INTRODUCED to M-G-M audiences with
ROBERT TAYLOR as her escort in "Three Comrades"
HUZZAHS from Coast to Coast because:
ONE: it's a hold-over hit!
TWO: it tops Bob's "Yank at Oxford"
THREE: it launches Margaret Sullavan!
LEO of M-G-M sticks to his success-policy!
STARS! Stars! Stars!
THAT'S why M-G-M's the success-company!

(By the way, watch for Margaret Sullavan with James Stewart in "The Shopworn Angel.")

List for NLRB Poll Refused By Producers

(*Continued from page* 1)

dustry. They declared that the producers "are unwilling to do any act or thing which might later be held as amounting to a waiver or which resulted in the loss of any right."

The move by Mr. Tuller was made as Mr. Howard, with William R. Walsh, regional board attorney, had arranged all details for the election except the names of the writers who would vote. Present were the attorneys for the producers, Leonard Janofsky, attorney for the Screen Writers Guild, petitioner, and John Lee Mahin and Howard Emmett Rogers, officers of Screen Playwrights, Inc., which the guild is attempting to displace as the bargaining agency for writers. Mr. Walsh intimated that the board might seek a Federal Court subpoena to bring in the studio records but laid no definite plans to this end. In a prepared statement Mr. Tuller said:

Claims Injustices

"As you know, it has been and is the position of the producers that the screen writers are not within the jurisdiction of the N.L.R.B. and the producers propose to resist in the courts any attempt that may be made to enforce the claim that screen writers are subject to that jurisdiction. Furthermore, the decision and order of the board excludes a considerable number of persons whose work is in or connected with writing.

Citing that the board order excludes executives, producers, associate producers, directors, supervisors, story editors, scenario editors and other persons having executive or supervisory powers, also lyricists, composers and readers, Mr. Tuller concluded, "Neither the producers nor their counsel wish to take responsibility for attempting to determine what persons are to be excluded from the right to vote."

See Long Court Fight

Indications are that the vote may be delayed indefinitely if a Federal Court subpoena is asked. In that case, producer attorneys may carry the Federal Court decision, if in favor of the board, to the Circuit Court of Appeals and possibly directly to the Supreme Court should the Appellate tribunal rule adversely.

Three locations, one in Hollywood, one in Culver City and one in the San Fernando Valley were chosen for the voting before Mr. Tuller threw his bombshell. Hours for voting were set from noon to 2:00 P. M. and from five to 10 P. M. Three observers for the guild and three for the playwrights were permitted for each of the larger studio units and less for the smaller. The guild won a coin toss and obtained first place on the ballot.

As Mr. Howard explained the voting, the guild must obtain 51 per cent of votes cast. Should the total of ballots favoring the playwrights and those wanting neither guild nor playwrights to represent them be more than the guild votes, a runoff poll between the guild and the faction getting the next highest number will be set.

To Honor Fathers

Fathers' Day will not be just another day at Loew theatres in Brooklyn and Central Queens. A large array of gifts has been gathered and will be presented to the oldest and youngest fathers attending each theatre Sunday. The presentations will be made from the stage of the theatres next Wednesday night. Arrangements are being made with a Brooklyn restaurant to dine the winners and their wives.

Congressmen See Neely Bill Fight At Next Session

(*Continued from page* 1)

lation, among them Congressmen Culkin of New York, Ediston of West Virginia and Pettengill of Indiana. The last-named has announced his intention of retiring from Congress at the end of his term.

Other members of the House, less vocal, are also interested in the question, Congressman George G. Sadowski of Michigan saying today that the fight for the Neely Bill will be carried on next year.

Proponents of the legislation are considerably heartened by the fact that, for the first time in its history, it passed the Senate, and believe that with that background it can be pushed to enactment next session.

Game Ban Raises Taxes

West Haven, Conn., June 14.—As a result of refusal of town authorities to reinstate money games, it is estimated the town will lose $100,000 in amusement licenses and allied income, and taxes will have to be raised two mills. Theatre operators find theatre attendance has also dropped off as a result of lack of attendance at amusement concessions since the game prohibition.

Goldwyn Cooper Film Set

Hollywood, June 14.—As the first of a three-picture deal under the terms of the settlement of Paramount's $5,000,000 suit against Samuel Goldwyn over the services of Gary Cooper, Henry Hathaway today was assigned by Goldwyn to direct "The Last Frontier," new title for the Gary Cooper vehicle formerly called "The Real Glory."

Warners Lease Office

Cincinnati, June 14.—A 10-year lease has been negotiated by Warners for a two-story exchange building here, near the Film Exchange Building in which practically all exchanges are housed. The lease has a 10-year extension privilege. Rental for the initial 10-year period is given at $80,000.

McLean Joins 20th

Hollywood, June 14.—Owen McLean, for five years in the Warner casting office, is now on the staff of Lew Schreiber, 20th Century-Fox casting director.

Dr. Giannini Withdraws as UA President

(*Continued from page* 1)

to assist in coordinating its affairs and to accelerate its business.

"The season 1937-1938 was the most prosperous in the history of the company.

"Recently, at my invitation, two important producing units—the Hal Roach Studios and Edward Small Productions—were brought into the corporation, and next season's business promises to surpass this season's.

"By mutual agreement I am withdrawing from the company."

Prominent as Banker

Dr. Giannini was long active in New York and California banking circles through his associations with the Bowery and East River Savings banks and the Bank of America. In 1932, he returned to Los Angeles and San Francisco where, as chairman of the general executive committee of Bank of America, National Association, he was an important figure in production financing in Hollywood. He became associated with United Artists in the spring of 1936.

Mr. Silverstone will sail for England today on the *Normandie* to wind up his affairs in London. He will establish his headquarters at the United Artists home office on his return in three or four weeks.

Paramount Asks Bar To Hammerstein Suit

Application will be made today to N. Y. Supreme Court Justice Peter Schmuck by Paramount Pictures, Inc., to bar Emma S. Hammerstein from proceeding against Paramount on her injunction and accounting suit because of her alleged failure to file a bill of particulars. At the same time the plaintiff will make a cross application to vacate or modify Paramount's demand for a bill.

Paramount is charged in the suit brought by the plaintiff, as executive of the late Oscar Hammerstein, with illegally advertising the name Oscar Hammerstein as the author of "High, Wide and Handsome." The answer to the complaint contends that the Hammerstein intended in the advertisements is Oscar Hammerstein, II., grandson of the first Oscar Hammerstein.

Consolidated Team Wins

Consolidated Film Industries defeated the International Projector baseball team in an easy victory last week. Skouras Theatres team just nosed out Loew-M-G-M- by a score of 2-1. The Loew-M-G-M pitching ace, Lefty Lewis, allowed only three hits. The NBC-Columbia game was rained out. Three games are scheduled for next week.

"Sonata" Is Booked

"Moonlight Sonata," starring Ignace Jan Paderewski, has been booked in the Rosener circuit on the west coast, according to Malmar Pictures, which distributes the film. It will open at the Esquire in Hollywood on June 24.

U.A. to Take Over Korda's Canada Sales

(*Continued from page* 1)

comedies to be made for United Art ists distribution next season wil of four-reel length instead of former seven reels.

"It is the maximum length suitabl for this type of comedy," Mr. Roac said. He will make four of the Laur and Hardy comedies for United Art ists next season.

Mr. Roach lauded the advantages the recent cooperative agreeme worked out by the six United Artist producers as having the certain effe of reducing production costs and, the same time, putting more value o the screen. In particular, he cite the advantages of pooling such facili ties as cameras, lighting and transpo tation, and the availability of stars an story material.

Plans "Build-Ups"

His new production policy, he sai will make provision for carrying hi writing staff through the entire cours of a film's production, a "build-up for smaller roles that look good i "rushes," and choice of casts to b made on the basis of player suitabil ity, rather than salary.

United Artists' publicity and explo tation staffs will become the large in the industry under new plans r vealed to the sales force by Monr W. Greenthal, advertising and pu licity director, who also addressed ye terday's session. The plans inclu the development of a permanent fie exploitation force of 15 men whic will function as a cooperative ar of the home office publicity and adve tising department and the studios. Th permanent staff will be augmented b 85 exploiteers on special assignmen for individual pictures, it was said.

To Stress Goodwill

The principal objective of the pe manent field staff, Mr. Greenthal sai would be to cooperate with branc managers in work designed to encourage picture holdovers and build u lasting goodwill with local exhibitor and publications. He also stated tha United Artists will cooperate with ex hibitors on followup advertising in a situations in which holdover possibili ties are substantially indicated.

Specific campaigns planned by Sam uel Goldwyn, Alexander Korda an David O. Selznick on their picture were described to the sales force.

The convention delegates attende the International Casino following th close of the general sessions last nigh Individual meetings of managers an salesmen will be held today and to morrow.

Monogram Signs Lacke

Hollywood, June 14.—W. T Lackey will supervise production o "Girl from Nowhere" featuring Ann Nagel, under a new agreement wit Monogram.

Retitle 'Gold Rush Days

"Phantom Gold" will be the releas title for Columbia's "Gold Rus Days," featuring Jack Luden and Bet Marion.

LOUIS WEISS

Produced THE SERIAL SENSATION OF THE CENTURY

★ THE SECRET OF TREASURE ISLAND ★

IN 15 CHAPTERS

●

Distributed by COLUMBIA PICTURES CORP.

Now

LET SOMEONE TOP IT

●

NOW PLAYING

GLOBE THEATRE

BROADWAY, NEW YORK CITY

The first time any serial has ever been shown at the Globe Theatre

LOUIS WEISS

4376 SUNSET DRIVE
HOLLYWOOD - CALIFORNIA
TELEPHONE - OLYMPIA 2978

●

1270 SIXTH AVENUE
SUITE 3001, NEW YORK CITY
TELEPHONE - CIRCLE 7-3473

READ CRITICS *and* EXHIBITORS RAVES

From George Claire,
Burgettstown, Penna.

"Just thought I would pass along my impressions of your new serial, 'THE SECRET OF TREASURE ISLAND.' We believe this is the best serial since Eddie Polo in 'The Broken Coin.' This latter subject, in our opinion, was the finest serial ever made.

"If Columbia can continue to deliver such serials as this, 'THE SECRET OF TREASURE ISLAND,' our serial worries will be over."

From P. H. Gelfand,
Sioux City, Ia.

"In my entire twenty years of being in the Motion Picture Exhibition business, I have never been tempted to write a Film Company praising any of their productions, but after seeing the first two episodes of your serial 'SECRET OF TREASURE ISLAND,' I felt it was my duty, not only to the company that was responsible for its production, but to the exhibitors of the country as well, to say that they have here a gem.

" 'The Secret of Treasure Island' is indeed a serial that is top-notch in production and appeal. I must say, that it is the best serial that I have ever played, if the remaining episodes are only half as good as the first two. Judging by the tremendous business on the first two chapters, this serial will no doubt set a box-office record at my theatre."

From Louis Bernheimer,
Washington, D. C.

"Congratulations to Columbia on your new serial, 'The Secret of Treasure Island.' After screening this subject, we booked it for our Newton Theatre and the results after showing the first two episodes have been more than gratifying.

"I believe this subject to be as good as any serial that we have played."

From Film Daily

"A rousing thriller with all the sensational elements to satisfy the thrill fans who like their excitement in weekly chapter doses.

" 'The Secret of Treasure Island' is directed by Elmer Clifton from a screenplay by George Rosener, Elmer Clifton and George Merrick. The original story is by L. Ron Hubbard. Producer is Louis Weiss. The cast is exceptionally good, with such well known players as Grant Withers, Hobart Bosworth William Farnum."

From W. A. Tucker,
New Orleans, La.

"Concerning your current serial, 'SECRET OF TREASURE ISLAND,' I wish to say that I have already run the first two episodes and am very favorably impressed. The title is great for kids and it has action aplenty for everyone. It is one of the greatest serials ever released."

THEY UNANIMOUSLY AGREE

RKO Hearings Close; Briefs Go in June 25

(*Continued from page* 1)

gestions before sending the final report to Federal Judge William Bondy for approval.

At the conclusion of the hearing, Mr. Alger stated that there could be no question about the feasibility of the plan because of the provision eliminating all fixed charges. He indicated that the major problems facing him are the fairness of the plan and the constitutional right of the court to deprive debenture holders of their lien on RKO assets.

H. C. Rickaby, attorney for Atlas Corp., proponents of the plan, assured the special master that the proponents could obtain the necessary consents if the plan wins the court's approval. In a brief statement, he declared that the proponents had attempted to avoid extremes and had prepared a plan believed to be fair to all sides.

Spitz Compensation Discused

Testimony yesterday centered around compensation paid by Atlas to Leo Spitz, RKO president, in addition to income received as salary from RKO subsidiaries. Peter Rathvon, former associate of Floyd Odlum, testified that Atlas had discontinued additional compensation in 1938. He testified that the arrangement had been made because Mr. Spitz had given up a lucrative law practice to take over the affairs of the company. Under cross-examination by John Stover, counsel for a Class A stockholder, Mr. Rathvon denied that he had gone to the coast last Fall to arrange a bond issue for RKO. Williem Merrell, consultant to Atlas in the reorganization proceedings, also took the stand to describe his activities with the company. He testified that he receives his compensation solely from Atlas.

Stockholders Listed

According to Rickaby, Atlas held, as of April 30, $2,196,626 in debentures, 327,812 shares of common stock, $481,000 in six per cent gold notes, and a $1,857,000 claim assigned to it by the Securities National Bank of Los Angeles. He said that the Lehman interests held $2,446,663 in debentures and 302,865 shares of common stock, and that Spitz held $24,000 in debentures and 3,028 shares of common stock as of the same date.

Before argument on the plan started, Rickaby offered several minor amendments to the plan to satisfy technical objections. Rockefeller Center, Inc., was granted the right to cancel the Music Hall lease in the event of a merger of RKO with another company and was granted the option of insisting on the product of the consolidated company. Other amendments dealt with sinking fund provisions and dividends on preferred stock.

Due to the fact that Nathan Rosenberg, attorney for a group of independent debenture holders, has questioned the constitutionality of the plan, the U. S. Attorney General will appear in the proceedings when the plan comes up for approval before Judge Bondy.

David Stock, associate of Mr. Rosenberg, argued that the debenture holders could not be deprived of their lien by a 77b proceeding. Under the amended plan, debenture holders receive preferred stock for their bonds. Stockholders asked that they receive a greater share of the common stock than the one for six ratio provided under the plan, and unsecured creditors likewise requested a larger proportion for their claims.

Mr. Stock charged that Atlas would secure almost complete control of the reorganized company and asked for safeguards to prevent the issuance of senior securities.

Otterson Has Cooperative Plan for Art Film Showing

(*Continued from page* 1)

principal cities of the country. At the outset, it was said, the company expects to have a minimum of 10 and a maximum of about 25 British and French pictures for distribution here, although the actual number, it was said, will depend entirely upon the amount of product available abroad which is found to fulfill the company's requirements.

Associated with Mr. Otterson in the company are R. E. Anderson, former treasurer of Erpi and former financial vice-president of Paramount; Carrol S. Trowbridge, former personal representative for Mary Pickford and Douglas Fairbanks and a former United Artists executive, and Harry Lachman, formerly associated with Paramount production at the company's Joinville studio in France. Mr. Lachman will sail with Mr. Otterson today. Mr. Trowbridge will be identified with the distribution arrangements for the product, which have not been completed yet.

Arrangement Cooperative

It is understood that a certain number of the approximately 90 Brandt theatres in the metropolitan area will be available for the foreign product under the cooperative arrangement which has been worked out. As many as 40 or 50 of the houses may play the pictures, depending on location and type of patronage. Only one or two of the Trans-Lux houses here will be available for the pictures, however. The Trans-Lux at 83d St. and Madison Ave., which recently altered its policy to include features, is regarded as the theatre most likely to be included.

Mr. Otterson emphasized that the company was interested only in a specialized type of foreign product for a "special market." He said that he feels an established outlet for such product here will stimulate French and English production efforts. Most of the product will be edited and supplied with English titles. Some may be remade either abroad or supplied with English titles. Some may be remade abroad or at Eastern Service Studio, Astoria, it was said.

Tough on Loser

Denver, June 14.—Unusual prizes will be offered in the one-week quota contest to be held by Fox Intermountain theatres, according to Rick Ricketson, division manager. The first prize will be a drawing room aboard a streamliner to the annual convention of National Theatres. The next prize will be a lower berth, and third prize, an upper berth. Loser for the week will have to sleep on a cot in the baggage car.

Claim Majors Favor New Jersey Combine

All distributors have indicated a favorable attitude to the newly formed Associated Theatres of New Jersey, the newest buying and booking combine in the east, it was said yesterday by Irving Dollinger, its president.

Buying is scheduled to get under way in a few days, and no company has as yet been selected for the initial approach, Mr. Dollinger said.

With the addition of Joseph Siccardi's Liberty, Plainfield, the group now has 15 members.

"You and Me," $25,000

"You and Me," in a second week at the Paramount, grossed $25,000, compared with $42,000 for the first. The Strand did $11,000 with "When Were You Born."

Personnel of Film Council Disclosed

By AUBREY FLANAGAN

London, June 14.—Oliver Stanley, president of the Board of Trade, today disclosed in the House of Commons the personnel of the new Films Council as provided in the Films Act of 1938, under the chairmanship of Sir Frederick Whyte.

The personnel of the council includes: Non-trade members—H. C. Paschoss, Philip Guedalla, W. E. Jones, W. Leonard, M. P.; F. Wilkinson, Sir Walter Citrine, Sir J. Seely, M. P.; Professor Arnold Platt, Eleanor Plumer, Miss F. Hosborough. M. P. Producers—John Grierson, Richard Norton. Distributors—F. W. Baker, D. E. Griffiths. Exhibitors—Theodore Fligelstone, Arthur Jarratt, A. B. King, Charles Metcalfe. Labor—Captain Crickett, George Elvin. No Americans are included in the council, but Mr. Griffiths, president of the Kinematograph Renters' Society (distributors), represents First National.

To Film Valentino Life

Hollywood, June 14. — Edward Small will star Jack Dunn, champion ice skater, in "The Life of Rudolph Valentino" following completion of Dunn's initial starring role in "The Duke of West Point," which will go into production within a few weeks. Recent successful reissues of Valentino films determined the producer's decision. Both of the Dunn pictures will be released through United Artists.

Universal to Have 4 "A's" July, Augus

(*Continued from page* 1)

and October than in July a August."

"Well," he continued, "I know summer problem of theatres. It not so much bad business as it is we pictures. It seems to me the indus is crying with two loaves of bre under its arm. Universal won't that. There will be less competit between big pictures during July a August than there will in Septemb

"We are starting now with 'T Rage of Paris,' the first Danie Darrieux picture, and it will be gen ally available about July 1. It l broken records and has been held o in its first three engagements, Pantages and Hill Street in Los A geles and the Palace, Chicago. will open at the Roxy June 24 July 1.

"Dead End Kids" Set

"It will be followed by 'Lit Tough Guy,' with the 'Dead E kids, about July 20. John Stahl v have 'A Letter of Introduction,' Edgar Bergen-Charlie McCarthy p ture, ready for release by the end July or the first of August. He working day and night cutting 3(000 feet of film and he is hopeful having the best picture of his car when the job is done. It will ta five or six weeks to finish.

"By the end of August, Dear Durbin's next picture, 'That Cert Age,' will be ready. In between th four we will release 'Wives Un Suspicion,' 'Prison Break' and 'D ger on the Air.' We will match t release schedule with any compan

Commenting on current busin conditions, Mr. Blumberg harke back to his years as operating h of RKO theatres and found reass ance there.

Talks on Theatres

"Grosses are off, yes," he observ but theatres are still making mon Trim your sails to conform with p vailing conditions. A good rule, I h found, is to operate your house acco ing to the business you're doing. T you'll never get into trouble."

Asked whether he still looked pictures in the studio projection ro with as critical an eye as he did when was buying pictures for the RKO cuit, Mr. Blumberg replied, "E more so." He explained that he sh from making predictions of a pictu grossing power on the basis of a p jection room screening or reaction a Hollywood preview.

"I'm strictly a second-guesser," said. "I make my predictions of office performances after a picture opened, not before."

Mr. Blumberg reported that U versal will complete its entire 1937 production schedule with delivery the next Deanna Durbin picture. plans to spend four or five weeks at home office before returning to studio. At that time, Matthew J. F his associate, will come here and two may alternate between home fice and studio thereafter.

eidman to Produce
or Malcolm Browne

(*Continued from page 1*)

l be distributed on the state rights rket.

Mr. Zeidman, who was in New rk on the deal, has returned to coast to begin active preparation immediate production. Details on production schedule will be dis- sed shortly. In the negotiations, eidman was represented by Ber- Mayers and the company by dfrey J. Jaffe.

eskay Discussing Production Project

Ed Peskay, who resigned last week Grand National sales head, has no finite plans but is discussing pro- ction with two producers who will ance themselves, he said yesterday.

Mr. Peskay has a salary claim of proximately $80,000 against the npany which is subject to adjudica- n by the Federal Court in Los geles in G. N's 77B procedure.

He said that he is still a vice-presi- nt of the company and president of Canadian subsidiary, but will sub- t his resignation whenever Edward person, president, requests it.

urphy to Produce Here for Paramount

Marking the revival of feature pro- ction in the east since its decline ree years ago, "One Third of a Na- n," a Federal theatre project play, s been purchased by a group headed Harold Orlob and will be produced Paramount at Eastern Service udio in Astoria.

"One Third of a Nation" is the st Federal theatre play to be pur- ased for commercial film produc- n. It deals with housing conditions d has had a long run on Broadway. lvia Sidney is to be starred. Cam- a work is scheduled to start Aug. 15.

Mr. Orlob, a stage producer and thor, is president of Triple A Pro- ctions, Inc.; Dudley Murphy, direc- r, is vice-president, and Willard S. cKay, formerly general counsel for niversal, is secretary and counsel. e company's plans do not go beyond One Third of a Nation," but a Para- ount release for additional films is ing discussed.

Mr. Murphy will direct the picture, r which Oliver H. P. Garrett is iting the script. Mr. McKay will t as associate on the production.

Another outside production unit for aramount will start operations in ollywood today. This is Cobian Pro- ctions, Inc., which is making "El remier Amor" in Spanish for release Latin America. Five more are ntatively scheduled.

Rafael Ramos Cobian, who is inter- ted in theatres in Puerto Rico, heads e unit. The cast includes Tito uizar, Blanca de Castejon, Carolina grero and others.

Clara Bow a Mother

Hollywood, June 14.—Clara Bow, rmer film star, yesterday gave birth a boy, weighing six pounds, eleven nces in Santa Monica Hospital. He the second boy born to her and Rex ell, cowboy actor, who was on loca- on in Las Vegas, Nev., at the time e child was born.

The Newsreel Parade

Movietone News
Vol. 20, No. 79
(*20th Century-Fox*)

Death from the air in the crash of the army bomber, near Delevan, Ill., and the latest bombing horrors from Spain's air raids open the release. The air arrival at Newark of the Baby Panda after a transcontinental hop shows the Chinese teddy bear losing its temper. Rail progress is depicted in the action and interior shots of the new streamlined New York-Chicago Twentieth Century, complete with cocktail bar.

Feminine anglers really landing mountain trout and lovely outdoor shots proclaim the arrival of the vacation season. Social registerites smile and pose at Mrs. Payne Whitney's charity garden party, and Lew Lehr gets into a wonderland of mirrors with side-splitting results on eye and ear.

Hollywood's ultra modern racetrack at Inglewood, Ralph Guldahl's golf victory and the Shriners' parade in the west round out the reel which is finished off by the Ritz Brothers' screaming into the microphone. Running time, 9½ mins. I. K.

News of the Day
Vol. 9, No. 277
(*M-G-M*)

The aftermath of the Army air bomber tragedy, with wreckage scattered over a wide field, opens the release and is followed by extraordinary action shots of the floods in Southern Austria.

Czech soldiers demonstrate their preparedness in mimic warfare, and Mussolini watches his boys and girls go through Fascist drills.

A cute girl in a shower, another in bed, demonstrate the comforts of the first all-room trains on the new Twentieth Century, Shriners stage a dazzling night pageant to wind up their Los Angeles convention, jitter bugs hop in a wild swing session for charity, and midwest and far west Congressmen stage a milking contest on Capitol Hill with remarks for and against New Deal.

Football on motorcycles, a French pastime, Guldahl's golf victory and shots of the opening of Hollywood Park, Southern California's new track, with closeups of stars and the races, complete a diversified, well photographed, well spoken reel. Running time, 9½ mins. I. K.

Paramount News
No. 90
(*Paramount*)

Highlights of the current American scene enliven this issue, which is uniformly interesting and gives evidence of careful selection. The monster "jam" session at Madison Square Garden at which 6,000 jitterbugs demonstrated that dancing can also be contortion is one of the more amusing topics.

Also good are Ralph Guldahl sinking the winning putt to capture the National Open Golf Tournament; the new streamlined trains between New York and Chicago; the Shriners' electrical pageant in Hollywood with many stars participating; and the British army show at Aldershot. Gruesome scenes of slaughter and devastation are shown after a Rebel air raid in Spain. Also on the sad side are shots of results of a twister in Texas and the crash in Illinois in which eight Army airmen were killed. Running time, 9 mins. F.

RKO Pathe News
Vol. 9, No. 94
(*RKO*)

This is a good, newsy release, edited and narrated in breezy fashion. Some good shots of the National Open Golf Championship at Denver last week and of Ralph Guldahl, the winner, in action, lead off the reel. Scenes of the wreckage of the Army bomber which fell in Illinois killing eight service men graphically depict the force of the ship's crash. There are interesting camera views of the new New York Central and Pennsylvania streamline trains and their modernized accommodations, and of the Hollywood parade for visiting Shriners in the Los Angeles Coliseum.

Shots of Benny Goodman's benefit "swing jubilee" at Madison Square Garden are psychopathically interesting, and those of the opening of Hollywood's new race track at Inglewood make a good contribution to the reel. A huge public school regatta in Australia is excellent photographically. Running time, 9 mins. K.

Universal Newsreel
Vol. 10, No. 675
(*Universal*)

For the most part the material contained in this issue is of a light nature that is agreeable and entertaining. The serious side of the news is appropriately taken care of and as a whole the reel is a good job.

Opening shot is given to cadets on parade at the New York State Military Academy. The youngsters go through a number of interesting cavalry maneuvers. The next sequence shows the wreckage of an army airplane that crashed in Illinois. The Cash kidnapping settings follow. Foreign news offers political anniversaries in Rome and Prague. The material shows parades, athletic demonstrations and Mussolini saluting. The camera then takes in the new government silver depository at West Point, scenes of the streamlined 20th Century Limited, daring beach fashions modeled by attractive French misses, a Congressional milking contest, in Washington, Shriners parading in Los Angeles and the opening race at the new Inglewood racetrack. Running time, 9 mins. P.

Altec Promotes Wengler

Harold Wengler will handle publicity as well as advertising for Altec Service Corp., according to L. W. Conrow, president. Mr. Wengler takes over the press relations formerly handled by "Red" Stong, who has been appointed to the publicity staff of Western Electric.

M-G-M Buys "Curie"

Hollywood, June 14.—M-G-M has acquired "The Life of Marie Curie," biography by Eve Curie, the scientist's daughter.

DuPont Film Elects Six Board Members

Wilmington, June 14.—Six directors of the duPont Film Mfg. Corp. were elected here today at an adjourned annual meeting. They were: I. Steers, George A. Scanlon, J. J. Mooseman, O. Henry Briggs and Robert R. Young.

A majority of the stock is owned by E. I. duPont de Nemours & Co., but a substantial minority interest is owned by Pathe Film Corp. The charter of duPont Film Manufacturing provides for cumulative voting in the election of directors. By virtue of this provision E. I. duPont de Nemours elected Messrs. Steers, Scanlan and Mooseman and Pathe elected Messrs. Briggs and Young.

Charter Transatlantic

Albany, June 14.—Transatlantic Pictures Corp. has been chartered here by Ernest A. Leipziger, A. F. Coyle and V. E. Damm.

CEA Convention to Get Started Monday

London, June 14.—The annual Cinematograph Exhibitors' Association convention will open on Monday at Folkstone, Kent, under the presidency of Kenneth Nyman.

The five-day program includes civic receptions, a banquet, luncheon, council meeting, the reading of several papers, general discussion and two trade showings, as well as various sporting activities. The chief discussion is expected to center about the paper of Charles Metcalfe, former president of the C.E.A., on Thursday, "Impressions and Depressions." Philip Guedalla will speak on "Films and the Nation." Most of the other papers are to be technical. Forty firms will have representation at the trade exhibition.

Marijuana Film Barred

Albany, June 14.—The Board of Regents has denied "Assassin of Youth," marijuana film, a license to be shown in New York state. However, the regents said that an educational or scientific permit is available to the owners of the film, provided that it is not shown at any place of amusement.

Wall Street

Little Change on Board

	Open	High	Low	Close	Net Change
Col.	10¼	10¼	10¼	10¼	— ¾
Cons.	1⅛	1⅛	1⅛	1⅛	.....
E. K.	149½	149½	149½	149½	—1½
G. T. E....	10⅜	10⅜	10¼	10¼	— ⅞
Loew	40⅝	41¼	40½	41¼	+ ½
Para.	6¾	7	6¾	6⅞	.....
Para. 1.....	71	71	71	71	— ¼
Para. 2.....	8	8	8	8	.....
RKO	2	2	2	2	.....
20th Fox ..	20	21	20	21	+ ½
20th pfd. ..	29¾	29¾	29¾	29¾	.....
W. B.	4⅜	4⅜	4¼	4⅜	.....

Curb Has Light Decline

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	.....
Monogram	1½	1⅝	1⅜	1⅝	.....
Tech.	22⅜	22⅝	22¼	22⅜	— ¼
Trans-Lux	2	2	2	2	— ⅛

Little Bond Movement

	High	Low	Close	Net Change
Loew 3½s '46......	99	99	99	.....

(Quotations at close of June 14)

WLW Charges Defended at FCC Hearing

WASHINGTON, June 14.—Advertising rates of superpower station WLW were defended before the Federal Communications Commission today as not being out of line with those of other stations.

Appearing before the commission committee holding hearings on new broadcasting regulations, Earl Branch of the WLW technical research department testified that while the station's hourly rate in 1938 was 12 per cent above that in 1930, the average hourly rate for clear channel stations in cities larger than Cincinnati had increased 67 per cent in the same period and in cities smaller than Cincinnati were up 74 per cent.

Illustrates with Graphs

In a series of graphs, Mr. Branch showed that present rates of WLS and WBBM were 112 per cent above 1930 and KFI showed an increase of 164 per cent.

Mr. Branch did not present a comparison of WLW rates with those of other stations in dollars, but at the suggestion of Commissioner Craven promised to submit that data.

He testified that the rate of WLW has remained constant since 1934 while the rates of other stations have steadily increased.

Counsel for the commission introduced additional data regarding broadcast stations income, showing that 629 stations in 1937 had net sales of $81,649,718, expenses of $63,389,715, new broadcasting revenues of $18,260,003 and net income of $15,412,128.

It was shown that 443 stations had net sales of $25,000 or more for an aggregate of $79,282,923, with 50 clear channel stations accounting for $29,806,070. On the basis of net sales of more than $81,000,000, the average per radio family was $3.06.

Sales Analyzed

Analysis of the sales of the 629 stations showed $25,751,497 in the northeastern region (from the District of Columbia through New England), $21,610,899 in the Great Lakes region, $9,785,444 in the midwest, $8,255,516 in the southeastern states, $4,913,209 in the south central region of Texas and Oklahoma, $3,027,614 in the mountain region and $8,335,539 in the three Pacific coast states.

Indicating that there will be keen competition among clear channel stations for inclusion in the exclusive Class 1-A group proposed to be established, Ben S. Fisher, counsel for WCAU, Philadelphia, urged that that station should be included in the top group because of its history of service and the fact it is the only Columbia outlet in Philadelphia. Mr. Fisher tomorrow will offer witnesses to testify regarding the station.

LEO SAYS:
WHN's United Press News Flashes are a magnet for sales!
WHN DIAL 1010 AFFILIATED with M-G-M • LOEW'S

Net Motor Gross Up to $9,816,179 From $1,261,922

Network radio grosses for automotive advertising rose from $1,261,922 in 1929 to $9,816,179 in 1937, according to figures compiled for this period. During this same period newspaper automotive expenditures declined from $45,535,613 to $15,623,340, and magazine expenditures declined from $13,725,226 to $9,275,218.

However, motor car billings in network radio have declined considerably in recent months, the figures disclosing that NBC and CBS in the first six months of this year will show automotive billings of but $1,980,000 as against the $3,224,000 grossed in time sales for the first half of 1937.

Packard Heavy Spender

For the five months of this year the tabulations show NBC had motor car billings of $146,220. Primarily this sum represents the time cost of the Packard Motor Co. program which, featuring Fred Astaire, ended last spring. The broadcast of the forthcoming heavyweight championship fight between Joe Louis and Max Schmeling, which will utilize almost 150 stations of the Red and Blue network, will bring the NBC automotive billings for the first half of 1938 to approximately $175,000. The fight description is to be sponsored by the Buick Motor Co., and the time billings for the event will cost the company approximately $30,000. Last year, for the first six months, NBC's automotive billings amounted to $1,250,000. The wide divergence in billings is accounted for by the loss to NBC of the programs of the Ford, General Motors, Pontiac and Studebaker programs.

The CBS automotive billings held up better than NBC, the figures show. With the programs of Chrysler, Nash, Ford and the Pontiac motor companies still on the air in the first half of 1938, CBS will bill about $1,804,600, as against $1,974,120 in the first half of last year.

Guild Wins Vote on WTCN Bargaining

WASHINGTON, June 14.—The National Labor Relations Board today certified the Newspaper Guild, a C.I.O. affiliate, as the exclusive representative of all employes of WTCN, Minneapolis, and the Minnesota Broadcasting Corp's business office in St. Paul, with the exception of engineers, musicians, salesmen, production and sales managers, secretary to the general manager and other executives and supervisory employes.

The guild has a majority of employes in the station and the International Brotherhood of Electrical Workers, an A. F. of L. affiliate, which had intervened in the case, withdrew in favor of the Guild in order to avoid jurisdictional conflict.

Colgate Show Quits Air One Week Early

Facing terrific competition in the broadcast of the Joe Louis-Max Schmeling fight, which will be aired over the combined NBC Red and Blue networks beginning at 10 P. M. June 22, Colgate-Palmolive-Peet, sponsors of Phil Lord's "Gangbusters'" series, has decided to go off one week ahead of schedule and return a week earlier than planned in the fall.

"Gangbusters" was to have gone off the air June 22, the night of the fight broadcast. It will now go off June 15, and will return August 17, instead of Aug. 24. "Gangbusters" is heard Wednesdays at 10 P. M., which would bring it directly into the path of the heavyweight championship bout broadcast.

Helen Hayes with Lux

Helen Hayes, who has been absent from the air the entire season, will return to radio June 27 in the Lux Radio Theatre production of "Jane Eyre," over CBS.

Wright Leaves Batten

James H. Wright, for many years with Batten, Barton, Durstine & Osborn, has resigned to join Lord & Thomas.

American Uncensored Radio Praised by Women's Leader

The American system of a "free radio, uncontrolled and uncensored," was lauded over that of the controlled radio of the foreign totalitarian countries by Mrs. Ruth Haller Ottaway, president of the National Council of Women of the United States in a speech broadcast last night over the Mutual network. Mrs. Ottaway spoke on the occasion of the 161st anniversary of the adoption of the American flag.

Citing the value of radio as a political weapon, and the way in which it has been used in foreign nations, Mrs. Ottaway reviewed how in the recent abortive uprising against President Vargas in Brazil, the Fascists seized the Rio de Janeiro station to announce falsely that the Government had fallen; how when Hitler's soldier's soldiers marched into Vienna the Nazis immediately took over the Austrian Broadcasting Co. building; how in Spain the insurgents seized the broadcasting stations even before troops were on the march; how in China the Japanese destroyed the shortwave transmitter of RCA in the first raid on Shanghai and wrecked it again at a later date after it had been repaired.

American radio, she said, is almost completely free of propaganda. There may be occasions when the wary broadcasters may be fooled, she said, but in that event the public itself has two great censoring powers; the ownership of the thumb and the forefinger which can dial out a disagreeable program, and the censorship of written protest.

Mrs. Ottaway praised the American chains for at all times making available its microphones to principals in major issues.

Radio Personals

DON AMECHE will leave Ju 6 on the *Queen Mary* for his fir European jaunt. . . . George Griffi NBC singer, leaves today for Tex to start a personal appearance tou . . . Al Rinker, producer of the CB "Saturday Night Swing Club, [illegible] making extensive preparations for [illegible] program's second anniversary, Jun 25. . . . Keith Dennison, reporter fro the Oakland (Cal.) *Tribune,* is i from the coast to appear on th Philip Morris show Saturday. . . Kenny Baker will leave Hollywoo after Sunday's Jack Benny broadca and will sail Wednesday from Ne York on the *Ile de France* to work i an Alexander Korda picture.

Harry Glick, WHN morning exercise man, has returned from vacatio . . . Jimmy Dorsey's orchestra will ho from North Carolina next week fo an engagement at the Beach Poin Club in Mamaroneck. . . . Andre Kostelanetz and bride, Lily Pons, wi leave for South America June 23 t vacation and honeymoon. "Kosty has been presented a magnificen watch by Liggett & Myers Tobacc Co. in recognition of his four year on the air for the tobacco compan . . . Benay Venuta has joined th summer stock company at Cedarhurst L. I.

Express Agency Get 26-week WHN Serie

Railway Express Agency has con tracted with WHN for 26 weeks o station break announcements, begin ning June 27. The contract was place by the Caples agency.

P. J. Leroy has renewed his con tract over WHN for 13 weeks. Hi schedule calls for two 15-minute pro grams daily Monday through Satur day, and one on Sunday.

Home Diathermy is sponsoring th "Singing Cowboy" over WHN, starting today.

Miss Swarthout Sails

Gladys Swarthout and her husband Frank Chapman, will sail on the *Normandie* today for London where sh will appear with Fritz Kreisler in private recital at the London home o Lady Ludlow June 23. While abroad Miss Swarthout and Mr. Chapma will also act as delegates for the Association of Actors and Artistes o America, the concert and opera performers "guild," which will be represented at the International Theatr Congress to be held July 2 to 9 a Stratford-on-Avon, England.

Renew Camel Program

The "Camel Caravan" program which is heard Tuesdays at 9:30 P. M over 91 stations of the CBS network has been renewed for an additiona 14 weeks, starting July 5. The program features Benny Goodman's ban and is sponsored by the R. J. Reynold Tobacco Co. William Esty & Co. i the agency.

Yolen Quits Phil Lord

Will Yolen has resigned from th Phil Lord Radio Production Co. where he was director of publicity, t join the Tom Fizdale office.

DO NOT REMOVE

Alert.
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 137 NEW YORK, THURSDAY, JUNE 16, 1937 TEN CENTS

creen Beer Ads Stir Up Wide Protest

act Cancellations Result From Objections

Protests from patrons to theatre nagers has resulted in the dropping beer advertising from screens by exander Film Co., which serves se to 7,000 theatres. As a general icy, new contracts are not being epted and the company is refusing renew campaigns on beer publicity llowing the expiration of present nmitments.

Such films will, however, be offered localities which have no objections, will not be shown in most neigh- hood communities and small towns, cording to J. Don Alexander, presi- nt.

The action is due to complaints from ny exhibitors who reported they re under fire from temperance oups and that many parents refuse

(Continued on page 7)

robe Into Effect Of High Power Use

WASHINGTON, June 15.—Possible ects of super-power operation upon ional and local stations were ex- red today by the Federal Communi- ions Commission.

Technical experts of WLW, who ve been on the stand several days, re questioned at length by Com- ssioner Craven as to the effect of er-power broadcasting upon the ad- tising revenues of smaller stations the 500 kilowatters' territory.

Such studies as have been made, it s testified, indicate that the adver- ng of other stations has not been

(Continued on page 8)

ode for Television Equipment Finished

The anticipated code of the tele- ion committee of the Radio Manu- turers' Association, which will set manent standards for both receiv- and transmitting television ap- ratus, has been delivered to the ganization, it is learned here.

The rules are now undergoing re- ion prior to their submission to the deral Communications Commission

(Continued on page 8)

More Radio—P. 8

Silverstone Says Pact Has No Limitation

Asserts It Does Not Bar Him from Presidency

Maurice Silverstone's new contract with United Artists, which is for five years and which designates him as general manager of the company, contains no provision preventing his election as president or board chairman, he stated yesterday before sailing on the *Normandie*.

Mr. Silverstone will wind up his duties as chairman and managing director of United Artists, Ltd., in London, and will return here with his family July 11, according to present plans. In his dual capacity as general manager and chairman of the executive committee, Mr. Silverstone is now the company's chief executive officer.

He said that Dr. A. H. Giannini's resignation yesterday as president and chairman of the board was unexpected as it had been anticipated that he would remain with the company, and

(Continued on page 7)

NLRB Poll June 28 Without Writer List

HOLLYWOOD, June 15.—Despite the producers' refusal to supply lists of writers on payrolls June 4 to determine their eligibility to vote June 28 in the National Labor Relations Board supervised election for the writers' bargaining agency, Dr. Towne Nylander, regional N.L.R.B. director,

(Continued on page 4)

Small Theatre

St. Louis, June 15.—Ruby S'Renco, who operates a projection room in connection with the RKO exchange here, had an idea when a recent request showing of Russian films resulted in a projection room overflow.

The idea: Regular showings of foreign product in the projection room—with admission charged.

Salaries Hit New High Level in '37

WASHINGTON, June 15.—Motion picture activity in 1937 was at a new post-depression high level, it was indicated tonight by the Department of Commerce in its annual survey of the national income.

Salaries and wages paid by producers, it was reported, totaled $129,259,000 last year, compared with $111,356,000 in 1936, and were said to be probably at the highest level ever touched by the industry.

Salaries and wages paid by theatres aggregated $157,511,000 against $142,249,000 and were the highest since

(Continued on page 7)

Refuse Consideration Of Sirovich Measure

WASHINGTON, June 15.—Efforts of Representative William I. Sirovich of New York to push his bill for creation of a bureau of fine arts through Congress before adjournment came to an abrupt halt when the House, by a vote of 195 to 31, today tabled a resolution under which the

(Continued on page 7)

The Holdover Record

The following tabulation indicates the leading pictures currently playing in the first run houses of the 23 key cities reporting to MOTION PICTURE DAILY *on box-office results. Recorded are the number of those cities in which each listed film has played, the total gross for its showings therein to date, and the total number of weeks of holdover in those situations each has had. The films are listed alphabetically.*

Picture	No. of Cities	Gross	Holdovers
Adventures of Robin Hood	21	$ 956,150	34
Bluebeard's 8th Wife	23	550,150	22
Bringing Up Baby	22	367,555	11
Four Men and a Prayer	22	308,043	13
Joy of Living	21	323,450	9
Rebecca of Sunnybrook Farm	23	411,925	14
Test Pilot	23	950,529	54
There's Always a Woman	19	252,800	7

Cowdin States "U's" Weekly Gain $50,000

Increase "Unique" Under Conditions," He Says

Universal's gross from film rentals is running $50,000 a week higher than last year, and if the present pace continues the company's revenue will be increased by $2,500,000 or more during the next year, it was said by J. Cheever Cowdin, chairman of the board, before sailing on the *Normandie* yesterday. Such an increase, under present business conditions, is unique in the industry, he claimed.

Mr. Cowdin was optimistic about the future of Universal and declared that while during the summer the company's net earnings could not be expected to show much improvement because of "the weak pictures which were made under the previous studio administration and which will take time to write off," the betterment in product should be reflected in the company's position beginning in September.

Mr. Cowdin denied that his trip concerns new British investment financing for Universal or that there will be any change in the status of the

(Continued on page 7)

Paul Terry Named To MPPDA's Board

Paul Terry was elected a member of the board of M.P.P.D.A. and Terrytoons, the company which he heads, was admitted to membership in the organization at the quarterly meeting of the board yesterday. The meeting was adjourned to June 22.

So far as could be learned the subject of conciliation of industry disputes and trade practice concessions did not come before the meeting. The

(Continued on page 7)

W. A. Steffes Report Cites Work of Allied

MINNEAPOLIS, June 15.—The annual report of W. A. Steffes delivered today to the more than 100 delegates of Northwest Allied assembled at the Hotel Nicollet listed as the major accomplishments of the year the retention of Bank Night in Minnesota, the barring of new theatres from Minneapolis, prevention of the unionization of front-of-house employes in cities and unionization in small towns and

(Continued on page 7)

My Word!

By Irene Kuhn

◆ Glen Griswold, former Fox vice-president, currently editor of *Business Week* and vice-president of McGraw-Hill, has resigned as of July 1 to enter the public relations field . . . Neville Shute's best seller, "Kindling," has just been sold to M-G-M.

◆ The Russian actor Buloff, who was a hit in "To Quito and Back" on the New York stage last season, has just been tested by Paramount for the role of the manager in "Zaza" originally announced for John Barrymore.

◆ Mildred Weber of the William Morris office will leave for Westport the end of the week for a business-pleasure trip. Country air and country viewing of summer stock in the Connecticut village.

◆ Author J. P. McEvoy lunching with Publicist George Clarke at the Algonquin . . . Radie Harris teaing there with Bijou (Madame Perkins) Fernandez and Joy Hodges of "I'd Rather Be Right." Jessie Ralph's feminine basso profundo dominating the scene.

◆ Jerome Mayer returned yesterday from Hollywood with the completed script of "Blow, Bugles, Blow!" a new play by Nathaniel West and Joseph Schrank, which he plans to produce early in September. Mr. Mayer was the producer of "Noah" and co-producer of "Russet Mantle." Schrank is the author of "Page Miss Glory" and both he and West, author of "Miss Lonelyheart," have been working as scenario writers in Hollywood.

◆ Sylvia Sidney's contract with Triple A productions calls for production in the east. Triple A is the new company which will shoot "One Third of a Nation" in Eastern Service Studios.

◆ Hedda Hopper has hit her stride in a big way in two new directions. Her syndicated newspaper column from Hollywood is already in 40 papers, and her new broadcast from the coast, "Brent House," a dramatic show is earning raves.

◆ "Swanee" Taylor, the popular flier who taught Capt. J. M. Patterson, publisher of the *News*, and Paul Gallico, sports writer and author, to fly, is in the hospital recovering from an appendicitis operation.

◆ A neat promotion stunt for "Men With Wings," Paramount's Technicolor film, has Paul Mantz, speed flier and technical adviser on the picture, making a record dash from Wichita to Los Angeles Sunday. The National Aeronautical Association will be the official timer of the hop to set a record in the monoplane named for the picture.

◆ Scotty, 16-year-old daughter of F. Scott Fitzgerald, film writer, hopped west via American airlines to join her father on the coast. This is her first flight.

◂ Purely Personal ▸

MARGOT GRAHAME slipped aboard the *Normandie* yesterday for a European holiday. Other passengers not previously announced are MRS. WALTER READE, wife of the local theatre operator, and daughter, SUZANNE, who will return early in August after visiting England, France and Italy.

•

HARRY ROSS, president of Ross Federal Service, offered SCOTT FARON, advertising and publicity director, the use of his country place at Carmel, N. Y., during Mr. FARON's two-week vacation. Mr. Ross left last week for the coast. Mr. FARON and his family will leave Saturday.

•

TRUMAN H. TALLEY, Movietone News head, and LEON LEONIDOFF, senior producer at the Music Hall, will arrive today on the *Conte di Savoia*.

•

RALPH BRANTON of the A. H. Blank circuit is in New York for conferences with Paramount home office executives.

•

LAWRENCE BEILENSON, counsel for the Screen Actors Guild, arrived in New York yesterday from the coast.

•

MARJORIE SKOURAS, daughter of CHARLES P. SKOURAS, head of Fox West Coast, is visiting here.

•

S. L. WOOLAMS of Universal Pictures took the American Airline route to Los Angeles last night.

•

SYDNEY TOWELL, 20th Century-Fox treasurer, is expected back from Europe in about a week.

•

MICHAEL AZERRIER of the Republic exchange has received a degree from N. Y. Law School.

•

JOHN W. HICKS, JR., is expected back at the Paramount home office today.

•

WINNIE FRIEDMAN of the I.T.O.A. office is vacationing.

GEORGE SKLAR'S new comedy, "Away from It All," will have a tryout at the Rockridge Theatre, Carmel, N. Y., the week of June 27 with ALINE MACMAHON and WILLIAM HARRIGAN as leads. On Oct. 15 the Federal Theatre will produce in New York "Life and Death of an American" by the same author.

•

JAMES CAGNEY, vacationing in the east, took part in the ceremonies inaugurating the new streamlined train of the 20th Century, which left New York yesterday.

•

RALPH BENATZKY, Continental composer of operas, operettas and film scores, a recent arrival in New York, has joined the M-G-M studio under a contract.

•

L. M. EPSTEIN, Warner manager in the British West Indies, arrived yesterday on the *Western World* from Port of Spain, on his first vacation in three years.

•

ROBERT GILLHAM will leave today for Kansas City and will go to Dallas and Hollywood thereafter, returning to New York toward the end of July.

•

EWART HODGSON, film critic of the London *News of the World*, is here for a short stay. He will cover the Louis-Schmeling fight June 22.

•

MICHAEL HOFFA, director of foreign publicity for RKO is on his vacation.

•

PAT CASEY is expected in New York tomorrow.

•

. . . New Haven

ABE FISHMAN and SAM HADELMAN have taken adjoining cottages at the "Anchor" in Woodmont for the summer.

WILLIAM HUTCHINS will spend his vacation at Belgrade Lakes, Me.

FRANK GUNN will leave soon for a vacation in Massachusetts and then New York.

"Three Comrades" to Stay for Third Week

"Three Comrades" starts a third week at the Capitol today, having grossed $25,000 in a second week. "Vivacious Lady" garnered $63,000 in its second stanza. The first week's take was $82,000.

Lorenz Sees President

WASHINGTON, June 15.—Pare Lorenz, director of "The River," and of "The Plow," both Government-made pictures, was a visitor to the White House today, accompanied by Lowell Mellett, head of the National Emergency Council.

Lorenz' trip was at the invitation of President Roosevelt, who desired to congratulate him upon his achievement.

Culver Makes a Film

INDIANAPOLIS, June 14.—Culver Military Academy has made a three-reel film of activities on the campus. It is offered to theatres for freight costs only.

"Limberlost" Given Medal by Magazine

Monogram yesterday received the *Parents' Magazine* medal for the best picture of the month at a luncheon held following a screening of "Romance of the Limberlost" at the Waldorf-Astoria. This was the picture for which the prize was given.

The presentation was made by Dr. George Hecht, publisher of the magazine, to W. Ray Johnston, Monogram president. Dr. Hecht pointed out that this was the third time the company had won the magazine's medal in 12 months. The two previous awards were for "Hoosier Schoolboy" and "Boy of the Streets."

Kennedy En Route Here

LONDON, June 15.—Joseph P. Kennedy, Ambassador to Great Britain, sailed from Southampton aboard the *Queen Mary* today, to report to President Roosevelt following his first three months as Ambassador here, and to attend his son's graduation from Harvard.

"Blockade" Put in New Legion Listin

The Legion of Decency yesterd
after viewing "Blockade," establish
a new rating in order to classify
picture. The Legion established
classification: "Separately Classifie
with the observation: "Many peo
will regard this picture as containi
foreign political propaganda in
of one side in the present unfor
struggle in Spain."

This is the first time the Legi
has gone beyond its four classifi
tions: "Class A-1, Unobjectional
for General Patronage," "Class A
Unobjectionable for Adults," "Cl
B, Objectionable in Part," "Class
Condemned."

Cantor to Aid Childre

HOLLYWOOD, June 15.—Eddie C
tor will sail from New York on J
6 for London, where he will ra
funds with which he hopes to rem
300 Jewish children from Germa
and establish them in Palestine. T
comedian stated that a portion of
$100,000 has already been promis

AMA Endorses Time Re

SAN FRANCISCO, June 15.—T
board of trustees of the Ameri
Medical Association in conventi
here endorsed "Men of Medici
1938," the new single-episode rele
of March of Time. It is the boar
first commendation of a film inten
for theatrical distribution.

Harvard Honors Disne

CAMBRIDGE, June 15.—Harvard w
confer on Walt Disney an honora
degree at this year's commenceme
The producer has been named an h
orary member of the classs of '28.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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gatan 36; Ragnar Allberg, representative. TOK
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naga, representative.

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"MEN ARE
SUCH
FOOLS"*

* But not the men in picture business who grab this gay Faith Baldwin story made by WARNERS to draw the lads and lasses everywhere now head-over-heels for those sparkling young sweethearts . . .

Wayne Morris and Priscilla Lane

in a cast that includes

Humphrey Bogart · Hugh Herbert

JOHNNIE DAVIS · PENNY SINGLETON · Directed by BUSBY BERKELEY

Screen Play by Norman Reilly Raine and Horace Jackson · From The Saturday Evening Post Story by Faith Baldwin

"Saint," Show Lead Chicago With $24,600

CHICAGO, June 15.—Al Pearce on the stage at the Palace with "Saint In New York" on the screen was the top attraction in the Loop, closely followed by Sally Rand at the State-Lake which featured "Law of the Underworld" on the screen. The gross at the Palace was $24,600, or $5,600 above average, and the State-Lake hit $15,000, which is $2,000 above normal and very good for this low admission house.

"Three Comrades," at the U. A., grossed over average the opening week to get $15,800.

Other attractions in the Loop found going rather difficult.

The weather was unsettled most of the week. Baseball games drew heavily with the Cub-Giants series packing the ball park daily.

Total first run business was $93,300. Average is $103,000.

Estimated takings:

Week Ending June 9:

"HUNTED MEN" (Para.)
APOLLO—(1,400), 35c-55c-65c, 7 days; **Gross:** $5,000. (Average $6,500)

"DIVORCE OF LADY X" (U. A.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Tommy Dorsey & Band. **Gross:** $18,600. (Average $32,000)

"SON OF THE SHEIK" (Artcinema)
GARRICK—(900), 35c-55c-75c, 7 days. 2nd week. **Gross:** $5,800. (Average, $6.500)

"THE SAINT IN NEW YORK" (RKO)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Al Pearce and Co. **Gross:** $24,600. (Average, $19,000)

"LAW OF THE UNDERWORLD" (RKO)
STATE-LAKE—(2,776), 20c-40c-55c. 7 days. Stage; Sally Rand and Revue. **Gross:** $15,000. (Average, $13,000)

Week Ending June 10:

"ROBIN HOOD" (W. B.)
ROOSEVELT—($1,300), 35c-55c-75c, 7 days. 4th loop week. **Gross:** $8,500. (Average $11,000)

"THREE COMRADES" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days. **Gross:** $15,800. (Average, $15,000)

NLRB Poll June 28 Without Writer List

(*Continued from page* 1)

today declared the polling would take place at the time specified. It is probable that membership rosters of the Screen Writers Guild and Screen Playwrights, Inc., contestants for the bargaining agency position, may be checked by board officers to determine which members are eligible to ballot.

Dr. Nylander would not divulge his plans to force the issue.

Warners-Eastland Sign

LOS ANGELES, June 15.—Warners has closed a product deal with the Eastland Theatres, operating 11 houses principally in the Los Angeles area, for one year. The sales include Vitaphone short subjects and trailers.

Fanchon Back in Office

HOLLYWOOD, June 15.—Fanchon has moved back to her offices at the Fanchon and Marco studios, and will go on an extended business and pleasure trip to the east when Marco returns from St. Louis.

"Comrades" Is Top as Frisco Takes Decline

SAN FRANCISCO, June 15.—Summer weather improved and box-office receipts fell off to the lowest point of the year, all houses going below average. The highest gross was $15,000 for "Three Comrades" and "Little Miss Thoroughbred" at the Fox. This was $2,000 below par.

"Vivacious Lady, in its second week at the Golden Gate, was good for $11,200. "Adventures of Marco Polo" took $5,500 in its fourth week at the United Artists.

Total first run business was $60,400. Average is $87,800.

Estimated takings:

Week Ending June 7:

"VIVACIOUS LADY" (RKO)
GOLDEN GATE—(2,850), 35c-40c-55c, 7 days, 2nd week. Stage: vaudeville. **Gross:** $11,200. (Average, $16,000)

Week Ending June 8:

"ADVENTURES OF MARCO POLO" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-40c-55c-65c, 7 days, 4th week. **Gross:** $5,500. (Average, $7,000)

"THREE COMRADES" (M-G-M)
"LITTLE MISS THOROUGHBRED" (W. B.)
FOX—(5,000). 15c-35c-40c-55c-75c, 7 days. **Gross:** $15,000. (Average, $17,000)

"HOLIDAY" (Col.)
"OUT WHERE STARS BEGIN" (W. B.)
ORPHEUM — (2,440), 15c-35c-40c-55c, 7 days, 2nd week. **Gross:** $6,800. (Average, $8,500)

"ADVENTURES OF ROBIN HOOD" (W. B.)
"JUDGE HARDY'S CHILDREN" (M-G-M)
PARAMOUNT—(2,740), 15c-35c-40c-55c-75c, 7 days, 4th week. **Gross:** $7,500. (Average, $13,000)

Week Ending June 9:

"YELLOW JACK" (M-G-M)
"HOLD THAT KISS" (M-G-M)
WARFIELD — (2,680), 15c-35c-40c-55c-75c, 7 days, 2nd week. **Gross:** $7,000. (Average, $13,000)

"KIDNAPPED" (20th-Fox)
"RASCALS" (20th-Fox)
ST. FRANCIS—(1,400), 15c-35c-40c-55c-75c, 7 days, 2nd week (moved over from Fox). **Gross:** $4,000. (Average, $7,000)

"DAWN OVER IRELAND" (Tom Cooper)
CLAY—(400), 15c-35c-40c, 6 days. **Gross:** $400. (Average, $1,300)

Week Ending June 10:

"PRISON NURSE" (Republic)
"PUBLIC COWBOY NO. 1" (Republic)
EMBASSY—(1,400), 25c-30c-40c, 7 days. **Gross:** $3,000. (Average, $5,000)

Theatre Race Starts At Disney, Oklahoma

DISNEY, Okla., June 15.—A race for construction of two theatres has been started here with the possibility that a third will be begun shortly.

At one end of Main St., M. R. Parks of Ponca City has begun construction of an air-conditioned 450-seat house scheduled to open not later than July 1. On the other end of the street, R. L. Barton, who is mayor of Stroud, Okla., has signed a five-year lease on an air-conditioned theatre being built by the Disney Lumber Co., which has promised occupancy by June 15.

Between the two locations, C. J. Howard of Noel, Okla., has announced plans for a third theatre, but no definite plan or opening date have been specified. Disney is on the site of the $20,000,000 Grand River dam project and is a new town just established this year.

Court Vacates Writ In Action of Baynes

N. Y. Supreme Court Justice Samuel I. Rosenman yesterday granted the application of Atlantic Film Productions, Ltd., to vacate the service of the summons and a writ of attachment in the $30,000 breach of contract action brought by George McLeod Baynes against Atlantic. Justice Rosenman ruled the attachment to be a nullity because he found "no tangible property was taken into the sheriff's actual custody," and on the same ground also vacated the service of the summons.

The writ of attachment had been directed to Columbia Pictures on the claim of Mr. Baynes that it had proerty of Atlantic, but the reply of Columbia to the attachment denied possession of any property.

Mr. Baynes brought suit charging the breach of an alleged contract made in June, 1936, whereby he was made U. S. agent for Atlantic in the distribution and exhibition of its picture, "Thunder in the City," with a commission of 10 per cent of the gross income. Mr. Baynes claimed that he had obtained the services of Columbia and that the picture subsequently grossed $300,000.

Adjourn Paine's Suit

The suit of John G. Paine against Erpi was adjourned indefinitely yesterday when it appeared before Federal Judge John C. Knox for trial. Paine is suing to recover $149,148 as royalties allegedly due to him as assignee of about 100 music publishers. He claims this sum is due to the publishers for recording rights for motion pictures granted to Erpi.

Say 40 Key Outlets Set on French Films

About 40 key city theatre outlets have been lined up for the showing of French and other foreign product to be brought over by Inter-Allied Films, in which John E. Otterson, formerly president of Erpi and Paramount, is the chief factor.

Mr. Otterson disclosed this information yesterday before leaving on the *Normandie* to make arrangements for the importation of the films. He said that 15 theatres will show the product in New York, in a cooperative deal closed with Harry Brandt and Trans-Lux. Other theatres will be included, he said, but national distribution will be limited and only selected houses will be added.

Lou and Bernard Brandt, brothers of Harry, also sailed on the *Normandie,* to return in six weeks. In addition to a deal for French films, they have negotiations under way for Italian pictures which will be discussed in Rome. They will also visit Switzerland.

Harry Lachman, who will advise the group in the selection of foreign films, is also accompanying Mr. Otterson.

Drops Newsreel Policy

PHILADELPHIA, June 15.—The News Theatre, operated by William Goldman, has abandoned its policy of newsreels and shorts in favor of feature film presentation. The house started last fall in opposition to the Trans-Lux, which is adhering to its news policy.

What Key City Critics Say . .

Following are brief excerpts fro the reviews of current pictures by th critics of the key cities:

"Three Comrades"

Chicago Tribune—In acting, superior production . . . technicall admirable.

Phila. Public Ledger—Restraine but forceful story. . . . One of th season's most affecting photoplays.

Phila. Inquirer—M-G-M has wove a memorable, poignant screen traged

Phila. Record—Deeply stirring . . told beautifully . . . stronger in emo tional content than political signif cance.

Phila. Bulletin—Here is somethin to renew one's faith in the movies . . (It) is magnificent.

Cleveland Plain Dealer—Here the best told love story thus far pi tured in the talkies.

Cleveland Press—Another lov story . . . Miss Sullavan is magnif cent.

"Cowboy from Brooklyn"

Los Angeles Times—Truly u roarious . . . plenty of laughs . . . e ceedingly clever.

Los Angeles Herald-Examiner- Preview audience went for it hoo line and sinker.

"Four Men and a Prayer"

Los Angeles Times— . . . Engros ing, stimulating entertainment . . produced with feeling of sweep a authenticity.

Los Angeles Herald-Express— . . Captures a romantic adventure spir (but) somewhat sketchy.

20th-Fox Ad Unit to Be in Own Buildin

The advertising and publicity d partment of 20th Century-Fox will housed in a building of its own a joining the home office building West 56th St., according to prese plans. The structure, which former housed a Catholic boys' club, will altered and is expected to be rea for occupancy in August.

The steel framework on the ann to the Movietone building at 54 St. and 10th Ave. is near completio The three-story structure will be us for short subject production. It expected to be opened in September.

Buys "Dry Guillotine"

HOLLYWOOD, June 15. — Samu Goldwyn has purchased "Dry Guill tine," book on Devil's Island by Re Belbenoit, an escaped convict.

The studio has announced tempora suspension of preparations of "T Exiles," story of refugees from Na Germany, because of casting dif culties. Paul Muni could not be o tained from Warners.

Goldwyn Buys Story

HOLLYWOOD, June 15 — Samu Goldwyn has bought an original sto based on the history and foundation England's Scotland Yard from h story editor, Frances Manson, a Jack Emanuel. The producer w send a camera crew to London so for background shots.

Brings Three INDISPENSABLES

THREE indispensables of the modern motion picture negative film: speed . . . fine grain . . . photographic quality. Eastman Super X brings these essentials to the industry in abundance, with special emphasis on the most vital of them all . . . photographic quality. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

I.T.O.A. Demands Cut in Film Rental

The I. T. O. A., through its publication, *The Independent,* is demanding reduced film rentals in view of curtailed studio costs and business conditions.

"Pictures made during the current season were sold at a higher rental on the basis of increased budgets," according to an editorial, but when lowered box-office receipts reacted in the film companies, orders went out to cut costs.

"There should be some manner in which economy can be within the reach of all when times dictate such a policy," the publication says.

Orders Stock Reclaimed

MADISON, Wis., June 15.—Miles C. Riley, Federal referee in bankruptcy, has announced that owners of securities totaling more than $500,000, deposited with B. E. Buckman & Co., bankrupt financial firm whose deals included the sale of Condor Pictures, Inc., stock, have until June 20 to file reclamation petitions for recovery. Officials of the firm, charged on 23 counts of violating the state securities law, are now undergoing trial in Milwaukee.

Line Up Rivoli Product

Negotiations are understood to be under way that will assure the Rivoli, closed recently, a greater supply of product from major companies than it had during the past year. United Artists Theatre Circuit, which owns the house, expects to have a lineup of films contracted for by the time the house will reopen, late in August. Shortage of suitable first-run product forced the theatre to close two weeks ago.

Blank in Ad Film Deal

KANSAS CITY, June 9.—W. H. Hendren, president of United Film Ad Service here, has negotiated long term contracts under which United has exclusive screen advertising rights in A. H. Blank's Tri-States Theatres in Illinois, Iowa and Nebraska, and in Central States Theatres, Blank affiliate, in secondary towns of Iowa and Nebraska.

Buy McCarthy Story

HOLLYWOOD, June 15. — Universal has purchased an original by Robertson White and Darrell Ware, "Charlie McCarthy, Detective," as the second Edgar Bergen-Charlie McCarthy vehicle. Mr. White has gone to Universal from Warners to do the screenplay. "Letter of Introduction" will be the first.

Para. Recalls Graham

Robert A. Graham, special Paramount home office representative in Australia for the past two years, has returned to New York from Sydney. He will be given a new assignment by John W. Hicks, Jr., foreign head.

Nat Turberg to Marry

HAMILTON, O., June 15.—Nat Turberg, manager of the Paramount, unit of the local Southio circuit, will be married Sunday to Mildred Mazinta, at Huntington, W. Va. Turberg's father is co-manager of the Palace, another Southio house here.

Hollywood Preview

"Cowboy from Brooklyn"

(Cosmopolitan-Warners)

HOLLYWOOD, June 15.—It takes a particularly special grade of comedy to throw a calloused Hollywood preview audience into stitches and tears and that is what this one did. It's as full of gags as the breakfast food broadcasts are of prairie tenors and it is one of these, as phoney as he is melodic, that Dick Powell plays and sings in championship style. The film is fast, loud, tuneful, witty, smart in a very melodious and purposely naive manner. It is characterized by a sound consignment of all-purpose comedy.

Pat O'Brien, in a faster and funnier role than he's had in years; Priscilla Lane, as a crooning cowgirl; Dick Foran, Johnny Davis, Hobart Cavanaugh, Elizabeth Risdon and James Stephenson top a large and competent cast which seems to have enjoyed every moment of their several chores. Their gayety comes across with a bang. Much credit for that happy circumstance should redound to Director Lloyd Bacon, to Associate Producer Lou Edelman and to Earl Baldwin, who wrote the screenplay from "Howdy Stranger," by Robert Sloane and Louis Pelletier, Jr.

Five of the highly singable songs are by Richard Whiting and Johnny Mercer, the latter also collaborating with Harry Warren on the sixth. As threaded through the action in the expert orchestral arrangements by Adolph Deutsch these works, a widely varied collection, highlight the story without stopping it. As sung by Powell and Miss Lane they are quite, quite something.

The story drops a Brooklyn crooner afraid of animals into the midst of life on a dude ranch where he meets the girl. A New York impresario drops in, signs him up for his voice, whisks him across the country to New York and a radio program, and finally, with the assistance of a hypnotist who functions in triplicate, into a Madison Square Garden rodeo.

It's for laughs exclusively and packed with said same.

Running time, 80 minutes. "G."

New York Preview

"Romance of the Limberlost"

(Monogram)

In getting a first audience to see "Romance of the Limberlost" exhibitors will do well to use the presentation of the *Parents' Magazine* medal to Monogram for the best family picture of the month as a selling argument. Word of mouth advertising should do the rest. It is a family picture, with a capacity for stirring the sympathy of parents for children who are not getting a fair break in life and arousing the emotions of youngsters who like to see their generation triumph.

The costuming and settings are of the stuffy 1905 period, but the story has plenty of vitality where audiences have not become so sophisticated they think their entertainment should be ultra-modern.

Some fine performances are presented. Marjorie Main's work as the cantankerous, overworked, cabin-dwelling, warped aunt of Jean Parker is a classic—as memorable, in fact, as her performance in "Dead End." And Miss Parker makes her role as the buffeted, misunderstood child so vital there will be tears among those who see the film. Edward Pawley is also outstanding as the cruel widower who beats his "bound" boy, Hollis Jewell.

The screen title says the story was suggested by Gene Stratton-Porter's original, "Her Father's Daughter." Miss Parker, fairylike youngster, is the object of Pawley's affections. The town rises in indignation on the wedding day. Pawley is accidentally shot when seizing a gun held by young Jewell. The boy is acquitted at a trial in which he is defended by Eric Linden.

Running time, 84 minutes. "G."

Wometco Acquires Miami

MIAMI, June 15.—Wometco has taken over the small de luxe Miami which was built last year by Alfred E. Gottesman as a newsreel theatre. The policy will be changed to first run with prices equalling the competitive houses, about 55c top. Stanley Stern, who has been assistant to Sonny Shepherd at the Lincoln, Miami Beach, will be in charge.

Censor Appeal Not Filed

ALBANY, June 15.—Although a show cause order was signed by Supreme Court Justice Gilbert V. Schenck two weeks ago at the request of Arthur Mayer and Joseph Burstyn, distributors of "Remous," papers have not yet been served on the censor board, it has been learned. The film had been refused a license by the state body.

Short Subjects

March of Time, No. 11

(RKO)

This issue is devoted entirely to one subject, "Men of Medicine—1938," in which the reel succeeds in conveying an impression of the benign service rendered by the medical profession in the relief of suffering. Perhaps the material is a bit overdrawn in this regard. In general, the reel is interesting and significant in its explanation and consideration of the fight under way within the profession between the two schools of thought on socialized medicine.

The material briefly sketches the course of the young doctor in school, hospital and his own office, pictures his first night call and first emergency operation to impart dramatic effect, then goes on to show the growth of free clinics, the lack of medical facilities in many sections of the country, the increase in "free" medical service in economic depression, and leads into the problem of the socialization of medicine, which is outlined without prejudice toward either side. Running time, 18 mins. "G."

"Rise and Sing"

(Vitaphone)

Cross and Dunn, aided by Stadler and Rose, Sylvia and Clemence and John Guy Sampsel, deliver two reels of musical diversion and fun in this short. The action centers in night clubs and a radio station where the featured pair sings. The story concerns Cross' inability to perform due to a nervous breakdown. He needs rest and his manager sees that he doesn't get it. Running time, 21 mins. "G."

"Historic Sites and Resorts Along the Norman Coast"

(P. P. Devlin)

This "Screen Traveler" has the usual factually interesting comment but the material that serves as a base is not particularly striking. There are scenes of Falaise, the birthplace of William the Conqueror, the market place and people of Dives, Trouville with its tourists, and Deauville, a beach resort, and the racetrack where the Grand Prix is run. Running time, 11 mins. "G."

Hold Rites for Frankel

LYNN, Mass., June 15.—Funeral rites were held here today for Simon Frankel, 75, pioneer circuit operator, who died yesterday at the Lynn Hospital. He had an interest in the Morse & Rothenberg circuit. He is survived by his wife, three daughters and a sister.

John Weaver Dies at 45

COLORADO SPRINGS, June 15.—John Van Alstyn Weaver, author and scenarist, died here today at the age of 45. He was the husband of Peggy Wood, actress, whom he married in 1924.

Pioneer Cuts Two Scales

DES MOINES, June 15.—The Pioneer Theatre Corp., operating 16 theatres in Iowa, has reduced prices in two theatres as an expirement.

Silverstone Says Pact Has No Limitation

(*Continued from page 1*)

the action, therefore, came as "a great surprise" to U. A.'s executive personnel.

Because of the "suddenness" of the move, there has been no time in which to discuss a successor to Dr. Giannini and a decision will be made after he returns, Mr. Silverstone said. In the meantime, the stockholders are to be canvassed on their selections to fill the vacancies.

A board meeting is scheduled for July 5 here to dispose of several matters hanging fire. One is a new long term contract for George J. Schaefer as general manager of distribution in the United States and Canada. Mr. Silverstone has been negotiating the agreement for the company, and it was said that it has been decided upon substantially, with certain details yet to be ironed out. There is no particular hurry on this pact, it was said, since Mr. Schaefer's present contract does not expire until March.

Mr. Silverstone, before sailing, praised Mr. Schaefer highly, saying, "he is the grandest man in the industry and he can stay with U. A. as long as he wants."

Discusses Own Contract

There is no truth to the impression that Mr. Silverstone's contract precludes his election as president or to any other office in U. A., he said.

"I hold an employment contract with the company," he explained, "and under the corporate laws no contract of this nature can sign away a man's rights to his holding office in a corporation, whether as president or anything else."

This is said to be particularly true of the Delaware laws, under which U. A. is incorporated.

Upon Mr. Silverstone's return, the company's headquarters will be in New York.

Morris Helprin, publicity representative for Alexander Korda in America, is accompanying Mr. Silverstone. This is his annual trip to the Denham studios, where he will remain about a month to gather publicity material on new season releases.

Also accompanying Mr. Silverstone are a brother, Dr. Sidney Silverstone of New York, and his bride, who were married Tuesday night and are honeymooning.

W. A. Steffes Report Cites Work of Allied

(*Continued from page 1*)

the prevention of wage raises among craft unions.

Mr. Steffes stated that the film business here is in better shape by 30 per cent than other industries, adding that nothing is wrong with the industry that good pictures won't correct. He concluded with the assertion that business should pick up in the fall.

Resolutions were adopted pledging support to the Neely bill and to the "divorcement" measures.

Election of officers will be held tomorrow. Percentage and other matters also will be taken up.

Cowdin States "U's" Weekly Gain $50,000

(*Continued from page 1*)

British investment in the company, which is represented by the C. M. Woolf interests.

"The company is fully reorganized and no further changes are anticipated in the executive personnel," he added. "We are not looking for any money. We have all we need. Universal is running smoothly and is in fine condition."

Asked if any deals are in progress or in prospect for the purchase of the stockholdings in Universal held by Robert H. Cochrane, former president, and Charles R. Rogers, former production head, Mr. Cowdin said that there have been no discussions on the matter with either.

"Apparently they are satisfied to remain Universal stockholders," he observed.

He said that his trip is for checkup purposes in London and Paris and that he expected to return in about two weeks. Universal is about the only company that is not bothered by production requirements under the British quota, he said, since they are fully covered by its affiliation with General Film Distributors in Great Britain.

Columbia's Quota Plans Sets

Joseph A. McConville, Columbia foreign manager, who also sailed on the *Normandie*, said that the company is considering six or seven single quota films or three of double quota to provide for its British production requirements.

Mr. McConville was non-commital on reports that Columbia's British production would be supervised by Alexander Korda and associates, saying that definite plans would be set in conferences with Joseph Friedman, managing director for the United Kingdom.

This is Mr. McConville's first trip to Europe. He said he would be gone from six to eight weeks and his itinerary will include London, Paris, Rome, Prague, Warsaw and other Continental capitals, where he will discuss sales plans with territorial distributors.

Lutherans Condemn Every Chance Game

ROCHESTER, June 15.—The 10th annual convention of the United Lutheran Synod, at a session here today, unanimously disapproved Bingo and all other chance games used for the purpose of raising money.

The resolution was introduced by the laymen's group in the Synod and was then acted upon by the pastors, who expressed their pleasure that the move originated in the non-ministerial section.

Shift Tivoli Policy

LONDON, June 15.—Arthur Jarratt, Gaumont British circuit executive, today disclosed that the Tivoli, leading G. B. house here, will operate under a new policy, effective Aug. 1. The house will close June 25 reopening on a weekly change basis, following remodeling.

Paul Terry Named To MPPDA's Board

(*Continued from page 1*)

absence of Sidney R. Kent, president of 20th Century-Fox, and a leader in the move to effectuate conciliation machinery, may account for this. It is believed that the subject will be discussed informally at the adjourned meeting next Wednesday. However, definite action on the furtherance of a self-regulatory program for distribution and exhibition appears to be still many weeks distant and, as reported earlier, the ultimate action will be taken by distribution executives rather than the company heads. Discussion of the subject by the M.P.P.D.A. board will signalize only the acceleration of the move to put a plan of trade practice regulation into effect.

The industry's participation in the New York World's Fair was discussed, but no action was taken. The subject will come before the board again at later meetings.

At yesterday's session were: Barney Balaban, Paramount; Harry D. Buckley, United Artists; E. W. Hammors, Educational; Jack Cohn, Columbia; Will H. Hays, Frederick L. Herron, Nicholas M. Schenck, Loew's and Leo Spitz, RKO.

Salaries Hit New High Level in '37

(*Continued from page 1*)

1931, when they amounted to $184,076,000.

Profits drawn by individuals in the production branch were very small, because the bulk of the industry is in the hands of corporations, but in the theatre branch they amounted to $10,837,000 compared with $9,941,000 in 1936.

Refuse Consideration Of Sirovich Measure

(*Continued from page 1*)

measure was to be taken up for consideration.

Mr. Sirovich made a strong plea for action on the bill, initially speaking to a house so bare of members that he was halted while a quorum was assembled. Not particularly interested in anything but adjournment, the House listened patiently to arguments for and against the measure and then voted to drop it.

Handles SMPE Publicity

Julius Haber, in charge of publicity for RCA Manufacturing Co., has been named chairman of the publicity committee of the Society of Motion Picture Engineers. He replaces Will Whitmore of Western Electric, who resigned from S. M. P. E. publicity work because of a change in his work for Western Electric.

To Open Crooker Play

PITTSBURGH, June 15.—"Made In Heaven," a new play by Herb Crooker, will be tried out late in July at Bruce Hewitt's Paint Shop Theatre in nearby Somerset, Pa. All of the local reviewers, who have known Crooker for years, plan to cover the opening.

Screen Beer Ads Stir Up Wide Protest

(*Continued from page 1*)

to permit their children to attend theatres which show beer films, which run a maximum of one minute.

A temperance policy is also urged by the National Advisory Council for Screen Advertising, which includes 10 heads of circuits and advertising executives of a variety of companies. The consensus of the group is that the screen should abandon beer advertising so as not to expose the medium to controversy.

Liquor advertising has never been permitted on theatre screens by the voluntary action of the screen ad companies and exhibitors, according to Mr. Alexander.

Queried on patent medicine advertising, exhibitor members of the council were unwilling to extend the anti-beer taboo to this classification or to lay down a hard and fast rule, declaring that many types of patent medicine screen ads are not objectionable.

Most Prefer 60-foot Film

Seventy-five per cent of the replies in the survey indicated 60 feet as the proper length of the advertising films, with the theatre men overwhelmingly in favor of brevity in releases. Advertising agencies, however, leaned toward the use of 90-foot films in campaigns of limited periods.

The consensus of the council also leaned strongly toward the use of straightforward copy rather than too obvious an effort to conceal the advertising purpose under the guise of entertainment.

Exhibitor members of the council include: E. C. Beatty of the Butterfield circuit in Michigan; Harry Brandt, New York; H. F. Kincey of Wilby & Kincey, Texas; Verne Taylor, San Francisco; Fred Wehrenberg, St. Louis; George Mann, Redwood Theatres, San Francisco; O. K. Mason, Commonwealth Theatres, Kansas City; P. R. Isely, Southwestern Theatres, Tulsa; Frank D. Rubel, Pioneer Theatres, Des Moines, and Ed Rowley of Robb & Rowley, Dallas.

Wall Street

Small Gains Mark Board

	Open	High	Low	Close	Net Change
Col.	10½	10½	10⅜	10⅜	+ ⅛
Cons.	1⅛	1⅛	1⅛	1⅛	.....
E. K.	150	151	150	150	+ ½
E. K. pfd.	158½	158½	158½	158½	.....
Loew	41	41	41	41	+ ¼
Para.	7	7	7	7	+ ⅛
Para. 2	8	8⅛	8	8⅛	+ ⅛
RKO	2	2	2	2	.....
20th Fox	21¼	21¼	21¼	21¼	+ ¼
20th pfd.	30	30	30	30	+ ¼
W. B.	4⅜	4⅜	4⅜	4⅜	.....

Technicolor Rises on Curb

	Open	High	Low	Close	Net Change
Monogram	1½	1½	1½	1½	— ⅛
Sonotone	1⅝	1⅝	1⅝	1⅝	— ⅛
Tech.	22⅞	22⅞	22½	22½	+ ¼
Univ. Corp.	2	2	2	2	.....

Bonds Have Short Losses

	High	Low	Close	Net Change
Keith 6s '46	84½	84½	84½	— ½
Loew 3½s '46	99	98⅞	99	.....
Para. Pict. '47	71	71	71	—1
W. B. 6s '39	68	68	68	—1

(Quotations at close of June 15)

▸ Radio Personals ◂

ART TOLCHIN, WHN salesman, is off to Milwaukee . . . John S. Carlile, CBS production head, is working on the manuscript of a book, "The Production and Direction of Radio Programs," scheduled for publication in October . . . The final "Hollywood Hotel" program this season will feature Barbara Stanwyck and Herbert Marshall in the lead roles of "Always Goodbye," over CBS, June 24.

+

San Francisco

Hedda Hopper, radio commentator and actress, will open the San Francisco "Town Forum," a speaking series, Oct. 18 . . . Former musical comedy star Fred Bittke is a newcomer to KFRC "Femme Fancies" . . . Darrell Donnell, former *Examiner* radio editor, who lost his job when the local dailies banned free radio space, is shopping for a sponsor for a newscast . . . KGO's Art Schwarzmann, pianist, went south to play in Islam Temple's band at the Shrine conclave in Los Angeles . . . Francis Powers, eastern sports columnist, is here auditioning a "radio sports column" for a prospective sponsor.

FCC to Push Probe Due to House Vote

WASHINGTON, June 15.—Members of the Federal Communications Commission today were reluctant to discuss the action of the House last night in rejecting the Connery probe resolution, but there was no question of their relief over the removal of the menace of a Congressional investigation.

The only really disappointed member of the F. C. C. was Commissioner George H. Payne, whose charges of lobbying brought about nationwide publicity which practically forced the resolution to a vote, who was described during the House debate as a "disgruntled Republican."

Members of the commission said that with the threat of investigation out of the way they would proceed full speed with their own probe of alleged monopoly in broadcasting, hearings on which will probably begin some time next month, and gave assurances that by the time Congress again meets the whole situation will have been explored and remedies devised for any evils which may be exposed.

Sponsor Show on WHN

Community Opticians are now sponsoring Adrian O'Brien over WHN Mondays through Fridays. The same company has renewed the "Early Bird" program over WHN for another 13 weeks. Commonwealth Advertising Corp. handles the account.

WHN Starts New Show

"What Will We Do Today?" is a new program designed to tell listeners what is happening in and around New York now heard daily on WHN, with Charley McCarthy at the microphone.

Probe Into Effect Of High Power Use

(*Continued from page 1*)

affected by WLW's high power programs. It was explained that national advertisers are desirous of cultivating the good will of local distributors and so would continue to patronize the more local broadcasters, while at the same time, it was represented, there is a good deal of feeling in local communities that outside agencies that compete with local interests are detrimental.

A plea for an increase in the number of Class 1-A stations, from 25 to 26, in order to accommodate WCAU, Philadelphia, was submitted to the commission by Dr. Leon Levy, president of the station.

WCAU is the only Columbia outlet in the city, Dr. Levy testified, and relegation of the station to an inferior status would be adverse to the interests of Philadelphia listeners.

Explaining the advantages of network operation, he expressed the view that many of the stations associated with the chains could make just as much money if they broadcast without network service, but the public would suffer, so that the major reason for chain participation is to give the best possible service to the radio audience.

WMCA Enters Tourney

WMCA has entered a team in the entertainment division of the Table Tennis Association tournament, and will play M-G-M tonight in the Strand Academy. The winner will be awarded the table tennis trophy, to be held until a challenger takes it away. The WMCA team comprises Sam Brown, announcer; Bert Lebhar, WMCA sales manager; George Castles, salesman; Sid Flamm, assistant to President Donald Flamm; Al Rose, promotion manager, and Hal Jannis, sports statistician. Next week other stations are expected to enter.

Gets International Post

Ed Dukoff has been appointed director of public relations of the International Broadcasting Corp., operators of WOV-WBIL in New York, and the William Penn Broadcasting Corp., operators of WPEN in Philadelphia. Hyla Kiczales is general manager of the radio company. Dukoff will work out of the New York office, assisted by Harold Koch, and will confine his activities mainly to institutional promotion and advertising. Gil Babbit, formerly with the *Philadelphia Record*, has been engaged to handle the publicity for WPEN.

WFIL Will Dedicate New Studios June 17

PHILADELPHIA, June 15. — WFIL here is planning a dedicatory program on opening their new studios in the Widener Building June 17. Officials of both the Mutual and NBC-Blue networks will attend. WFIL will stage salute programs to both Mutual and NBC, and the chains will offer salute programs in return.

Governor George H. Earle of Pennsylvania and Mayor S. Davis Wilson of Philadelphia will join in the ceremonies. Joe Connoly, the station's publicity director, is planning a program titled "Gentlemen of the Press," while advertisers and civic interests will have programs set aside for them. In the evening, the station will tender a formal party for the press and agency people, to be held at the Arcadia-International Restaurant. Donald Withycomb, WFIL's general manager, is in charge of the ceremonies.

Code for Television Equipment Finished

(*Continued from page 1*)

some time next week. To date, all television has been conducted on an experimental basis, and the new rules, when adopted, will standardize transmission of programs and the manufacture of television receiving sets.

WABC Program Sold To Optical Company

Phil Cook's "Morning Almanac" program on WABC, which is heard from 7:30 to 7:45 A. M., has been sold to Community Opticians for 52 weeks, the contract starting June 20. The Sterling agency placed the business.

The sponsor will take the show three mornings weekly, Monday, Wednesday and Friday. The talent includes Phil Cook, Fred Feibel and John Reid King.

To Air Newspaper Strip

The newspaper comic strip, "Jane Arden," will be serialized for radio over WJZ only, starting June 20, five times weekly from 9:45 to 10 A. M. The Ward Baking Co. will sponsor. The agency is Sherman K. Ellis.

Adam Renews NBC Pact

Adam Hats has renewed the contract for its series of fight broadcasts over NBC. The new contract will start Oct. 5. The Glickman agency placed the business.

New Shows on the Air

"Inside of Sports"

Sam Balter, who enjoys a top reputation as a sport commentator in west coast circles, introduced himself to a network audience Tuesday evening in a new series over the Mutual network for the Bayuk Cigar Co. Balter, in his initial coast-to-coast airing, proved easily that his abilities have not been overrated by the west coast burghers. The new series is titled, "Inside of Sports."

He has an excellent microphone voice, his commentary is fluent, and he knows his sports, speaking authoritatively on prize fighting, golf and baseball. He also handled the commercials, and made them sound much more palatable than when delivered by regular announcers.

"Inside of Sports" is heard Tuesdays, Thursdays and Saturdays at 7:30 P. M. over the stations of the Mutual network.

BANNER

Eighteen Programs Renewed Over NBC

A large block of programs renewals, totaling 17½ hours of time per week, were received at NBC yesterday. The renewals cover 18 programs, 11 of which are Procter & Gamble shows. Among them is a 28-week contract for the M-G-M—General Foods program "Good News of 1938," which will return to the air after a summer absence.

The Procter & Gamble contracts are for a year each. They are: "Pepper Young's Family," on the Blue at 11:30 A.M. and on the Red at 3:30 P.M., and "Road of Life," 11:45 A.M. on the Red. Pedlar & Ryan is the agency for the programs. Jimmy Fidler on the Blue and on the Red at 10:30 P.M., once a week was renewed through the Kastor agency. The following renewals were placed through the Compton agency: "Vic and Sade," on the Blue at 11:15 A.M., "Story of Mary Marlin," on the Blue at 11 A.M. and on the Red at 3 P.M.; "The O'Neill's," on the Red at 12:15 P.M., and "Guiding Light," on the Red at 3:45 P.M. "Ma Perkins," on the Red at 3:15 P.M., was renewed through Blackett-Sample-Hummert.

Heidt Renewed

Stewart Warner, with Horace Heidt on the Red, Sundays at 10 P.M., was renewed for 24 weeks, the "Town Hall" hour, Wednesdays at 9 P.M. on the Red, to be split into two programs for the summer months, was renewed for another year through Young & Rubicam, while "Win Your Lady," new script show which is to replace the Tyrone Power series, has been contracted for 13 weeks, through Lennen & Mitchell.

The "Good News of 1938" deal was closed through Benton & Bowles. Other programs which are to be returned in the fall are "Metropolitan Auditions of the Air," for the Sherwin-Williams Paint Co., returning Oct. 9 for 26 weeks on the Blue, through Cecil, Warwick & Legler; "Terry and the Pirates," for Bowey's, Inc., returning Sept. 26 for 39 weeks on the Blue, through the Stack-Goble agency; "Tom Mix Straight Shooters," for Ralston-Purina, returning Sept. 26 on the Blue, through the Gardner Advertising Co.

Accepts Buenos Aires Bid

Andre Kostelanetz has accepted an invitation extended by Radio El Mundo, Buenos Aires radio station, to appear in a series of special broadcasts which will be heard in both Americas during his vacation trip to South America with his bride, Lily Pons. The programs, three in number, July 31, Aug. 7 and 14, will be broadcast throughout South America and short waved to New York and rebroadcast over the CBS network.

Appell Leaves WABC

James Appell, with the sales force of WABC and Columbia Artists for the past 12 years, has resigned, effective June 30. Mr. Appell's plans for the future are indefinite.

Fowler Joins Agency

Clifford Fowler, former vice-president of Henry Souvaine, Inc., and later with the Phillips H. Lord organization, has joined Kelly, Nason & Winsten, Inc., agency.

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43. NO. 138 NEW YORK, FRIDAY, JUNE 17, 1938 TEN CENTS

Higher Power Will Benefit Air, FCC Told

Will Improve Programs, WHO Manager Says

WASHINGTON, June 16. — Super- ower will solve the problem of af- rding efficient reception to all parts the country, will bring about a gen- al improvement in programs and will ell prosperity for the broadcasting dustry, the Federal Communications ommission was told today.

Appearing on behalf of the clear annel group, Joseph O. Maland, ice-president and manager of Station VHO, Des Moines, testified that ad- ertisers would be willing to pay the icreased charges necessitated by iper-power operation, but would not bandon their advertising over less owerful stations because of the lat- er's local appeal.

Heavier charges of super-power sta- ons will be offset by the larger audi- nces the advertising will reach, he ontinued, and the same increase in

(Continued on page 6)

May Postpone Air Probe Until Fall

WASHINGTON, June 16.—Postpone- ent of hearings on the Federal Com- unications Commission broadcasting onopoly investigation until fall reatened today as members of the ommission sought to prepare a pro- ram for the remainder of their ac- ve sessions, which recess July 15.

In common with other Federal agen- ies, the commission tries to hold no earings during the hot summer onths, and usually adjourns from uly 15 until after Labor Day, using e time to catch up on cases that

(Continued on page 6)

Additional developments in radio yesterday on page 6.

Okay, M'Lord

Boston, June 16.—Edward Gamage, featured tenor of WBZ, is generally known as Ted, but a somewhat astonished local NBC staff has discovered that he is also Lord Milford of Monmouthshire. The English lord is taking it in his stride.

Nazis Ban Herald

Berlin, June 15 (By United Press)—*Motion Picture Herald*, published in New York, and the magazine *World Youth*, published in Boston, were banned from circulation in Germany today.

No explanation was forthcoming from the German authorities relative to the reason for the banning of either publication.

Paramount Circuit Heads to Conduct 3 Regional Meets

Three regional meetings of Paramount theatre partners and associates will be held early in August instead of the national meeting planned earlier this spring, Y. Frank Freeman, Paramount vice-president, said yesterday.

The first meeting will probably be held in Chicago, the second in the south, either in Florida or on the Mississippi Gulf Coast, and the last in the east, probably in New York or Boston. Definite dates and places will be designated within the next few weeks by Mr. Freeman.

New season product, circuit operations and policies will be the major subjects up for discussion at the sessions. Originally, it had been planned

(Continued on page 5)

"Josette" Roxy Take $33,500 on the Week

"Josette" grossed $33,500 at the Roxy in the week ended last night.

"Sign of the Cross" provided an excellent draw at the Criterion, the Paramount reissue netting $10,000. Heavy ballyhoo was put on the attraction.

"Blockade" opened strongly at the Music Hall yesterday, the first day's take being estimated at $12,000, with standees much in evidence.

The 55th St. Playhouse will join the ranks of foreign film houses closing for the summer, winding up its 11th season Sunday night. The same policy will continue when the theatre reopens in September.

B & K Circuit Plans No Summer Closings

CHICAGO, June 16.—Executives of Balaban & Katz declared today that they have no plans for closing any local theatres or any in the Great States Circuit.

Specifically, B. & K. officials issued a denial of any intention to close the Roosevelt in the Loop.

Producers and Screen Actors Will Arbitrate

A. A. A. the Third Party In Negotiations

HOLLYWOOD, June 16.—Having failed to agree on some of the demands made by both sides, the Screen Actors' Guild and the producer signatories to the actors' agreement have mutually decided to arbitrate the entire schedule of readjustments in the terms of the contract. Murray Kinnell will represent the guild and B. B. Kahane will speak for the producers. The American Arbitration Association has been selected as the third party as agreed in the contract signed last year.

Although both the guild and the producers are in harmony on some concessions it had been previously decided that arbitration would be resorted to unless all agreed upon the entire schedule of demands. Three or four weeks will be necessary to prepare the cases of both sides.

To Americanize Reel Abroad, Says Talley

Foreign editions of Movietone News will be "Americanized," with tempo speeded up and the stories narrated and departmentalized in the manner of the domestic reel, it was said yesterday by Truman H. Talley, producer of the newsreel.

He returned with Mrs. Talley after several weeks in Europe, where he conferred with his staffs and sales managers on newsreel and short subject matters.

European coverage has been augmented by the addition of six narrators and other specialists, including three "name" commentators. These are Jean Toscane, the Lowell Thomas of France, who is chief news commentator for the French edition; George Pieters, noted sports writer of the *Paris Soir*, who is narrating sports as Ed Thorgersen does for the American reel, and Leslie Mitchell, well known BBC announcer and ac-

(Continued on page 6)

Academy Abandons Asst. Director Code

HOLLYWOOD, June 16.—Engaged in the process of reorganizing the Academy of Motion Picture Arts and Sciences, the board of governors today notified the seven studios which are signatories to the assistant directors' code governing working conditions

(Continued on page 5)

Congress End Leaves Film Bills in Air

Dead Measures Will Have To Be Reintroduced

By BERTRAM F. LINZ

WASHINGTON, June 16.—Another Congress is about to pass into history. This will wipe the legislative slate clean, and film legislation which may be sought next year will have to start from scratch.

"In the mill," but not acted upon is the Neely block-booking bill and a number of other measures which had been introduced since the first session started Jan. 5, 1937.

If a special session is called in the fall to act on railroad measures, it might be possible to revive this bill then, however.

Block-booking legislation this year got further than ever before in its history, being passed by the Senate and blocked in the House only by the

(Continued on page 6)

Monogram to Have Division Managers

Monogram Pictures will augment its sales organization by adding division managers in certain sections of the country, W. Ray Johnston, president, said yesterday. Cecil E. Maberry, former general sales manager of Columbia, has been named central western division manager, in the first appointment to be made under the new policy.

No decision has been made yet on the number of additional division managers to be designated nor the territories which may be involved, it was said, but additional appointments

(Continued on page 5)

U. A. Will Conclude Eastern Meet Today

The eastern sessions of United Artists annual sales meeting will be concluded today at the Waldorf-Astoria with a final series of individual conferences between district and branch managers and salesmen. The individual conferences have occupied the past two days of the five-day meeting here.

The company's western sales meeting will open at the Drake Hotel, Chicago, Monday, and will continue through Thursday. George J.

(Continued on page 6)

My Word!

By Irene Kuhn

◆ Crosby Gaige has bought Hugh Stange's play, "Come Unto Me," for fall production. . . . One of our best known etiquette arbiters raps red finger nails and daytime jewelry wearing in print. Her own nails are bright red and she wears jewels in the a.m. . . . Radio City and Rockefeller Center rivet-mad residents will be glad to hear the flag went up on the beams of the AP building yesterday. This signifies that the iron work is finished and it won't be long now before peace and quiet reign again.

◆ Everybody who drives a car is telling the one about the young hitchhiker who always gets a ride because he carries a sign on his back saying, "If you don't give me a lift, I'll vote for him again."

◆ Leo Robin and Ralph Rainger, the Paramount song writing team, arrive in New York tomorrow for an indefinite stay. They are doing the score on the Max Fleischer Technicolor feature length cartoon, "Gulliver's Travels," which will be 18 months in the making.

British Imports in May Show Increase

London, June 16.—The total imports of exposed positive film into England for the month of May, 1938, was 1,911,222 feet, according to the Board of Trade figures just released. The total represents an increase over May, 1937, of 108,958.

The exports of exposed positive film for May of this year totaled 1,346,405 feet, a decrease of 620,610 feet from the 1937 month.

W. B. Executives to Bat

A feature of the Warner Club outing at Bear Mountain next Wednesday will be a ball game between the Senior A. K.'s, consisting of home office executives, and the Junior Varsity, made up of the company's lesser lights. Among the "Seniors" who will cavort on the diamond are Rudy Weiss, Gradwell Sears, Carl Leserman, Sam Schneider, Leonard Schlesinger, Herman Starr, Barney Klewans, Mort Blumenstock, Herbert Doherty, Arthur Sachson, Stewart McDonald and Karl MacDonald. Joseph Bernhard will essay the role of umpire.

G. N. to Plead Tomorrow

Los Angeles, June 16.—Federal Judge William P. James, sitting on the 77 B reorganization of Grand National, on Saturday will hear the application of Edward L. Alperson, co-trustee, for interim allowance on account of trustee fee of $500 weekly, also application of the law firm of Omelveny, Tuller and Myers, attorneys for the trustees, for an interim allowance of $500 weekly and the application for the approval of the contract of the trustees with Fine Arts Pictures providing for a minimum of 26 pictures to be released by GN during the new season.

◂ Purely Personal ▸

Joe Moskowitz of 20th Century Fox is extending his stay in Callander, Ont., where shooting is in progress on "Five of a Kind," and his plans for sailing to Europe next Wednesday are indefinite. Roger Ferri has returned from the Canadian location.

•

Jack Redmond, trick shot golfer, will entertain the RKO pill chasers at their fourth annual tournament to be held next Tuesday at the Westchester Country Club.

•

Howard Winner, Pathe News cameraman, is the father of an eight-pound baby girl born to Mrs. Winner on Tuesday.

•

Harry Goldstein of Olympia Theatres has returned to Boston following conferences at the Paramount home office.

•

Oliver Levy has joined J. S. Tapernoux in the operation of French Motion Picture Corp.

•

Henry Luce, publisher of *Time* and head of March of Time, is due from Europe next week.

•

James R. Grainger, Republic president, is due next week from a tour of franchise offices.

•

Bert Ennis of Cavalcade has returned from a field trip.

Lew Lehr, 20th Century-Fox short subjects editor; Edmund Reek, Movietone News general manager; Harry Lawrenson, general foreign editor, and A. A. Brown, assignment editor, went down the bay yesterday to meet the *Conte di Savoia*, bringing Truman H. Talley from abroad.

•

R. J. O'Donnell of the Interstate Circuit is expected in New York for conferences at the Paramount home office and will remain there to attend the Louis-Schmeling fight.

•

Robert M. Gillham, Paramount advertising and publicity director, left for Kansas City yesterday and will go to Dallas and Hollywood from there.

•

William Bach, Erpi manager for England, will arrive in New York Tuesday from London for his annual home office visit.

•

A. H. Blank is in New York from Des Moines for conferences with Y. Frank Freeman, Paramount theatre head.

•

Ben Levin, a director of the I.T.O. of Northern California, is in New York from San Francisco.

•

Ben Berinstein, president of the Associated Exhibitors, Inc., of Los Angeles, is in New York for a visit.

Discuss Paramount British Production

Final plans for Paramount's new season production activities in England will be decided upon today when John W. Hicks, Jr., Paramount vice-president and foreign head, confers with Barney Balaban, Paramount president, it was stated at the home office yesterday.

Mr. Hicks arrived in New York during the day from his recent visit at the studio and from his family home at Sedalia, Mo., where his father was taken seriously ill this week. Mr. Hicks reported that nothing definite has been decided upon yet for the company's British production activities and will not be pending today's conference.

David Rose, who was named recently to head the company's British production operations, will come here from Hollywood in about two weeks for conferences at the home office before sailing to establish his headquarters in London.

"Banners" Debut Ready

Columbia City, Ind., June 16.—This municipality on Saturday will welcome Lloyd C. Douglas, its home town boy who made good as a novelist, when the world premiere of his latest filmed story, Warners' "White Banners," will be held at the Columbia Theatre. The all-day celebration calls for parades, speeches and radio broadcasts.

"Courier" Is Held Over

"Courier of Lyons" is being held over for a third week at the 55th St. Playhouse. The picture is released by Pax Films.

Grants Warner Plea For Coast Testimony

N. Y. Supreme Court Justice Peter Schmuck yesterday granted the application of Warners to take the testimony of J. W. McLelan and John M. Matthews, operators of "Hollywood Hotel"; Jack L. Warner, Hal Wallis, Roy J. Obringer, Bryan Foy, Norman Reilly Raine, Jerry Wald, Richard Macauley, Maurice Leo, Sam Bischoff and Lou Edelman in behalf of Warners in the suit brought by Hollywood Hotel Revue, Inc.

The examination will be held before Walter M. Pratt in Los Angeles. The plaintiff brought suit claiming that it was a stage revue which had the exclusive right to the use of the title, "Hollywood Hotel," and that Warners violated that right in their picture of the same name. An injunction against the exhibition of the picture and an accounting of the profits are sought.

20th-Fox Files Answer

Twentieth Century-Fox Film Corp. filed its answer yesterday to the suit of William L. Gross, assignee for the benefit of creditors of the Theatre Magazine Co., in which it denied Gross's charges and asserted in defense that the cover design of the August, 1929, issue of *Theatre Magazine* was not original and was not copyrighted in writing.

Decide Contest Tuesday

The grand prize winners of the Floyd Gibbons "Your True Adventures" contest conducted by Warners will be determined Tuesday when three of the Vitaphone one-reel short subjects will be screened at the Strand with a group of newspaper men acting as an advisory committee to assist the judges, Errol Flynn, Major Albert Warner and Mr. Gibbons.

Ampa Will Ask Sales Heads to See Awards

The general sales managers of all film companies will be invited to attend the Ampa luncheon late this month at which awards will be presented in the organization's annual advertising competition.

The date for the affair will be set shortly and it may be held in the Rainbow Room in Rockefeller Center.

The deadline on mailing the bal[illegible] was June 15, and all returns are expected to be in by the end of this week. Campaigns entered were sent to more than 50 judges, all exhibitors and circuit heads.

"Holiday" Opening Set

The world premiere of "Tropic Holiday" will be held next Friday at the Alameida Teatro in Mexico City. An elaborate civic celebration is planned for the event.

"Tropic Holiday" yesterday was screened in the Bacardi Room of the Empire State Building for a group of orchestra leaders, radio executives, composers and others interested in the modern music of Latin America, which is a feature of the film.

Consolidated to Pay

Consolidated Film Industries has declared a dividend of 25 cents a share on the $2 preferred payable on arrears on July 1 to stockholders of record June 25. Accumulations as of July 1 will amount to $5.50 per share.

Selznick Is Honored

Hollywood, June 16.—David O. Selznick yesterday was presented an honorary scroll in recognition of his work on the screen by faculty and students of the Chouinard Art School.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

MARTIN QUIGLEY, Editor-in-Chief and Publisher; J. M. JERAULD, Managing Editor; JAMES A. CRON, Advertising Manager. EDITORIAL STAFF: Charles S. Aaronson, Jack Banner, Al Finestone, Thomas Fitzsimmons, Sherwin A. Kane, Irene Kuhn, Joseph Priore.

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HE PICTURE THAT SPEAKS FOR WOMEN OF TODAY

. . . and to the men who love them!

Barbara
STANWYCK
Herbert
MARSHALL
in

Always Goodbye

with IAN HUNTER
heading an
outstanding cast

20TH HAS MADE IT ONE OF THE YEAR'S GREAT HEART STORIES

. . . and more!

Inspired performances by an ace cast . . . with the star of "Stella Dallas" at her greatest! The primal urge of mother instinct against the yearning for romance. Modern woman using every desperate feminine wile to win the love her whole existence craved!

BARBARA
STANWYCK
HERBERT
MARSHALL
in

Always Goodbye

with
IAN HUNTER
CESAR ROMERO • LYNN BARI
BINNIE BARNES • JOHN RUSSELL

Directed by Sidney Lanfield

Associate Producer **Raymond Griffith** • Screen play by Kathryn Scola and Edith Skouras • Based on a story by Gilbert Emery and Douglas Doty

Darryl F. Zanuck
of Production

20th CENTURY FOX
THE KEYSTONE
UR FUTURE

Paramount Circuit Heads to Conduct 3 Regional Meets

(*Continued from page 1*)

to have one national meeting of the company's theatre associates at the Paramount studio this month, but it [illegible] decided to defer the meeting until [illegible] new season production plans of the various companies were further advanced so that the product available for next year might be better analyzed.

The Chicago meeting will be attended by the B. & K. and Great States operators, the United Detroit, Minnesota Amusement, A. H. Blank and J. H. Cooper and Salt Lake City circuit heads. The southern meeting will include the Saenger, Interstate, Malco, Wilby-Kincey, Sparks, Lucas & Jenkins, Gordon & Clemmons, Richards & Nace, Hunter Perry and Robb & Rowley operations. The eastern meeting will include the Mullin & Pinanski, Maine & New Hampshire, Western Massachusetts, Vincent McFaul, M. E. Comerford, Si Fabian and New York operations.

Monogram to Have Division Managers

(*Continued from page 1*)

probably will be made in the near future.

Mr. Maberry will make his headquarters in St. Louis. Included in his territory in addition to that exchange are the Kansas City, Cincinnati, Cleveland and Pittsburgh branches. He will work under the supervision of George W. Weeks, Monogram general sales manager, and will leave Monday on a tour of the territory for conferences with D. J. Selznick, Pittsburgh manager; Nate Schultz, Cleveland; William Onie, Cincinnati; Robert Taylor, St. Louis, and Lester Durland, Kansas City, with whom he will be associated on his new assignment.

Since leaving Columbia in 1930, Mr. Maberry has been in business for himself.

Academy Abandons Asst. Director Code

(*Continued from page 1*)

that it no longer would administrate the contract. The move dissolved the Academy's final tie to the economic activities of the industry. The writers' and Actors' agreements on working conditions which the Academy formerly held were taken over by Screen Playwrights, Inc., and Screen Actors' Guild, respectively, last year.

The letter to 20th Century-Fox, M-G-M, Columbia, Paramount, RKO, Universal and Warners declared that the governors hoped that conditions under the agreement would remain general industry practice as many benefits had accrued to first assistant directors under the pact. The contract was signed in 1934 and in addition to granting assistant directors screen credit established the rule of giving a one week's salary bonus to free lance first assistants upon the completion of the picture.

The special reorganization committee of the Academy has made its report to the board, which is now studying the recommendations.

The Newsreel Parade

Movietone News

Vol. 20, No. 80

(*20th Century-Fox*)

Loggers at work to prevent jams in the mountains of Wyoming, in the midst of a blizzard, provide a clip of spectacular beauty. The West Point graduates receive their diplomas from Secretary of War Woodring and toss their hats at the conclusion.

There is human appeal in the clip showing Mme. Chiang Kai-shek inspecting a school for homeless Chinese children, war victims. In the San Francisco Mint, Chinese silver dollars are produced on order from the Chinese Government, in an interesting process. Missouri girls engage in a "smile" contest, and Australian girls pick daffodils. Warren Allen, 62, returns to the work of his youth, and drops in a parachute from a balloon. Lew Lehr's comment is amusing. It accompanies pictures of a six-month-old Chicago baby of amazing strength. The sporting division pictures a hardy group of motorcyclists in a European race; "yachting" on the sand at Cairo, Egypt, with the boats mounted on wheels and the wind filling the sails, and surf casting on the beach at Cape Charles, Va. Running time, 10 mins.
A.

News of the Day

Vol. 9, No. 278

(*M-G-M*)

West Point on parade on graduation day, with the beauty of the setting as a background, makes for an attractice opening clip, followed by scenes of Mme. Chiang Kai-shek visiting a school for Chinese refugee children, some hardly more than three years old; the minting of coins for the Chinese Government at the San Francisco Mint, and the unusually strong Chicago baby, whose father tosses him about on the edge of a roof. The last bit is a feminine spine-chiller.

Shots at the closing of Congress include a strikingly effective night picture of the Capitol, Vice-President Garner and Speaker Bankhead signing bills, and Representatives Snell and Rayburn expressing opposing views on the work of the expiring Congress. The rest of the reel includes pictures of the wedding of a wealthy Great Neck, L. I., girl to a young tradesman; a large-scale calisthenics demonstration of London women; a cross-country motorcycle race in England, and the usual mauling in a Fort Hamilton wrestling bout. Running time, 9 mins.
A.

Paramount News

No. 91

(*Paramount*)

Bombing planes in mimic warfare, this time in France, appear again in what is getting to be a grim routine of universal preparedness for war in all the newsreels. Nature, resisting man's war fever, brings drought to Europe, possibly insuring peace a little longer, for American's dust bowl is shown in contrasting fertility to Europe and itself, a year or two ago.

Heiress Andra Luckenback's Long Island wedding, exclusive clips of the arraignment of Cash kidnapper Franklin McCall, and lighter spots from abroad, the London Zoo opening and Belgium bachelors being feted by village belles, provide interesting shots.

Divergent opinions of Congressmen on the eve of adjournment are hitched on to a seldom-seen shot of Congress' private subway, and the reel finishes with the always thrilling dress parade before graduation of the West Point cadets. Running time, 8½ mins.
I.K.

RKO Pathe News

Vol. 9, No. 65

(*RKO*)

This issue scores with a well composed story of the windup of Congress, showing the leaders in the final hours of the session and members preparing to leave for their homes, some on one-way trips. The newsreels' usual impartiality is evidenced in praise and criticism of the session's accomplishments spoken by opposition leaders.

A good "exclusive" is that of Johnny Vander Meer's no-hit, no-run game at the opening of night baseball in Brooklyn. Some parts of the diamond were not adequately lighted for the camera, but there's enough action to satisfy the fans. Other topics deal with the return of Charlie Yates, who captured the British amateur golf title, and the American Walker Cup team; the U. S. mint producing coins for China; WPA workers wrecking a building by means of a huge metal ball. A style show by the editors of *Vogue* is also designed to please the men, if the closeups of the models are an indication. Running time, 8 mins.
F.

Universal Newsreel

Vol. 10, No. 676

(*Universal*)

Graduation exercises at West Point furnish the opening clip in this issue. The camera was moved about enough to make the details interesting.

The closing days of Congress are brought to the screen with shots of Vice-President Garner signing bills, of Representative Snell telling what the House didn't do, and with Majority Leader Rayburn telling what it did do. A French air mission arrives in England, but this is nothing to get excited about.

A forest fire at Kuilcene, Wash., photographed both from the air and ground, is spectacular. A subject of especial interest is the initiation of Winthrop Rockefeller into the Saints and Sinners. A Rockefeller being kidded is a novelty. There are some laughs in rodeo shots from Livermore, Cal., and some excitement in a dirt track automobile race at Chicago. Something new in the way of aquaplaning shows devotees of the sport riding the waves at night while carrying flares. Summer skiing at Mt. Hood, Ore., furnishes both thrills and laughs. Running time, 9 mins.
J.

Jones Loses Second Suit

MACON, GA., June 16.—Robert Tyre Jones, Jr., former golf champion, this week for the second time lost his suit in Federal Court seeking to recover $53,000 paid in income taxes as the result of a series of shorts he made for Warners.

Europe Has Nothing New for Leonidoff

The entertainment capitals of Europe have nothing new to offer in the way of production ideas for the Music Hall and American producers are fast outstripping their colleagues overseas in ideas and technique, it was reported yesterday by Leon Leonidoff, senior producer of the Music Hall, who returned from a six-week stay in London and on the Continent.

Mr. Leonidoff went over on his annual scouting expedition. He found nothing to brag about in the British capital and the same old stuff, virtually, in Paris, even to the same Mistinguette and her plumes at the Folies Bergere. In all the acknowledged centers of stage production he found the style and form creaking with age. He went as far east as Prague and then south to Florence and the Riviera.

He did, however, spot some fresh faces and talent, chiefly in the cabarets, and may bring some of them over for Music Hall shows.

W. A. Steffes Again Heads Allied Group

MINNEAPOLIS, June 16.—W. A. Seffes today was reelected president at the final session of the annual meeting of Northwest Allied held at the Hotel Nicollet here. Paul Manns and E. L. Peasley were named to the posts of secretary-treasurer and vice-president, respectively.

The organization took a stand against percentage pictures and favored the introduction of divorcement bills in South Dakota and Minnesota.

Fabian's Brooklyn Deal to Be Renewed

The deal under which Si Fabian operates the Brooklyn Paramount will be renewed for two years on its expiration at the end of August, Y. Frank Freeman, Paramount theatre head, said yesterday.

This will be the first time the operating deal between Paramount and Fabian has been set for longer than a one year period. Three previous deals were negotiated on a 12 months basis.

Wall Street

Small Board Gains Continue

	Open	High	Low	Close	Net Change
Col.	11	11	11	11	+ ⅝
Cons.	1⅛	1⅛	1⅛	1⅛	.....
Cons. pfd ..	5⅝	5⅝	5⅝	5⅝	+ ¼
E. K.	150⅛	150⅛	150⅛	150⅛	+ ⅛
E. K. pfd..	158½	158½	158½	158½	.....
Loew	40⅞	41⅛	40⅞	41⅛	+ ⅛
Loew, pfd..	106⅜	106⅜	106⅜	106⅜	+ ⅞
Para.	7	7	6⅞	6⅞	— ⅛
Para. 1.....	71	71	71	71	.....
Para. 2.....	8¼	8¼	8⅛	8⅛	.....
Pathe	4¼	4¼	4¼	4¼	+ ⅛
RKO	2⅛	2⅛	2⅛	2⅛	+ ⅛
20th Fox ..	20¼	21	20¼	21	+ ¼
20th pfd. ..	30	30	30	30	+ ⅜
W. B.	4¼	4⅜	4¼	4⅜	.....

Curb Has Upward Trend

	Open	High	Low	Close	Net Change
Monogram	1⅝	1⅝	1⅝	1⅝	+ ⅛
Tech.	22¾	23	22¾	23	+ ½
Univ. Corp.	2	2	2	2	.....

Bonds Change Fractionally

	High	Low	Close	Net Change
Keith 6s '46......	84¼	84¼	84¼	— ¼
Loew 3½s '46....	98½	98½	98½	— ⅜
W. B. 6s '39......	68¼	68¼	68¼	+ ¼

(Quotations at close of June 16)

Higher Power Will Benefit Air, FCC Told

(*Continued from page* 1)

audience will be the motivating factor in improvement of programs.

"There are many improvements in detail that may be expected," Mr. Maland said. "There will be, in general, a reduction in the amount of advertising permitted and the elimination of spot announcements. There will be a marked tendency toward individuality and originality in each station, as it competes with other stations of the same class for the listener's attention."

The clear channel group's testimony followed a plea for consideration of the WOR claims for inclusion among the Class 1-A stations by C. M. Jansky, Jr., consulting radio engineer.

As the second week of hearings on the proposed new rules for broadcasting stations drew toward a close, the commission had heard only a small proportion of the many interests which had petitioned for time, and indications are that unless the testimony is speeded up, the hearings would continue well into next month.

May Postpone Air Probe Until Fall

(*Continued from page* 1)

have been heard but not yet decided. The same procedure will be followed this year, it was indicated.

With the current series of hearings on new broadcasting rules seen running well into July, little time would remain for discussion of monopoly conditions in broadcasting, for which it is expected several weeks will be required. Accordingly, consideration is being given to postponement of those hearings until early in September, giving the commission staff additional time in which to prepare data on a number of surveys it is making.

Extend Kellogg Program

The Kellogg Co., now sponsoring the serial script, "Don Winslow of the Navy" over five NBC Blue stations, will extend the show to the entire Blue network beginning Sept. 26. The contract is for 52 weeks, through Hays MacFarland of Chicago. The program is heard five times weekly from 7 to 7:15 P. M.

CBS Has New Sustainer

Irene Beasley will begin a new sustaining series, "R. F. D. No. 1," over CBS beginning July 4 from 12:15 to 12:30 P. M., and five times weekly at this time thereafter. The show is designed primarily for the rural audience with appropriate songs and commentary by Miss Beasley.

Swing Pact Renewed

Comentator Raymond Gram Swing, whose broadcasts on European affairs are heard over WOR-Mutual each Tuesday, has had his contract renewed by WOR.

▶ *Radio Personals* ◀

JOHN LOVETON, production chief of the "Original Good Will Hour," and Virginia Farmer of Bannebrook, Ill., will be married in the bride's home town Monday. Loveton also directs the "Aunt Jenny" network series. Carl Frank, the air actor, will be the best man. . . . Vincente Gomez, NBC guitarist, will give a recital in Town Hall Oct. 9. . . . Clare Sheridan of the WOR telephone room will be married to Malin Brown Saturday. . . . Hugo Mariani, before sailing for the Argentine, will make a final air appearance over WBNX Saturday night.

+

Lester Gottlieb, Mutual's publicity coordinator, went to Philadelphia yesterday to attend the dedication of the new WFIL studios. He will return Monday . . . Louis Berg, G. B. publicity manager, will be interviewed over WINS by Rosalind Sherman on her "In the Spotlight" program tomorrow from 4:15 to 4:30 P. M.

Added Frequencies Will be Available

WASHINGTON, June 16.—Sixteen additional broadcasting frequencies will eventually be made available for use in the United States under the Inter-American Regional Broadcasting Agreement and Radio Communications Convention ratified last night by the Senate, it was said today by Federal Communications commissioner T. A. M. Craven.

However, the commissioner pointed out, the agreement will not become effective until signed by the other American governments, which he does not believe will be possible in less than a year.

The additional frequencies will not be exclusively for United States use, but this country will be able to do some broadcasting on all of them, and present congestion will be relieved to some extent, he said.

Engineers' Awards Presented at Meet

The medal of honor of the Institute of Radio Engineers yesterday was awarded to John Howard Dellinger for his contributions to the development of radio measurements and standards. The presentation was made at the opening session of the institute's three-day meeting at the Hotel Pennsylvania.

The Morris Liebmann Memorial prize went to George C. Southworth and an award of $100 in cash was presented to A. L. Samuel for having contributed the best paper on a technical radio subject.

WBNX Change Approved

WASHINGTON, June 16.—A Federal Communications Commission examiner today recommended that WBNX, New York, be granted permission to increase its broadcasting power to 5,000 watts during the day and 1,000 watts at night. WMBG, Richmond, won a similar recommendation.

Congress End Leaves Film Bills in Air

(*Continued from page* 1)

refusal of the Committee on Interstate and Foreign Commerce to report any bill on which it had not held hearings and the lack of time for such hearings.

Several hundred of the more than 15,000 bills introduced during the past session were enacted into law, but only a few directly affected the film industry.

Chief among these was the Revenue Act of 1938, carrying a provision for continuance of the admission tax, with relief for the legitimate stage in an amendment making the tax applicable to the price for which a ticket is actually sold rather than the price printed thereon; the easing of the undistributed profits tax, lifted entirely from corporations with incomes not in excess of $25,000, and a rewriting of the capital gains tax.

Wage, Hour Bill Vital

Of considerable importance to many units in the industry will be the wage-hour legislation, seen as affecting a few employes in the production end, more widely applicable to the distributors, and probably hitting the operators of theatre circuits, although exhibitors with individual houses or purely local chains will be exempt.

Monopoly conditions in the industry will probably come in for scrutiny by the joint Congressional-Executive committee created under the O'Mahoney resolution to make investigations and provide a groundwork for new anti-trust legislation. Couched in broad terms, the resolution gives the committee leeway to probe conditions in any and all industries; $500,000 is provided for expenses of the inquiry, of which $400,000 will be allocated by the President among the Governmental agencies participating.

Representatives of the Justice, Treasury, Labor and Commerce Departments, the Federal Trade Commission and the Securities and Exchange Commission, with a half-dozen members of Congress, will comprise the committee.

Neely Bill Important

In the field of legislation directly aimed at the motion picture industry, the Neely bill was by far the most important. The only other film bill to receive any attention whatever, in fact, was the measure for creation of a Bureau of Fine Arts, introduced in the Senate by Senator Pepper of Florida and in the House by Representative Sirovich of New York. Both Senate and House committees held extensive hearings on the legislation, the House Patents Committee reporting it favorably and, in the final days of the session, getting a rule from the House Rules Committee permitting its consideration by the House. The measure yesterday was defeated in the House by a vote of 195-31.

The only other measures introduced during the session of interest to the industry were the bills of Senator Thomas of Oklahoma to concentrate all Federal motion picture activities in the Government Printing Office; Representative Hobbs of Alabama for the use of films to record court proceedings; Representatives Connery of Massachusetts and McFarlane of Texas to deprive patent owners of their monopolies; Representative Cannon of Wisconsin to provide Federal guardians for child picture actors to safeguard their earnings, and Representative Celler of New York to repeal the ban on interstate transportation of fight films.

No consideration was given during the session to bills for amendment of copyright law, for exclusion of alien actors or for investigation of the industry, on which measures were introduced during 1937.

U.A. Will Conclude Eastern Meet Today

(*Continued from page* 1)

Schaefer, vice-president and genera manager of domestic distribution, wil preside during the first two days o the Chicago meeting. During th initial two-day sessions the company' new season schedule of 30 feature and 12 Technicolor shorts will b analyzed, selling plans and po[illegible] and advertising, publicity and pr[illegible]tional activities for the new seaso will be outlined. The final two day of the meeting will be devoted to individual manager-salesmen conferences, as was done here. Approximately 80 branch and sales manager and salesmen from 12 exchanges wil attend the meeting.

Home office executives who wil leave here tomorrow for the Chicag meeting include, in addition to Mr Schaefer, A. W. Smith, Jr., genera sales manager; Harry Buckley, vice-president in charge of exchange operations; Arthur Kelly, vice-president in charge of foreign distribution; Monroe Greenthal, advertising and publicity director; Jack Schlaifer, Seymour Poe, Lowell Calvert, James A Mulvey, Emanuel Silverstone, C. M. Steele, N. A. Thompson, Paul Lazarus, Ben Washer and Carl Krueger.

To Americanize Reel Abroad, Says Talley

(*Continued from page* 1)

tive in British television, who has joined the staff in England as chief announcer there.

The newsreels will be divided into four general departments: general news, politics, sports and women's activities, including fashions.

Augmentation and shifting of the staffs in the various European capitals also will serve to provide for coverage of any developments that may arise during the unsettled situation, Mr. Talley said.

He visited England, France, Italy, Germany, Czechoslovakia and Greece. While in Rome he witnessed the final steps in the re-equipping of all Movietone studios in Europe.

Upon arrival Mr. Talley looked over the new studio building under construction back of the Movietone Building at 53rd St. and 10th Ave. and expressed satisfaction with the progress made in his absence. The building, going up under the supervision of E. I. Sponable, technical supervisor, is expected to be completed Oct. 1. An international broadcast, with Government officials participating, is planned for the dedication. The structure will be used for the production of shorts.

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

43. NO. 139 NEW YORK, MONDAY, JUNE 20, 1938 TEN CENTS

Paramount to Name 2 More To Its Board

Both Will Be Executives; Zukor Reelection Set

Two additional Paramount officers ill be elected Tuesday to the company's board of directors at the annual stockholders' meeting at the ome office. This will have the effect f giving the management a majority epresentation on the board.

All of the present 14 members of he board, whose terms expire simultaneously with this year's meeting, are scheduled to be reelected. At present, here is an equal division of management and non-management members of the board. The seven management members are Adolph Zukor, chairman; Barney Balaban, president; tanton Griffis, chairman of the executive committee; Neil F. Agnew, Y. Frank Freeman and Austin C. Keough, vice-presidents, and E. V. Richards, head of Saenger Circuit,

(*Continued on page* 14)

20th-Fox to Seek Repeat Bookings

With 20th Century-Fox up to date on delivery of features, Herman Wobber, general sales manager, has instructed his field staffs to take advantage of the shortage of product this summer and to go after repeat bookings and extended playing time.

In a message to the sales force in he current issue of *Dynamo*, company publication, he says:

"We must not overlook the fact that the present scarcity of pictures, quality or otherwise, offers an exceptional opportunity to make full capital of what the studio has done.

"In the prevailing situation there is a golden opportunity to earn extra revenue. This we can get through

(*Continued on page* 12)

March of Time May Get Out New Films

The March of Time is experimenting with the production of films apart from its monthly release. Future plans depend on the outcome of the tests. The results are said to be good.

For some time it has been known that the March of Time has had in mind the production of an additional series of films, which may be features. But company officials stress that there are no definite plans at present and

(*Continued on page* 14)

Wobber's Contract as 20th-Fox Sales Head to Run Five Years

Herman Wobber

Herman Wobber has signed a five-year contract as general manager of distribution of 20th Century-Fox, the terms calling for his supervision of the company's sales activities in the United States and Canada.

His appointment initially was regarded as a temporary one, as Mr. Wobber had expressed a desire to return to his home in San Francisco but was remaining to supervise the sales department at the insistence of S. R. Kent, president. Mr. Kent subsequently issued a statement declaring the appointment to be a permanent one. The five-year contract indicates that Mr. Kent was successful in convincing Mr. Wobber, who has been closely associated with the company head for many years.

Prior to his appointment on June 6 as successor to the late John D. Clark, Mr. Wobber was district manager with headquarters in San Francisco. His present plans call for the supervision of the western territory from New York.

Estimate 20,000,000 Now Within Television Range

There are now approximately 20,000,000 potential televiewers within the range of major television stations now licensed by the Federal Communications Commission, according to a radius survey conducted by the American Television Corp., makers of the first television receiver sets to go on public sale.

In the New York and Philadelphia region four transmitters are, or shortly will be, equipped to create two overlapping "circles" of television radius. This range will serve two-thirds of a population of 16,000,000 in the territory. The lower west coast is within call of the Don Lee station at Los Angeles.

The General Television Corp., serving Boston, is prepared to broadcast to owners of television home receivers in that area. While the New York transmitter of RCA is being remodeled and the CBS television is being installed in the Chrysler Building tower, the American Television Corp. plans to be the first to intro-

(*Continued on page* 17)

Additional developments in radio yesterday on page 17.

Starr Praises Code Efforts of Quigley

The conferring of the honorary degree of Doctor of Literature on Martin Quigley by Loyola University in Los Angeles brought a tribute from Martin Starr, film commentator, on his program broadcast last night over WMCA and the Inter-City network.

"In an industry that makes a business of commercializing art, an art with a mass appeal more popular than most of the other man-made arts combined, it was natural that many innocent errors were made in the name of the art," said Mr. Starr. "But the movies soon came to the realization that upon its own shoulders

(*Continued on page* 17)

L. A. "Birth" Booking Arouses Controversy

Los Angeles, June 12.—The booking on Friday of "The Birth of a Baby" without Production Code symbol for a run of one week in the Paramount, largest Los Angeles house now open and which is operated under a lease by Fanchon & Marco, precipitated a controversy and resulted in arrangements for an invitational showing Tuesday morning at the theatre, when, it was indicated, members of women's clubs and other organizations will debate the issue of its suitability for public showings.

Jack Skirball, one of the producers of the picture, who is here now, booked the film into the Paramount, a first-

(*Continued on page* 14)

"Hoarding" of Films Hit by Harry Warner

Asks Higher Quality in Summer Product

Hollywood, June 19.—In a stormy statement which Harry M. Warner directed at other Hollywood producers whom he did not mention by name, the president of Warner Bros. Inc., on Friday excited Hollywood by accusing some rival studio heads of "deliberately withholding their important films until autumn while their course of action has placed the country in a famine for grade-A entertainment, and has seen the motion picture theatres enter a slump."

While bitterly reproaching the "heads of certain producing organizations" for conduct which, he declared, is in large part responsible for the slump which has affected various branches of the film industry, Mr. Warner pledged his own organization to an $8,000,000 effort in which it

(*Continued on page* 12)

Laboratory Unions To Seek IATSE Aid

Motion Picture Laboratory Technicians Union, Local 702, which has jurisdiction in the east, will attempt to negotiate new agreements with the laboratories under the industry's basic agreement with the I.A.T.S.E. if it proves difficult to get contracts without it, according to union officials.

The local has for some weeks been attempting to renew agreements where they have expired and to start negotiations with others. Demands such as salary increases and closed shop have proved a stumbling block, the

(*Continued on page* 18)

Nylander to Obtain Writers' Affidavits

Hollywood, June 19.—Ignoring studio representatives because of their refusal to cooperate, Dr. Towne Nylander, regional director of the N.L.R.B., Saturday at a conference between the Screen Writers Guild and Screen Playwrights, explained his plan for determining eligibility of writers to vote in the June 28 election under N.L.R.B. auspices when bargaining representative will be chosen.

Dr. Nylander has obtained a complete list of writers in Hollywood and they will be asked to appear at three

(*Continued on page* 18)

My Word!

By Irene Kuhn

◆ Sylvia Sidney, after a week's rehearsals, opens in "Accent on Youth" at the Westchester Playhouse today and goes to the Westport Country Playhouse next week.

◆ A one-woman quartet, discovered by John F. Royal in Europe and brought here, has the wise boys predicting that the girl will be the new sensation of the airwaves and, indeed, of the country, when she starts personal appearances in the motion picture houses.

◆ She is Ann de Ohla, an Austrian, who sings full voice in baritone, tenor, contralto and soprano. She was heard for the first time in this country on the Magic Key last Sunday.

◆ Girl is an attractive blonde and insists she has not a freak voice, and that there is nothing unusual about her vocal chords. Claims she can do it because she has an unusual voice range, a great sense of mimicry and "just concentrates." The switch from a deep baritone "Song of Burgundy" to a soprano solo is so startling as to be incredible except to those who can see as well as hear.

◆ Husband and wife combinations seem to be just the thing at the box-office as Paramount has discovered from the success of Frances Dee and Joel McCrea in "Wells Fargo," Betty Grable and Jackie Coogan in "College Swing." They're putting Frances Farmer and Leif Erickson into "Escape From Yesterday" and the rumor is that John Barrymore and his Elaine will be co-starred in a picture, too.

◆ Nautical Dept: (that boat's here again—Alan Freedman, world's most patient and put-upon "ship's painter," just received a commiseration and remedial gift from Herb Griffin, International Projector Corp. executive.... Mr. Griffin sent Skipper Freedman a can of flit to ward off any further damage from swarms of May flies bent on settling on a Freedman paint job. Mr. Freedman's boat has had four coats of paint to date, each job necessitated by a misadventure which ruined the previous job. But everything seems to be under control now.

N. J. Allied Party Set

Allied Theatre Owners of New Jersey will hold a dinner party Thursday evening, June 30, at Ben Marden's Riviera, for exhibitors and their invited guests. The affair will include the Riviera's revue headed by Sophie Tucker, Willie and Eugene Howard and the complete floor show.

Schedule Heifetz Film

Hollywood, June 19. — Samuel Goldwyn has scheduled "The Daring Age," from an original by I. A. R. Wylie, as the vehicle for the first film of Jascha Heifetz, famous violinist. Joel McCrea and Sigrid Gurie will have the romantic leads in the production.

Purely Personal

Lou Irwin will arrive from the coast today to scout summer stock talent for Hollywood. He will also arrange a personal appearance tour for the Ritz Brothers and discuss a Broadway musical in the fall for Ethel Merman.

•

J. J. Ferretti, vice-president of the U. S. Air Conditioning International Corp., sails for Egypt Tuesday on the *Exeter* to establish a branch in Cairo. He will spend several months traveling through Europe on business.

•

Henry R. Luce, head of the *Time, Fortune, Life* and March of Time enterprises, and B. S. Moss, theatre operator, are due on the *Queen Mary* today.

•

H. M. Bessey, secretary-treasurer of Altec Service Corp., will return today from visits to company offices in Detroit, Chicago and Kansas City.

•

A. F. Martin of United Detroit Theatres, who was at the Paramount home office on business, returned to Detroit over the weekend.

•

Lawrence Beilenson, attorney for the Screen Actors Guild, will leave New York by plane today on his return to Hollywood.

•

W. A. Steffes and Ben Berger of Minneapolis are en route to New York to attend the Louis-Schmeling fight.

•

Roy Haines, Warners' eastern and Canadian sales manager, has returned from a business trip to Pittsburgh.

•

Harry Arthur, Fanchon & Marco vice-president, is here on one of his periodical trips from St. Louis.

•

Phil Reisman, RKO foreign distribution chief, is due from South America June 27.

•

William F. Rodgers, M-G-M general sales manager, will return today from Buffalo.

•

George Givot was among the passengers arriving on the *De Grasse* last Friday.

•

Arthur Goebel of Pathe News flew to Washington by American Airlines.

•

Russell Lewis of Warners, left Friday for Los Angeles via American Airlines.

•

Harry G. Kosch has been named general counsel for Artcinema Associates.

•

Arthur A. Lee of G. B. flew to Buffalo via American Airlines Friday.

•

Clarence Brown, M-G-M director, is due from the coast.

•

Nino Martini sailed Saturday on the *Conte Di Savoia.*

Small Theatre Plan Leading Topic at CEA

By AUBREY FLANAGAN

London, June 19.—A concentrated effort to obtain from the full body of the Cinematograph Exhibitors' Association approval of the current drive to gain from the Kinematograph Renters' Society (distributors) concessions for smaller exhibitors, will be sought by the C. E. A. general council at the annual summer conference which will open at Folkstone in Kent tomorrow.

That effort and the conversations with the K. R. S. relative to the small exhibitor plan and on other matters will be the highlights of this year's meeting. The general council is expected to ask the rank and file membership of the association to ratify the continuance of the current organization policy of friendly discussion with the K. R. S., and under which care is exercised to avoid embarrassing situations.

Provisions Outlined

The general council has written to the distributors deploring their refusal to agree to the small exhibitor plan as presented by the C. E. A. The plan, in essence, provides that all exhibitors whose average weekly gross does not exceed £150 per week be eligible to participate. These exhibitors would be entitled to book the product of any distributor for a rental of 25 per cent of all grosses up to the theatre's average, and a split of 50 per cent for grosses above that figure.

Such a plan was in effect a couple of years ago, but applied only to features. Also the distributors usually eliminated their specials from the arrangement. Now the exhibitors want all films equally available under the plan. The K. R. S. has refused the plan as an organization and told the C. E. A. separate negotiations must be carried on with individual distributors.

C. E. A. members were circularized during the weekend with propaganda memoranda on the small exhibitor plan, along the same lines, in style and format, to the memos sent out to members by C. E. A. officials during the recent anti-grading campaign which the exhibitor organization waged successfully.

Jack Scott a Manager

Kansas City, June 19.—Jack Scott has been appointed manager of the Dickinson at Osage City, Kan. Mr. Scott is the son of Ward Scott, 20th-Fox district manager.

Ernest C. Leeves, Jr., son of E. C. Leeves, Motiograph distributor here, will manage the Macon, Glen W. Dickinson's theatre at Macon, Mo., during the summer holidays.

Walter Stern Out of "U"

Hollywood, June 19. — Walter Stern, for many years purchasing agent at Universal, went off the payroll on Friday. His duties have been consolidated with the work of the general manager's office.

Paramount British Plans Are Delayed

The completion of plans for Paramount's initial production activities in England were again delayed following weekend conferences between Barney Balaban, president, and John W. Hicks, Jr., vice-president and foreign head. Indications are that final plans now will not be set until David Rose, who was recently placed [illegible] charge of the company's British [illegible]ducing arrangements, arrives in New York from Hollywood.

Expect About 100 at Albany Allied Meet

About 100 exhibitors are expected by Allied Theatres of N. Y. to attend a meeting sponsored by the unit at the DeWitt Clinton Hotel in Albany today. Several New York members will attend, including Max A. Cohen, president, and Abe Levy, secretary.

Harry G. Kosch, counsel for the group, will discuss legislation, including the Neely bill and measures which were introduced in the legislature.

Lasky and Kohn in N. Y.

Jesse L. Lasky and Ralph Kohn, who returned to New York from the coast recently, will be here a week for further work in connection with their plan for a radio broadcast series and film production tieup with one of the major companies.

Giannini to Sail Wed.

Dr. A. H. Giannini will sail for Europe on the *Queen Mary,* Wednesday, to be away about three months on a vacation visit to London, Paris and Italy. He arrived in New York from the coast by train yesterday.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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THE REIGNING HOLLYWOOD STARS WITH HER! . . . .

Incomparable beauty who has already conquered half the world! . . . Whose picture MAYERLING broke all known records in this country . . . Whose RAGE OF PARIS is the talk of theatredom! . . . She comes to you in two pictures of compelling story excellence and unparalleled production quality!

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The screen's acknowledged mistress of emotional appeal and brilliant humor in a picture that will be the film event of the year...A production labeled for success in proportions of smash emphasis with patrons and at the box office!

THE STARS, THE MEN, THE STORIES . . . THA

A

JOHN M. STAH

PRODUCTION

A career which has been highlighted by some of the greatest successes in the history of the industry—which has just given you LETTER OF INTRODUCTION—will rise to even more important heights with a production of sweeping drama . . . augmented by the leading stars and players of the day!

THEATRE
NEW LOBBY FRONT

An EDGAR BERGEN and CHARLIE McCARTHY

An amazed, delighted, and growing fan body can't get enough of them! . . . They've captured the world with their comedy . . . They'll tie it up solid with LETTER OF INTRODUCTION . . . They'll puncture every existing box office record in the new season's production . . . with co-starring Hollywood luminaries and a tailor made laugh-power story!

ILL MAKE 1938-39 YOUR RICHEST SEASON!

HE PRODUCER OF THE DEANNA DURBINS . . . THE PRO-
UCER WHO HAS NEVER FAILED TO MAKE A BIG MONEY HIT!

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PRODUCTIONS

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with JOEL McCREA ANDREA LEEDS
DOROTHEA KENT FRANK JENKS
Directed by ARCHIE MAYO

"TROCADERO" The drama and heart-thrills behind the Sunday night auditions at Hollywood's famous night spot with noted directors present — and the world listening in!

a MARGARET SULLAVAN
"SERVICE DE LUXE"

Written by F. Hugh Herbert, genius of originality, this will head for top honors as the most hilarious comedy romance of all screen-time! A story of girls who run the romance careers of young men by remote — but not uninterested — control!

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Starring
RANDOLPH SCOTT • HOPE HAMPTON
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ALAN MARSHALL GLENDA FARRELL
SYLVAN SIMON, Director • EDMUND GRAINGER, Producer
I. A. R. Wylie's Masterpiece
One of the most powerful stories of marriage conflict and human drama ever written . . . To be produced as a major event of the season!

THE STORM

One of the most thrilling stories ever conceived for the screen! A perfect vehicle to capture the trend of present day interest! A girl with the surge of the outdoors in her heart and the souls of two men in her hands . . . to do with as she will!

2

HENRY KOSTER

PRODUCTIONS

The same director of magical genius who put together 3 SMART GIRLS and fashioned the great 100 MEN AND A GIRL and THE RAGE OF PARIS is ready for the outstanding productions of his career to date . . . Pictures destined to strike pay dirt throughout the country and the world!

THE SUN NEVER SETS

Adventure in human endeavor set against an empire spread three quarters around the world . . . exotic romance and military diplomacy combined in a strange tale!

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: TWO TO STAR

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KEN GOLDSMITH, Producer

• ONE by

ED SULLIVAN

The inside of Broadway turned outside by the famous columnist whose writing is followed daily in every corner of the globe.

• ONE tied directly to a smash news event of the day!

4 COLLEGE SPORT PICTURES!

WITH NATIONALLY KNOWN COLLEGIATE FOOTBALL AND BASKETBALL HEROES IN THE CAST!

GEORGE BILSON, Producer

Pictures that Young America—and old!—will dote upon . . . Stories following the exciting careers of the same group throughout their college year—and campus nights!

4 CRIME CLUB PICTURES

Leading detective-mystery pictures, with powerful advertising and exploitation cooperation through Publishers Doubleday-Doran! Produced by LAWRENCE FOX and IRVING STARR.

12 DYNAMIC-PACED PRODUCTIONS HUMMING WITH STORY-PLOT EXCITEMENT!

MODERN MONTE CRISTO
The world of adventure—was his!

SHANGHAI INTERLUDE
Smash excitement . . . Life at its riskiest!

AIR MAIL
Adventure and romance miles above the earth!

PERILS OF THE NORTH
The savagery of men and nature in the raw!

ACQUITTAL
Pulsating, nerve-shocking, breathless drama!

LAST WARNING
Life under the duress of a fearful threat!

TRANSATLANTIC FLIGHT
Thrills today—so the world can commute tomorrow!

UNDER WESTERN SKIES
Outdoor romance, a heart-full, a thrill-full!

SUBMARINE PIRATE
Today's buccaneers . . . periling world business!

GRAFT
Rupert Hughes' world acclaimed story of today!

NEW ORLEANS
Life runs wild in the Mardi gras . . . love wilder!

WOMAN IN BLACK
Glittering beauty . . . against a background of unforgettable mystery!

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Every one a surge of Wild West excitement centered around a lad who can sling fists, ride Broncs or hit up a tune in a manner that's making him top man of all Westerns!

SIX ADDITIONAL WESTERNS

A series that will sweep all rivals before it in popularity!

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"FLAMING FRONTIERS" with John Mack Brown

"BOY SCOUT ADVENTURES" Starring Jackie Cooper

To be produced by HENRY MacRAE

BUCK ROGERS From famous syndicate strip of same name!

"RED BARRY" with Larry "Buster" Crabbe

To be produced by BARNEY SARECKY

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13 MENTONES

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13 STRANGER THAN FICTION

26 CARTOONS

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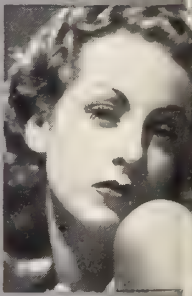

DANIELLE DARRIEUX • DOUGLAS FAIRBANKS, JR.

"THE RAGE OF PARIS"

with MISCHA AUER • LOUIS HAYWARD • HELEN BRODERICK

Original Story and Screen Play by Bruce Manning and Felix Jackson

Directed by HENRY KOSTER

Produced by B. G. deSYLVA

CHARLES R. ROGERS, Executive Vice-President, in Charge of Production

A JOHN M. STAHL PRODUCTION

"LETTER OF INTRODUCTION"

with

ADOLPHE MENJOU • ANDREA LEEDS • EDGAR BERGEN and "CHARLIE McCARTHY" • GEORGE MURPHY

CHARLES R. ROGERS, Executive Vice-President, in Charge of Production

DEANNA DURBIN in

"THAT CERTAIN AGE"

with JACKIE COOPER • IRENE RICH • JOHN HALLIDAY

Produced by JOE PASTERNAK

Directed by EDWARD LUDWIG

"Rage Paris" Is Double Hit On the Coast

Los Angeles, June 19.—"The Rage of Paris" was a first class hit in two spots. It rolled up $8,200, over normal by $1,700, at the Hillstreet, and turned in $9,500, up by $2,500, at the Pantages.

"Crime School" also was a big money-maker. It took $15,120 at Warners' Hollywood and $17,560 at Warners' Downtown.

Total first run business was $86,098. Average is $90,950.

Estimated takings for the week ending June 15:

"FOUR MEN AND A PRAYER" (20th-Fox)
"RASCALS" (20th-Fox)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $10,601. (Average, $12,500)

"PEARLS OF THE CROWN"
ESQUIRE—(900), 40c-55c, 7 days, 2nd week. **Gross:** $1,100. (Average, $2,500)

"THE SHEIK" (Para.)
"WHERE THERE'S A WILL" (G.B.)
4 STAR—(900), 40c-55c, 7 days, 3rd week. **Gross:** $2,775. (Average, $3,250)

"THE THREE SPINSTERS"
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,200. (Average, $1,200)

"THE RAGE OF PARIS" (Univ.)
NURSE FROM BROOKLYN" (Univ.)
HILLSTREET—(2,700), 30c-65c, 7 days. **Gross:** $8,200. (Average, $6,500)

"FOUR MEN AND A PRAYER" (20th-Fox)
"RASCALS" (20th-Fox)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $12,042. (Average, $14,000)

"THE RAGE OF PARIS" (Univ.)
"NURSE FROM BROOKLYN" (Univ.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $9,500. (Average, $7,000)

"A FAREWELL TO ARMS" (Para.)
"HUNTED MEN" (Para.)
PARAMOUNT—(3,595), 30c-65c, 7 days. **Gross:** $8,000. (Average, $18,000)

"CRIME SCHOOL" (F.N.)
WARNER BROS. (Hollywood)—(3,000), 30c-65c, 7 days. **Gross:** $15,120. (Average, $14,000)

"CRIME SCHOOL" (F.N.)
WARNER BROS. (Downtown)—(3,400), 30c-65c, 7 days. **Gross:** $17,560. (Average, $12,000)

"Robin Hood" Gets $12,500, Montreal

Montreal, June 19.—"The Adventures of Robin Hood" proved the top flight attraction with $12,500 at the Palace. Average is $11,000. It was held over.

"The Adventures of Marco Polo" continued at the Orpheum with a take of $4,500 for its third week, compared with average of $5,000. The previous week's gross was $5,000. "Go Chase Yourself," on a triple bill at the Princess which included the official Armstrong-Ross fight pictures, registered $7,000, equaling par.

Total first run business was $32,500. Average is $32,500.

Estimated takings for the week ending June 11:

"VIVACIOUS LADY" (RKO)
"BLIND ALIBI" (Col.)
CAPITOL — (2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,500. (Average, $9,500)

"ADVENTURES OF MARCO POLO" (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days, 3rd week. **Gross:** $4,500. (Average, $5,000)

"ADVENTURES OF ROBIN HOOD" (F. N.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $12,500. (Average, $11,000) Held over.

"GO CHASE YOURSELF" (RKO)
"CONDEMNED WOMEN" (RKO)
ARMSTRONG-ROSS FIGHT (Empire)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $7,000. (Average, $7,000)

The Last Straw

Toronto, June 19.—When community leaders, including the Rotary Club of Haileybury, northern Ontario mining town, found that 45 per cent of the attendance at the film house in the town of Cobalt, only a few miles away, were Haileyburians, the necessary financial and moral support was immediately forthcoming for the reopening of the Broadway in Haileybury. Even the Town Council officially signified its approval and voted unanimously to have the Broadway in operation once more.

"Swing" with Goodman Big In Cleveland

Cleveland, June 19.—Business took a big jump here during the past week, with the temporary return of a stage show at the Palace as the outstanding draw. Benny Goodman and his orchestra, with "College Swing" on the screen, went to $25,000, topping average by $10,000.

"Three Comrades" did better than average business at Loew's State, $11,000. Average is $10,000. The picture was moved to the Stillman for an extended run.

Total first run business was $53,200. Average with stage show at the Palace is $42,000.

Estimated takings for the week ending June 10:

"FOUR MEN AND A PRAYER" (20th-Fox)
ALLEN—(3,000), 30c-35c-42c, 7 days, 2nd week. **Gross:** $4,200. (Average, $4,000)

"KIDNAPPED" (20th-Fox)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $10,000. (Average, $10,000)

"COLLEGE SWING" (Para.)
RKO PALACE—(3,100), 30c-42c-60c, 7 days. Stage: Benny Goodman and his orchestra. **Gross:** $25,000. (Average, $15,000)

"THREE COMRADES" (M-G-M)
LOEW'S STATE—(3,500), 30c-35c-42c, 7 days. **Gross:** $11,000. (Average, $10,000)

"MAN'S CASTLE" (Col.)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days. **Gross:** $3,000. (Average, $3,000)

Sentence Buckman Heads

Milwaukee, June 19.—Barton E. Buckman, president; Louis C. George, vice-president and Edgar C. Holt, secretary-treasurer of B. E. Buckman & Co., insolvent Madison, investment firm, have been sentenced to serve terms in Waupun state prison on charges of selling unregistered securities in violation of the state "blue sky" law. Condor Picture Co. stock was involved.

Dickinson Adds Fourth

Kansas City, June 19.—Another new Dickinson theatre, making the fourth announced by Glen W. Dickinson Theatres, Inc., in the past two months, has been projected by the circuit for the suburban area between Kansas City, Mo., and Overland Park., Kan. The theatre will be built this summer for early fall opening.

"Kidnapped," Show Denver Top, $10,500

Denver, June 19.—"Kidnapped," with a Major Bowes unit on the stage at the Denver, made the best showing of the week, $10,500. This was $2,000 over par.

The only other bright spot in the surrounding gloom was the Paramount where "Adventures of Robin Hood" went $1,000 over the line on a take of $4,500 after a week each at the Denver and Aladdin. It was moved to the Rialto where it will run a fourth week.

Total first run business was $34,000. Average is $32,750.

Estimated takings for the week ending June 15:

"KENTUCKY MOONSHINE" (20th-Fox)
ALADDIN—(1,400), 25c-40c, 7 days, following a week at the Denver. **Gross:** $3,000. (Average, $3,500)

"THREE COMRADES" (M-G-M)
"THIS MARRIAGE BUSINESS" (RKO)
BROADWAY—(1,100), 25c-40c, 7 days, following a week at the Orpheum. **Gross:** $2,000. (Average, $2,500)

"YOU AND ME" (Para.)
DENHAM—(1,750), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)

"KIDNAPPED" (20th-Fox)
DENVER—(2,525), 25c-35c-50c, 7 days. Stage: Major Bowes stage unit. **Gross:** $10,500. (Average, $8,500)

"THE TOY WIFE" (M-G-M)
"JUDGE HARDY'S CHILDREN" (M-G-M)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $7,500. (Average, $7,500)

"ADVENTURES OF ROBIN HOOD" (W.B.)
PARAMOUNT—(2,200), 25c-40c, 7 days, following a week each at the Denver and Aladdin. **Gross:** $4,500. (Average, $3,500)

"RASCALS" (20th-Fox)
"FLIGHT INTO NOWHERE" (Col.)
RIALTO—(878), 25c-40c, 7 days, following a week at the Paramount. **Gross:** $1,500. (Average, $1,750)

"Comrades" $9,000 Indianapolis Lead

Indianapolis, June 19.—"Three Comrades," on a dual with "Swiss Miss," did excellent business of $9,000 at Loew's, $2,000 over the line. "Josette" brought the Lyric its best week in more than a month, tallying $9,400, which was $1,400 to the good. Dixie Dunbar made a personal appearance, with a vaudeville bill.

Total first run business was $24,400. Average is $22,500.

Estimated takings for the week ending June 10:

"ADVENTURES OF ROBIN HOOD" (F. N.)
APOLLO—(1,100), 25c-40c, 7 days, 3rd week. **Gross:** $2,000. (Average, $3,000)

"COCOANUT GROVE" (Para.)
"HUNTED MEN" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,500)

"THREE COMRADES" (M-G-M)
"SWISS MISS" (M-G-M)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $9,000. (Average, $7,000)

"JOSETTE" (20th-Fox)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Dixie Dunbar, with Tommy Wonder, Herman Hyde, the Waldmans and Seven Fredysons. **Gross:** $9,400. (Average, $8,000)

Remodel Two in Miami

Miami, June 19.—Remodeling of the Paramount and renovation of the Community have begun here with both of these Paramount Enterprises, Inc., houses closed down for the summer.

"Robin Hood" Boston Smash With $21,000

Boston, June 19.—"Adventures of Robin Hood," billed with "Little Miss Thoroughbred," skyrocketed at the Metropolitan and gained for itself the distinction of being the first program ever to be retained for a second week at the M. & P. theatre. The dual bill brought in $21,000, almost as good as the average vaudeville week. Without stage shows, the Metropolitan has been averaging approximately $11,000 weekly.

The town lost one first run with the passing of the RKO Boston into subsequent stage. Others along the list, with the exception of Loew's Orpheum and Loew's State, were pretty drab. The two Loew's houses, showing "Yellow Jack" and "Hold That Kiss," were only slightly under par with takes of $11,000 and $10,000, respectively.

Total first run business was $34,600. Average is $55,000.

Estimated takings for the week ending June 11:

"COCOANUT GROVE" (Para.)
"HUNTED MEN" (Para.)
FENWAY—(1,382), 30c-50c, 5 days. **Gross:** $1,500. (Average, $3,000)

"YELLOW JACK" (M-G-M)
"HOLD THAT KISS" (M-G-M)
LOEW'S ORPHEUM—(2,970), 25c-35c-40c-55c, 7 days. **Gross:** $11,000. (Average, $12,000)

"YELLOW JACK" (M-G-M)
"HOLD THAT KISS" (M-G-M)
LOEW'S STATE—(3,537), 25c-30c-40c-55c, 7 days. **Gross:** $10,000. (Average, $11,000)

"VIVACIOUS LADY" (RKO)
"BLIND ALIBI" (RKO)
RKO MEMORIAL—(2,907), 30c-50c-65c, 7 days, 2nd week. **Gross:** $7,500. (Average, $13,000)

"ADVENTURES OF ROBIN HOOD" (F. N.)
"LITTLE MISS THOROUGHBRED" (W. B.)
METROPOLITAN—(4,332), 25c-35c-55c, 7 days. **Gross:** $21,000. (Average, $11,000)

"COCOANUT GROVE" (Para.)
"HUNTED MEN" (Para.)
PARAMOUNT—(1,793), 30c-40c-55c, 5 days. **Gross:** $2,500. (Average, $5,000)

Expect More Delay For Tampa Hearing

Tampa, June 19.—The anti-trust suit of Rivoli Theatre, Inc., against United Artists, other national distributors and two local circuits, Casino Enterprises, Inc., and Consolidated Theatres, Inc., which was scheduled to be heard in the U. S. District Court here in June, will probably be continued again until the September term.

N. V. Darley, who was manager of the two theatres operated by the Rivoli company and the principal stockholder, said that when the case came up in January his attorneys had requested a continuance until June. In April the Rivoli attorneys went into Circuit Court here and asked the court to require the two local circuits named in the case to produce certain evidence as to the control of the theatres and as to the leasing of films by them.

Finishes 3 Westerns

Sam Newfield has completed direction on three of a series of six Fred Scott musical westerns for Stan Laurel Pictures. Spectrum Pictures will release the series.

Ad. Libs

Weaker Sex?

Good publicity stunts are not monopolized by the sterner sex among theatre managers. As witness Phyllis Paige, manager of the Sheridan, who has organized a publicity club among the staff. With her assistant, Charlie Rich, she staged a fashion show with mannequins at Hearn's on "Mad About Music."

* * *

Air Beat

Al Rosen, manager of Loew's State, who has consistently "crashed" radio broadcasts for his theatre and who has "guested" on many of the big ether shows, scores another beat for Broadway's only vaudeville house by arranging to have the weekly stage show reviewed in the "First Nighter" program, a CBS coast-to-coast feature. Also, Al is interviewed every Wednesday night on WMCA.

* * *

Only Tea

Have a drink on Manager Louis Suess of the Fairmount, New York. He promoted 4,000 tea balls which were inserted in manila envelopes with appropriate copy as a "Treasured Gift from 'Marco Polo.'"

* * *

Bookmarks

Charlie Deardourff, M-G-M exploitation man in Cleveland, has forwarded to Bill Ferguson an interesting photo of a display board containing bookmarks that were used cooperatively in Cleveland during the past 14 years. The first bookmark was prepared in 1924 on "Scaramouche" by Loew's Theatre and the latest on the 1938 short, "The Ship That Died." Charlie is responsible for the library contact.

* * *

On Page One

A record for placing colored first-page portraits of 20th Century-Fox stars is claimed for Leonard Gaynor of Charles E. McCarthy's staff. He rang the bell once again last Sunday with a full-page color portrait of Shirley Temple in the Sunday News.

* * *

Let 'Em Wave

Cosmopolitan has increased by 45 per cent its advertising budget on Warners' "White Banners." The ad campaign will start prior to June 25, the national release date.

* * *

Warbling

Joe Rosenfield, manager of the Warner-Saxe Modjeska (that's a theatre) in Milwaukee, and E. R. Brennan, pilot of the Fox Orpheum, Green Bay, Wis., are $50 each to the good, this being their prize for the best all-around campaign on "Everybody Sing," sponsored by M-G-M's branch in that territory. At least those two are warbling.

"Hoarding" of Films Hit by Harry Warner

(Continued from page 1)

will attempt, single handed if necessary, to pull the motion picture business out of the industry's present condition.

Mr. Warner was blunt in his discussion of what he termed "the unfair policy of hoarding pictures." Such a policy, he said, helped force the substantial drop in motion picture theatre patronage which has recently been marked in the financial statements of the major film corporations. These figures have within the past weeks disclosed that all film companies were off in earnings for the first three quarters of this year, with some firms as high as forty per cent behind last year.

W. B. Summer Group Large

In his blast at the film companies for "hoarding" their top flight productions, Mr. Warner announced that his own company is making available for rapid release a group of productions aggregating in excess of $3,000,000 in investment in order to supplement the summer production output of $5,000,000 worth of complete pictures, which had already been scheduled for distribution during July and August, making a total of $8,000,000 worth of films available almost immediately for the theatres of America.

Mr. Warner called on other producers to follow suit. "The theatre market must very quickly be furnished with sufficient Grade A pictures to take up the slack which is now forcing exhibitors to play old and reissued films," he said, as operator of more than 450 theatres throughout the country. The executive added that he was so close to the problem that he realized better than some other Hollywood producers the actual state of financial dejection in which the theatre exhibitors found themselves. He declared:

"It is up to the industry in Hollywood to help to do something for the theatre end of the business and it will have to be done fast. With conditions as they are there is no fallacy that could be more expensive to the entire business than adherence to that old policy that used to be described as 'waiting until more favorable business conditions and more favorable weather arrives.' That policy will not avail the business this summer. Quick measures are needed. It is my duty, and it is the obligation of other studios as well, to prime the box office pump immediately. Get your blue chips up on the screens of America's theatres where audiences can see them.

Calls Public Deserving

"The public which has supported this industry since its inception is entitled to our best efforts at all times regardless of weather or the conditions in other businesses. It is not playing fair with the public and the exhibitors to withhold the fine pictures which are being 'saved' for a later time.

"We might have held back our own smash picture 'The Adventures of Robin Hood' for the autumn, but we felt it was our duty to play ball with the theatres and the public, and give it to them just as quickly as possible.

"Warner Bros. already had planned to give the theatres five big productions during July and August. These include 'Cowboy from Brooklyn,' 'White Banners,' 'My Bill,' 'Racket Busters' and 'Four's a Crowd.' Recognizing the deplorable lack of big productions, however, our company has decided also to release an additional group of films during July and August. These are 'The Amazing Dr. Clitterhouse,' 'Boy Meets Girl,' and 'Sister Act,' Fannie Hurst's great story.

Says Studio Is Busy

"We are now calling upon our studio organization to go to work on a 24-hour basis to rush the aforementioned pictures to completion so that they can be made available to the theatres throughout the country on the specified dates."

Mr. Warner was caustic in his condemnation of a policy of releasing films made anywhere from five to fifteen years ago to serve as substitutes for the "hoarded" features of the present. In this connection he said:

"Reissuing the old productions which have been played the length and breadth of the country is not going to satisfy the entertainment needs of the public. People pay good money at the box offices and they are entitled to see new fresh screen fare, not yesterday's second-hand entertainment. The public wants films that are new and as timely as tomorrow's newspaper."

Offers Recovery Rule

"Warner Bros.," he said, "have learned through profitable experience that you can lick economic situations only by courageously putting forth your strongest efforts and not by relaxing when things seem bad. When the public tired of silent motion pictures, our company introduced talking pictures and the whole industry benefited by a renewed and greater patron interest in our product. Again, when the depression had discouraged some of our competitors, we gave '42nd Street' to the theatres of the country and the terrific public response ratified our decision, reached against the advice of veteran bigwigs of the industry.

"Again this spring, in the face of recession conditions, Warner Bros. brought out 'The Adventures of Robin Hood.' Public reaction to this production has been immensely gratifying.

"In the face of conditions such as I have mentioned, I now call upon fellow producers, who, I know, have the problems of this industry as much at heart as I, to follow suit. Let us create a new and greater movie season by placing upon the screens of America the finest films which Hollywood can produce."

Warners Plan Third In Washington Area

WASHINGTON, June 19. — Three more theatres will be added on Sept. 1 to the Warner group here in this territory. The houses are the Silver and Seco in Silver Spring, Md., and the Takoma in Takoma Park, D. C.

The Silver is now under construction. It was stated that there will be no change in personnel of the Seco and Takoma. The Silver, when completed, will have a seating capacity of 1,000. The Seco can accommodate 450 patrons and the Takoma 750.

20th-Fox to Seek Repeat Booking

(Continued from page 1)

acquisition of repeat bookings and extended playtime."

The shortage of product from othe companies has worked to the advantage of 20th Century-Fox, it was said and business for the second quarter o the year is ahead of last year in same period. It is anticipated, therefore, that the first quarter drop will b overcome by at least 50 per cent a the end of the six-month period. Th company is scheduling the release o a picture a week.

Sales on 1938-'39 contracts are running nationally ahead of 1937, according to distribution executives, 1 branches having negotiated a greate volume than at this time last year.

Mr. Wobber will leave for Sa Francisco, his home, next Friday, t dispose of personal and business affairs demanding his attention. He wil arrive at the studio on July 14 fo conferences with Joseph M. Schenck chairman of the board, and productio executives. He will be joined b James P. O'Loghlin, Canadian distric manager, who is again heading th S. R. Kent Drive.

After sales meetings in Los Angeles and San Francisco, the distribution head will return to New York He will make two trips in the fiel later to speak at branch meetings i connection with drive and will be accompanied on one of the trips b division managers. In September h will confer with Darryl F. Zanuck a the studio.

Ontario Rejects 4 Of 2,476 Reviewe

TORONTO, June 19.—In his annual report, Chairman O. J. Silverthorne of the Ontario Board of Moving Picture Censors revealed that four subjects were condemned out of a tota of 2,476 films examined during th calendar year. Three of the rejecte films were Hollywood pictures an the fourth came from Russia.

The chairman offered stern criticis of British features for the standar of morality depicted, pointing ou that 38 of the 77 British features examined had to be altered.

Out of 2,377 American releases onl 18 per cent required change befor acceptance by the board.

Ryan to Miss Hearing

BOSTON, June 19.—George S. Ryan, attorney for A. B. Momand, does not plan to be in Oklahoma City at the first hearing of the defendants in the Momand anti-trust suits against the majors, June 25. Mr. Momand is seeking approximately $5,000,000 in alleged damages.

Mr. Ryan said local counsel would represent Momand at the hearing on a motion which is not considered sufficiently important to take the Boston lawyer westward at a time when he is busy here on the Morse & Rothenberg anti-trust suit.

Retitle Withers Film

HOLLYWOOD, June 19.—"Keep Smiling" will be the release title for the 20th Century-Fox film formerly called "Hello, Hollywood." Jane Withers is starred.

M-G-M Pleased with Its Checking System

M-G-M's own checking system, which is now in effect at all exchanges, is working out very satisfactorily, according to Alan F. Cummings, in charge of exchange operations.

The results are good, says Mr. Cummings, because the field men maintain an intimate contact with exhibitors and are part of the company's own organization.

M-G-M and Warners are the only major companies maintaining their own checking staffs. The others use Ross Federal Service.

Jerry Jonas, roving field representative under Mr. Cummings, last week completed an eight-month survey of M-G-M's checking operations in the entire country. He will leave on another trip today, starting in Philadelphia, then will travel south and to the coast, expecting to be gone from six to eight months.

Name Walker Agent For Roach in East

Thomas L. Walker, who had been an associate of Dr. A. H. Giannini for 20 years, on Friday was appointed eastern representative for Hal Roach, who will produce for United Artists next season.

Mr. Walker will leave for the coast today with Mr. Roach, for general studio conferences, but the two will stop off in Chicago to attend the United Artists sales meeting there. Mr. Walker plans to remain on the coast about one week, then will return to New York to establish permanent headquarters. He also has resigned as a vice-president of United Artists.

Garrick Gets Reissues

CHICAGO, June 19.—Balaban & Katz Garrick in the Loop will play reissues during the coming weeks. "Son of the Sheik" has just finished a two-week engagement followed by "Farewell to Arms," the current attraction. Forthcoming pictures will be reissues either on a single or dual policy, depending upon the product, B. & K. officials stated. Plans for making the house a newsreel theatre have been abandoned temporarily.

Wall Street

Col. Drops 1⅜ Points on Board

	Open	High	Low	Close	Net Change
Col. pfd. ..	32	32	31½	31½	—1⅜
Cons. pfd...	5¾	5¾	5¾	5¾	+ ⅛
E. K.	151	151	150½	150½	+ ⅜
Loew	41⅛	41⅛	41⅛	41⅛	.....
Para.	6⅞	6⅞	6⅞	6⅞	.....
Para. 1.....	71	71	71	71	.....
Pathe	4½	4½	4½	4½	+ ¼
RKO	2⅛	2⅛	2	2	— ⅛
20th Fox ..	21½	21½	21	21	.....
W. B.	4⅜	4⅜	4¼	4⅜	.....
W. B. pfd.	30	30	30	30	.....

Curb Issues Change Lightly

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	+1/16
Monogram	1⅝	1¾	1⅝	1¾	+ ⅛
Sonotone ..	1½	1½	1½	1½	— ⅛
Tech.	22¾	22⅞	22¼	22½	— ½
Trans-Lux	2⅛	2⅛	2⅛	2⅛	+ ⅛

Bonds Move in Fractions

	High	Low	Close	Net Change
Loew 3½s '46.....	98½	98	98	— ½
Para. Pict. 6s '55	90⅞	90⅞	90⅞	+ ⅜
W. B. 6s '39......	69	68½	69	+ ¾

(Quotations at close of June 17)

Hollywood Previews

"Ladies in Distress"

(*Republic*)

HOLLYWOOD, June 19.—The "set a thief to catch a thief" idea handled with becoming regard for the probabilities serves Alison Skipworth, Polly Moran, Robert Livingston, Berton Churchill and Virginia Grey admirably in this soundly conceived and executed comedy drama. The place is a medium sized mid-American city to which big town racketeers have come for easy money. The action has to do with their undoing. It all equals solid entertainment.

Miss Skipworth is cast as Mayoress Bonney of Bonneyville, a city founded by her ancestors. When thugs working in concert with the respected but dishonest civic leader, Churchill, inflict a "merchants' protection" racket upon the business men and open gambling houses as a sideline, the citizens denounce the administration. Declaring a state of emergency, Mayoress Skipworth imports Livingston, former Bonneyville bad boy now grown to big shot metropolitan gambler status, to pose as special investigator under an assumed name and rid the city of its foes. He succeeds in doing so, by reasonable and melodramatic methods, and marries the girl. The things that happen in this one not only could but do happen in a great many towns across the land.

Harry Grey, associate producer; Gus Meins, director; Dore Schary, author, and the screen playwrights, Dorrell and Stuart McGowan, seem to have set out to fabricate a film for the plain American citizens of whom there are so many. They succeeded completely.

Running time, 65 minutes. "G."

"Border G-Man"

(*RKO*)

HOLLYWOOD, June 19.—Timeliness in plot, in that it is based on breaking of the United States neutrality act by a gang of smugglers seeking to ship arms to an unnamed nation for a revolution, is the essence of plans for exploitation of RKO'S "Border G-Man," second of the series of George O'Brien outdoor vehicles. O'Brien active with fists, gun and horses as ever, plays the role of a Department of Justice agent who poses as a ranch foreman, wins his way into the confidence of the gang, and then breaks up the scheme by which horses, riders trained in calvary tactics, guns and ammunition were to be shipped to South America.

Supporting O'Brien are Laraine Johnson, a pretty young woman who makes an impressive debut in her first leading role; Ray Whitley, radio-film singer who also wrote the three western songs used in the production; John Miljan, Rita LaRoy, Edgar Dearing, William Stelling, Edward Keane, Ethan Laidlaw, Hugh Sothern and Bobby Burns.

Bert Gilroy produced and David Howard directed.

O'Brien, Department of Justice agent, is sent to a ranch along the Mexican border in the vicinity of gun smuggling suspects. When he joins the smuggling gang by a clever ruse, his intentions are doubted by Miss Johnson, sister of a Senator's son, implicated through trickery in a bogus company which plans to smuggle fighters, horses, bullets and guns to South America. O'Brien, in a typical vigorous climax wins out, stops the gang and gets the girl.

Running time, 61 minutes. "G."

"Keep Smiling"

(*20th Century-Fox*)

HOLLYWOOD, June 19.—Jane Withers continues her adventures with "Keep Smiling," a comedy which fits her many talents. She travels from a girls' boarding school to Hollywood, enters films after many experiences aiding others and becomes a potential star. In addition to the showmanship value of the story's inclusion of Hollywood, there is an unusual peg on which a campaign may be hooked. That is Jane's imitations and burlesques of various entertainers, including Joan Davis, Deanna Durbin, Bobby Breen, Harry Ritz and George Arliss.

Supporting her are Gloria Stuart, Henry Wilcoxon, Helen Westley, Jed Prouty, Douglas Fowley, Robert Allen, Pedro De Cordoba, Claudia Coleman, Paula Rae Wright, The Three Nelsons, Etta McDaniel, Carmencita, Mary McCarthy and Hal K. Dawson. Herbert I. Leeds directed from the screenplay of Frances Hyland and Albert Ray, based on an original idea of Frank Fenton and Lynn Root. John Stone was the associate producer.

Anxious to see her uncle, whom she believes is a famous film director in Hollywood, Jane runs away from school and arrives at the film capital to find her relative, Henry Wilcoxon, bankrupt, his job gone because of his drinking. After repeated attempts to get him work, and to smooth his romance with Gloria Stuart, she succeeds in regenerating him, and gets herself a job as a film actress.

Running time, 60 minutes. "G."

Short Subjects

"People of the Cumberland"

(*Garrison*)

This film is a documentary treatment of the economic ills of the residents of the Tennessee mountain region. The material is fairly unadulterated realism that in successive steps shows the plight of the people at the outset, how they live and what they suffer. The Highlander School is built and the process of educating people for the improvement of their condition begins.

Union organization follows with an insight to the difficulties of organizers who are done away with in the manner reported in daily newspapers. With labor unions comes new prosperity and happiness and the scenario covers a family outing at a typical "union-town" in which the residents are seen in strong contrast to the mountain folk.

The film makes no bones about its intent and at the conclusion the narrator speaks glowingly of the new life of the Cumberland people which they must create with hard work and, the aid of the TVA Government project. It's hardly to be labelled entertaining, but it presents views on problems which are of national interest. Frontier Films produced. Running time, 20 mins. "G."

"Hunky and Spunky"

(*Paramount*)

Hunky and Spunky are a couple of cute Max Fleischer mules who are going to win friends and influence laughs. These two new screen cartoon characters are introduced in a charming color cartoon with plenty of laughs and a lilting melody against a Colorado background. Hunky is the ma mule and Spunky is her child, who wanders away and gets lassoed by a prospector who's tired of hauling his own. But the mulelet's frantic cries of "Mummy" bring Hunky to the rescue, and with a couple of well-placed kicks she gives the prospector his comeuppance which is followed by his comedownance on his beam with a resounding thud. A good short. Running time, 7 mins. "G."

"Clyde Lucas and his Orchestra"

(*Vitaphone*)

This "Melody Master" offers more music of different types than any preceding numbers. The tunes vary from polished modern numbers, a Strauss waltz, hot swing and Latin rhythms to a jam session. The orchestrations are excellent. There are no dancing or singing specialties to interfere with the melody. First rate entertainment. Running time, 9 mins. "G."

"Community Sing 10-2"

(*Columbia*)

This number of the series is an excellent item for the exhibitor to offer his patrons, if they are patriotically minded, for the holiday next month. The numbers involved and which are sung in military surroundings include: "Hail Columbia," "America," "Yankee Doodle," "Dixie," "Columbia, the Gem of the Ocean" and "The Star Spangled Banner." Running time, 10 mins. "G."

Paramount to Name 2 More To Its Board

(*Continued from page* 1)

the company's largest southern theatre affiliate.

Non-management members, all of whom are scheduled to be reelected, are Stephen Callaghan, Harvey D. Gibson, A. Conger Goodyear, Duncan G. Harris, John D. Hertz, Earl I. McClintock and Maurice Newton. Mr. Zukor is slated to be reelected chairman of the board.

The nominations of management men to fill the two vacancies on the board are expected to center on either Walter B. Cokell, treasurer; George L. Bagnall or John W. Hicks, Jr., vice-presidents.

L. A. "Birth" Booking Arouses Controversy

(*Continued from page* 1)

run house, and Harry Wallen, theatre manager, is uncertain at present what the complete bill will be. He said Mr. Skirball and others interested in the film are "particular what short subjects to play with the picture and double billing is not permitted." The house heretofore played Paramount first-run and some M-G-M product.

Unofficial protests have been lodged with the Hays office here by Representatives of women's organizations, it was learned. Refusing to disclose what action her group would take, Mrs. W. A. Burk, president of the Southern California Motion Picture Council, which reviews films, declared the group's board would go into executive session following the showing. "I have no fault to find with the picture as far as its scientific research goes," she said. "I am still hopeful, however, that the picture will be shown in its legitimate field. It has definite scientific and educational value but motion picture theatres are centers of entertainment and their audiences are made up of persons from the youngest infants to those in dotage, all seeking entertainment. There should be shown in public theatres no pictures presenting controversial or disturbing themes."

Mrs. Leo B. Hedges, state chairman of the California Parent and Teachers Association stated that none of her organization has seen the film but that "our actions will be based upon observations made at Tuesday's preview. If unfavorable, we will do all in our power to prevent the exhibition of the film." Many of the organization, she said, will review the production.

March of Time May Get Out New Films

(*Continued from page* 1)

whatever work is being done along this line is experimental.

Louis de Rochemont, producer of March of Time, said over the weekend that wide approval of the devotion of the monthly release to one subject, as the current "Men of Medicine," may lead to more individual films of this type. He is spending this week with a camera crew in New England.

Stover Given Permit To Study RKO Books

Federal Judge William Bondy yesterday granted an application of John Stover, acting for Ernest W. Stirn, holder of 1,234 shares of unconverted Class A stock of RKO, to examine the books and records of RKO, now in the hands of the Irving Trust Co., trustee, on four counts: first, to inspect the list of Class A stockholders of RKO as of Nov. 23, 1931; second, a list of stockholders' proxies for that date; third, a list of Class A stockholders of March 5, 1931, and last a list of stockholders' proxies as of the same date.

There are approximately 20,000 proxies listed, Stirn stated. It is Mr. Stirn's claim that on Nov. 23, 1931, at an extraordinary stockholders' meeting, less than two-thirds majority was secured by RKO in converting its Class A stock into common. For this reason, Mr. Stirn asserted, he has demanded, although failed to obtain, a preferential treatment in the RKO reorganization plan.

20th-Fox Files a Denial

Twentieth Century-Fox Film Corp. yesterday filed its answer in the U. S. District Court to the $31,930 damage suit brought by nine plaintiffs who claim that they were injured in the fire which occured in the company's warehouse for negatives and prints at Little Ferry, N. J., July 9 of last year.

The answer denied the negligence charged by the plaintiffs and contends that "the fire was occasioned by causes out of the control of the defendant."

Paramount Wins Point in Suit

Application of Paramount Pictures, Inc., to bar Emma S. Hammerstein, executrix of Oscar Hammerstein, from presenting her proofs in her suit to restrain Paramount from advertising the name Oscar Hammerstein as the author of "High, Wide and Handsome," was granted yesterday by Supreme Court Justice Peter Schmuck, unless the plaintiff files a bill of particulars by June 25.

At the same time Justice Schmuck denied the plaintiff's application to vacate the demand for a bill made by Paramount. Paramount claims that the Oscar Hammerstein advertised as the author of "High, Wide and Handsome" is Oscar Hammerstein II, a grandson.

Catholics Protest Showing "Blockade"

Catholic organizations have registered protests against the Walter Wanger film, "Blockade," now playing at the Music Hall. Joseph F. Lamb, deputy of the New York State Council of the Knights of Columbus, addressed a telegram to Will H. Hays, president of the M.P.P.D.A., in which he denounced the film as "Marxist propaganda."

The *Catholic News* on Saturday declared in an editorial that the film "will stir up prejudice, bad feeling and contention among many groups of people."

Altec in Circuit Deal

Altec has closed a deal for servicing the houses of the Switow circuit, operated by Sam and Harry Switow, with theatres in Kentucky and Indiana. Fred C. Dickley, Altec Detroit manager, negotiated for the company.

Warners List Four Bookers' Meetings

Warners will hold their second annual series of meetings for regional bookers and ad salesmen during July at New Orleans, San Francisco, Chicago and New York, on July 9-10; 16-17; 23-24 and 30-31, respectively. Merchandising of the new season's product will be discussed.

Attending from the home office will be A. W. Schwalberg, supervisor of exchanges; Stanley W. Hatch, advertising accessories sales manager, and I. F. Dolid, assistant to the Vitaphone sales manager.

Those attending the New Orleans meet at the Hotel Roosevelt will be: Atlanta, W. C. Hames, D. Alterman, W. I. Bryan and L. Cochran; Charlotte, C. Ogburn, R. Johnson and O. R. Gill; Dallas, R. V. Litsey, P. Morand, J. Smith, W. Dowell and W. Love; Kansas City, M. J. Hogan, C. Borg, H. C. Vogelpohl, T. Brennan and L. H. Wilson; Memphis, E. Doherty, F. Norris and W. Carpenter; New Orleans, G. O. Briant, F. A. Hotard and R. A. Boykin; Oklahoma City, W. Dolin, E. M. Peel and B. Bloom.

Westerners to Frisco

Those attending the San Francisco meet at the Empire Hotel will be: Denver, L. E. Hobson, M. R. Austin and P. Gundy; Los Angeles, W. R. Walsh, H. Slater, B. H. Sexton, J. Pierce, M. Shipp and P. Webster; Portland, H. P. McNary, C. W. Hudson and R. Hopfel; Salt Lake City, C. Saphro, J. Griffin and M. Wood; San Francisco, J. Hanley, V. Preston, H. Wisnia and N. Laurice; Seattle, G. G. Maxey, J. W. Parry and D. Weston; Calgary, S. Pearlman; Vancouver, H. Dalgleish.

Those attending the Chicago meet at the Blackstone Hotel will be: Chicago, Art Patzlaff. J. Sokley, G. Benson, H. Mandell, W. Martin and J. Stinson; Cincinnati, Miss L. Schmidt, J. Brunetti, R. Smith, J. Schmidt and O. Schroeder; Cleveland, S. Kositsky, R. Salyer, H. Bein and T. Felice; Des Moines, J. Ancher, P. J. Walsh and G. C. Folsom; Detroit, F. Jene, F. Jones, J. B. Tracy, G. Rossman and J. Barinhaus; Indianapolis, H. Hays, W. Wallace and J. Sullivan; Milwaukee, B. Schwenke, Miss E. LaDuc, R. Holdom, J. Kaiser; Minneapolis, H. J. Blass, E. J. McErlane, J. Beahen, Miss G. Guimont and W. Anderson; Omaha, Miss A. Neal, S. A. Madsen and H. Martin; St. Louis, Mrs. F. Murphy, D. Edele and R. Stockglausner; Winnipeg, D. A. Joyal and P. Cohen.

Meet Here at Warwick

Those attending the New York meet at the Hotel Warwick will be: Albany, F. R. Powers, J. Moore and H. Aranove; Boston, Eli Leavitt, E. Feltman; L. Griffin, J. Callahan, W. Gates and J. Walton; Buffalo, Miss R. Rappeport, Miss B. C. Kemp and E. Murphy; New Haven, A. Lombardi, Miss V. Casanelli, S. Levine and J. Massimino; New York, Sam Lefkowitz, E. Barison, P. Saglembini, S. Macomber, A. Blumberg, M. Fried and E. Gross; Philadelphia, W. J. Qlinlivan, T. N. Noble, O. B. Guilfoil, L. J. Hannan, E. C. O'Donnell; Pittsburgh, Miss R. Leibhart, H. Lissman, M. Weir, R. Munn; Washington, E. Phillips, Miss E. L. Risdon, T. F. Gormley, M. L. Myers and J. Collins; Montreal, J. C. James and T. E. Carr; St. John, Mrs. F. H. Thurston; Toronto, A. Piggins, R. Rennie and M. McKeag.

New York's Quota Bill Languishing

The proposal introduced in th New York City Council early in th spring designed to require producer whose pictures are to be shown withir the city to make 10 per cent of thei total product in New York will b permitted to die in committee, it wa learned from an authoritative so over the weekend.

The measure was introduced b Councilman Hugh Quinn of Queens and had the backing of eastern studic unions. It proposed the licensing b the city of producers or distributors whose pictures were to be shown in city theatres. In order to obtain the license, the producers and distributors would be required to certify that 10 per cent of their product had been or would be produced within the city limits. The measure was referred to the Committee on Licenses and there is insufficient support for it both within the committee and the City Council to get action on it, a city official told MOTION PICTURE DAILY.

U.A. Chicago Meet To Be Opened Toda

CHICAGO, June 19.—United Artists' western sales meeting will open at the Drake Hotel here Monday with approximately 80 members of the company's home office and field sales forces in attendance.

Home office executives who will arrive from New York Monday morning include George J. Schaefer, vice-president in charge of domestic distribution, who will preside during the first two days of the four-day meeting; A. W. Smith, Jr., sales manager; Harry Buckley and Arthur Kelly, vice-presidents; Monroe W. Greenthal, director of advertising and publicity; Jack Schlaifer, Seymour Poe, Lowell Calvert, J. A. Mulvey, Emanuel Silverstone, C. M. Steele, N. A. Thompson, Paul Lazarus, Ben Washer and Carl Krueger.

Chicago Well Represented

Other delegates include Jack Goldhar, midwest district manager; Ben Fish, far west district manager; M. Dudelson, Detroit branch manager; William E. Truog, Kansas City manager; J. S. Abrose, Milwaukee manager; R. S. Cramblet, Minneapolis manager; D. V. McLucas, Omaha manager; William Felstein, St. Louis manager; Al Hoffman, Denver manager; E. W. MacLean, Los Angeles manager; R. J. Cadman, Salt Lake City manager; D. J. McNerney, San Francisco manager, and Guy F. Navarre, Seattle manager.

The Chicago exchange will be represented by Irving Schlank, manager; O. K. Swann, T. C. Montgomery, Frank Young, Ben Eisenberg, J. E. Armgardt, Nat Nathanson and Harry James.

Sears Promotes McCoy

Gradwell L. Sears, Warner general sales manager, has promoted Ralph McCoy from branch manager at Charlotte to a similar post at Atlanta. He replaces Joe Vergesslich, who will remain in Florida, where he went to recuperate from an illness. No successor has been named as yet.

POST CARD
Having
Wonderful
Time

From stage hit to screen sensation — and yours at the height of summer! A great play property made into a great picture with a great cast! Where else can you look for a socko show — RIGHT NOW — when they're all holding back for Fall!..Where else could you get a picture whose vacation-camp background and away-from-home romance makes it the timeliest hit on the market?

GINGER ROGERS AND DOUGLAS FAIRBANKS JR.

Having Wonderful Time

WITH

PEGGY CONKLIN · LUCILLE BALL · LEE BOWMAN
RICHARD (RED) SKELTON · ANN MILLER · DONALD MEEK

A PANDRO S. BERMAN *Production* *Directed by* ALFRED SANTELL

Screen play by
ARTHUR KOBER
Adapted from his New York Stage success as produced by MARC CONNELLY

RKO RADIO PICTURES

LITHO U.S.A.

Banner Lines

"Oh, Ma Ma, it's the butcher boy for me" . . . and it will be the gas pipe for many a radio listener if this newest of the dizzy tunes doesn't peter out soon. But that's not what we started out to note. We've just [illegible] that the original Italian lyrics of the song are a bit worse than naughty.

▼

Graham McNamee is better as a radio announcer than he is as a radio editor. After a short try, Graham is out as radio editor of Pic Magazine.

▼

Seen at the Casa Manana looking over the talent: John Royal. All the acts—many of which have been on the air—seemed to leave him cold, save the "Three Stooges," whose rough, uncouth and entirely "unradio" routines broke him down completely. He grinned like a cat all through their performance.

▼

CBS announcer Bert Parks arrived late at the studio where he was to deliver a news commentary to South America over W2XE, the CBS international short wave station, and consequently he had to omit the usual preliminary reading of the news sheets.

Teletyped reports in hand, Bert was rattling along in headlong fashion when, following copy, he recited: "bust this . . . bust this . . . bust this. . . ."

"Bust this" is an expression used by teletype operators to indicate that a mistake in transmission has been made and that the incorrect message is to be destroyed pending a repeat of a correct one.

▼

Fred Niblo, the old time Hollywood director who now is with NBC, has doped out the percentage of success for radio versus Hollywood. The chances of obtaining a break in Hollywood, he says, are 10,000 to one. The odds for radio are five to one.

Now if Fred will explain why, with the radio odds so much more attractive than those for Hollywood, not one new outstanding personality has been developed on the networks in the last half-dozen years or so, we'll subscribe to his dope sheet.

▼

John Carlile, CBS production head, was a guest of honor at the West Virginia Founders Day celebration over the past weekend. John's grandfather was the leader of the group which established West Virginia as a state when Virginia seceeded from the Union.

▼

Add curious coincidences: The very evening (last Wednesday) that the Brooklyn Polytechnic Institute was honoring Dr. Vladimir K. Zworykin, RCA director of electronic research, with a degree for television contributions, Frank Waldrop, co-author of "Television, a Struggle for Power," was delivering an attack upon RCA before a men's organization not far removed from the Polytechnic Institute, charging it with suppressing that art.

—Jack Banner

German Propaganda Called Ineffective

Germany's short wave propaganda broadcasts to Latin America are proving ineffective and in many instances are "back-firing" to the disadvantage of that country, according to Frank E. Mason, vice-president in charge of NBC's short wave division.

Pointing out that the effectiveness of short wave broadcasts to Latin America is difficult to appraise, Mr. Mason stated that semi-official figures indicate that not more than 200,000 sets capable of receiving short wave programs are in use in Latin America.

Regarding the possibility of short wave broadcasting for American advertisers, Mr. Mason believes the most effective way for American advertisers to reach customers in the southern republics is by sending programs from this country by short wave to key stations in Latin America, where they could be rebroadcast on regular wave lengths.

Television Subject At Engineers' Meet

Television was the primary subject of discussion at the Friday sessions of the Institute of Radio Engineers convention at the Hotel Pennsylvania. The reports all were from RCA, and were concerned with the improvement of television pickup and reproducing tubes to make possible brighter and clearer images at the receiver with less illumination of the subject televised.

The reports were by Dr. R. B. Janes, W. H. Hickok, Dr. R. R. Law, H. Iams, Dr. G. A. Morton, Dr. V. K. Zworykin and J. A. Rajchman.

New Recording Disc Company Organized

A new radio recording transcription service, organized as the Allen-Alsop-Eddy Recording Corp., with offices here, has begun production.

New high fidelity recording equipment has been installed by Joseph Sponseller, chief engineer.

James H. Allen has been a radio executive for 11 years. Ezra B. Eddy formerly was vice-president of the E. B. Eddy Match Co., Canada. Bill Lundell, formerly of NBC, is promotion manager, and Rayburn Burgess is sales manager.

Sponsors WHN Program

The newest sponsor to participate in the WHN "Polly the Shopper" series is Chafeen Laboratories of New York. The Glickman agency placed the account.

Three Dates Set for Examiners' Hearings

Washington, June 19.—The Federal Communications Commission has assigned a number of broadcasting applications for examiners' hearings, as follows:

July 5: Applications of Sumter Radio Broadcasting Co., for a 1,420-kilocycle, 250-watt daytime station at Sumter, S. C.; WEST, Easton, Pa., for change of time from simultaneous and sharing with WKBO to unlimited; WKBO, Harrisburg, for change of time from sharing with WEST to unlimited.

Sept. 7: Applications of KRKO, Everett, Wash., for increase of power from 50 watts to 100 watts night, 250 watts day; Cascade Broadcasting Co., Inc., for a 1,420-kilocycle station at Everett, Wash., with 100 watts night, 250 watts day.

Sept. 13: Applications of Radio Enterprises, Inc., for a 1,310-kilocycle, 100-watt daytime station at Hot Springs, Ark., and Associated Arkansas Newspapers, Inc., for a 1,310-kilocycle, 100-watt station at Hot Springs, Ark.

Add 4 Mutual Stations

Having been tested succesfully over WGN and WCAE, "Get Thin To Music," gymnastic series sponsored by General Mills for Wheaties, will add four more Mutual stations, beginning June 27. Beginning then, the show will be heard Mondays through Saturdays from 9:30 to 9:45 A.M. over WNAC, Boston; WOR, Newark; WFIL, Philadelphia, and WCAE, Pittsburgh; and from 11 to 11:15 A.M. over WGN, Chicago and CKLW, Detroit. The series is also heard as a sustainer over the remaining stations of the network. Blackett-Sample-Hummert is the agency.

WMCA Wins on Table

WMCA's ping-pong team defeated the M-G-M team Friday by a score of 4 to 3. The competition consisted of seven sets of five games each. M-G-M moves ahead in the tourney to meet challengers in the motion picture field and will take on a Warner team in two weeks. WMCA meanwhile is preparing for a match with WOR, the winner of which will challenge CBS in a grudge match resulting over the loss of the golf tournament to CBS for the third successive year.

Renew Pond's Air Series

"Those We Love," the Pond's dramatic series, will stay on the air all summer, the contract having been renewed. The program is on the NBC-Blue, Mondays at 8:30 P.M. J. Walter Thompson is the agency.

Estimate 20,000,000 Now Within Television Range

(Continued from page 1)

duce video sets to Boston and Philadelphia. Philadelphia probably will provide the largest pioneer audience for television because in its neighborhood are the Farnsworth, RCA and Philco laboratories and transmitters.

Other companies are also planning television activities. Zenith Radio Corp. has applied for permission to construct a telecasting station in Chicago. General Electric is assembling a station in Albany, two other experimental units in Schenectady and one in Bridgeport. Additionally, beside major telecasting experiments, several universities in various parts of the country are engaged in, or planning, television tests.

Probe Fight Led Congress Activity On Air Industry

Washington, June 19.—The fight for a Congressional investigation of the broadcasting industry and the Federal Communications Commission and efforts to obtain the construction of a Government-owned propaganda broadcasting station were by far the most important features of the session just ended, from the standpoint of the broadcasters.

The half-dozen resolutions for a radio investigation—five introduced in the House and one in the Senate—were the subject of much discussion from time to time on the floor of both houses. The resolution of Senator White of Maine, for a Senate probe, was given right of way by the Audit and Control Committee of that body on May 10, and the Connery resolution for a House study was given the approval of the House Rules Committee, after a number of hearings, on June 10.

Propaganda Discussed

The Chavez-McAdoo and Celler bills for construction of a Government propaganda station were the subject of lengthy hearings before committees of both House and Senate during May. Both bills, however, were tabled as a result of representations that the Administration would find itself continually involved in diplomatic incidents should it permit the same freedom of expression as prevails over the commercial stations and the suggestion that the private industry be given an opportunity to show what it can do with the frequencies for Latin-American broadcasting recently assigned.

Few bills dealing with radio were introduced during the past session, although a large number were carried over from the 1937 meeting of Congress. This year, Senator Johnson of Colorado and Representative Culkin of New York submitted bills to ban liquor ads from radio, Senator Wheeler of Montana introduced a bill giving the Federal Communications Commission authority to regulate the use of radio-frequency using equipment which might cause interference, and Senator Sheepard of Texas and Congressman Peterson of Florida sponsored bills prohibiting duplication of programs.

Starr Praises Code Efforts of Quigley

(Continued from page 1)

rested the responsibility of safeguarding its morals.

"In a way it had to become its own moral guardian, a kind of self-governed policeman. To do it properly, it created a Production Code, a sort of laundry for all the soiled picture linen. And it took a man in the field of journalism to foster such a move, the publisher of Motion Picture Daily, Martin Quigley. He used his powerful, fearless publications to establish a self-censorable code."

Scripps-Howard Agent

Scripps-Howard Radio, Inc., has appointed Weed & Co., as national sales representatives, effective immediately, for stations WCPO, Cincinnati, and WMPS, Memphis.

Laboratory Unions To Seek IATSE Aid

(Continued from page 1)

large De Luxe Laboratory, for one, having rejected a wage boost under present conditions. Negotiations are also said to be pending with Warners' Ace Laboratory, Consolidated and Paramount News.

It will be weeks before new agreements are signed with the employers, according to present indications. Officials of the local have anticipated the difficulty, and at the I.A.T.S.E. convention in Cleveland recently obtained the promise of assistance. If the laboratory heads of the film companies refuse to negotiate, Officials say they will hold the I.A.T.S.E. to its promise to have the laboratory workers included in the basic agreement and thus will be able to negotiate pacts with the companies direct.

Local 702 is planning an organization drive among laboratories not yet unionized, but this will wait until present negotiations with organized shops have been completed. The union is said to have the promise of support from the I.A.T.S.E. for new organization drives, which will eventually be undertaken at Pathe's plant in Bound Brook, N. J., and smaller laboratories in the east.

Actors Guild Here May Limit Members

The eastern branch of the Screen Actors Guild, which now has a membership of 680, will vote at its annual meeting tomorrow on closing its books to new applicants for membership. The limited production employment opportunities in the east are advanced as the reason.

The Hollywood Screen Actors Guild closed its books to applicants for membership last fall. The guild there has begun tests of its members for every possible screen qualification and issues waivers to producers for the employment of non-guild members only when it is unable itself to supply studios with the type and number of extras or players desired. It is believed that a somewhat similar waiver system may be adopted here in the event the eastern branch votes to close its membership list.

The annual report of Mrs. Florence Marston, eastern head of the guild, will be submitted to the meeting tomorrow and nominations will be received from the floor for members of an advisory committee to aid in the administration of the local organization. The election of the committee will be conducted later by mail ballot.

Kenneth Thomson, executive secretary of the guild, will leave for Hollywood at the close of the meeting tomorrow.

A.F.M. to Press for Theatre Orchestras

TAMPA, June 19.—The American Federation of Musicians will continue its campaign for the employment of orchestras in film theatres, it was decided at the annual convention here. Declarations were again made that "canned music" is responsible for much of the wide unemployment among musicians. Closing hours of the convention were devoted to considering plans to increase employment.

Nylander to Obtain Writers' Affidavits

(Continued from page 1)

polling places June 23 and 24 to make affidavits declaring whether they were under contract or employed in studios as of June 4. Writers will be required to state whether their employment status falls into the classification of supervisor, producer, reader or other group ruled ineligible to vote.

"Failure of studios to cooperate in giving us a list of writers employed June 4 will not deter the election," Mr. Nylander said. "It is unfortunate that we have to go to this trouble to determine eligibility of those who vote."

Casey to Study Need Of Labor Conference

Pat Casey, producers' labor representative, will canvass major company heads and presidents of the five international unions which are signatories of the five-year basic agreement with the studios this week to determine whether or not there is a need of holding the annual negotiations on wages and hours provided for under the agreement, he stated over the weekend following his arrival here from the coast.

Mr. Casey said that no decision had been made yet on the need for a meeting this year and the responses to his inquiries this week would determine the question. It is understood that while some of the internationals desire a meeting others are indifferent due to the fact that increases this year are highly unlikely.

Visual Education Council Meets Today

CHICAGO, June 19.—The National Council on Visual Education will hold its eighth annual convention beginning today at the Francis W. Parker School here. The sessions will offer talks by representatives of various companies which utilize films to explain their products, discussions on laboratory problems, school films and other aspects of films. There will be screenings of numerous documentary, commercial and visual education productions.

Herman A. DeVry, president of the DeVry Corp., will be host on his yacht *Typee* in Belmont Harbor to visiting members after the daily sessions.

Build at Richmond, Mo.

KANSAS CITY, June 19.—Frank Weary is building a new theatre in Richmond, Mo., where he operates the Ferris.

E. Van Hyming is remodeling his Ritz at Parsons, Kan., and is installing a balcony.

A. J. Simmons has installed new sound equipment in the Plaza, Greenfield, Mo.

Business men have equipped a theatre at Holyrood, Kan., and H. L. Hyde, who has the Cozy, Geneseo, Kan., is operating it.

Drop Louisiana Bill

BATON ROUGE, LA., June 19.—A House bill which would have levied a $500 per year tax on commercial motion picture advertising in theatres with 550 seats or more in incorporated communities of 25,000 or more population has been withdrawn.

HARLEM ON THE PRAIRIE

The Famous Novelty Western

Now available

in the following exchanges

1. Principal Film Exchange, New York, N. Y.—New York and Albany territory.
2. Preferred Pictures, Inc., 1239 Vine Street, Philadelphia, Pa.
3. Monarch Pictures Co., 1623 Boulevard of Allies, Pittsburgh, Pa.
4. Preferred Pictures, Inc., 135 K Street, N.W., Washington, D. C.
5. Monarch Pictures Corporation, 2310 Cass Street, Detroit, Mich.
6. Special Attractions, 843 South Wabash Avenue, Chicago, Ill., covering Chicago, Milwaukee, St. Louis, Indianapolis territory.
7. Big Feature Rights Exchanges, 1632 Central Parkway, Cincinnati, O., covering State of Ohio and eastern Kentucky.
8. Pam-O Film Exchange, Inc., 265 Franklin Street, Buffalo, N. Y.
9. L. T. Fidler, 2071 Broadway, Denver, Colo., and 258 E. First South Street, Salt Lake City, Utah.
10. American Films, Inc., 126 W. 18th, Kansas City, Mo.
11. Adams Film Exchange, Film Exchange Building, Dallas, Texas.
12. Dixie Film Exchange, 163 Walton Street, Brad Ford, Mgr., Atlanta, Ga., for the following States: Louisiana, Mississippi, Tennessee, North and South Carolina, Alabama, Georgia and Florida.

ASSOCIATED FEATURES, INC.

SABIN W. CARR, AGENT

Room 509—729 Seventh Avenue

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

43. NO. 140 NEW YORK, TUESDAY, JUNE 21, 1938 TEN CENTS

IATSE Operators May Not Handle Propaganda Films

Producers Will Be Asked To Join Committee for Classifying Them

Producers will be informed soon, it has been learned, that the I.A.T.S.E. will not be responsible for the handling of propaganda films by its operator members. This is taken to mean that any projectionist who refuses to handle a propaganda film will not be disciplined by union officers even though the local union may have a contract with the exhibitor.

It is understood that along with the notification there will be presented a request for the appointment of a joint committee of producers and I.A.T.S.E. men to discuss some form of classification of propaganda films and that this committee will function on a permanent basis.

The proposal is believed to be an outgrowth of the stand taken at the 34th convention held in Cleveland. This resolution recorded the organization's opposition to the inclusion in any motion picture of propaganda "whether in the guise of entertainment or otherwise glorifying any other form of government" than that of the

(*Continued on page 7*)

Luce Asserts Films Should Be Realistic

'alls Use of 'Escapist' Themes "Stupid"

By AL FINESTONE

The assertion that "the screen hould devote itself more to reality" as made by Henry R. Luce, presi- ent of Time, Inc., which includes arch of Time, *Life* and *Time,* upon s return on the *Queen Mary* yester- y from a European survey. Joseph Kennedy, Ambassador to Great ritain, arrived on the same ship.

As producer of a film series deal- g with actualities and as publisher weeklies devoted to current events d trends, Mr. Luce fails to see why e motion picture industry does not eat things as they are instead of as ey might be.

"The theory that the screen should e confined to 'escapist' themes is upid," said Mr. Luce. "In this

(*Continued on page 8*)

Opponents of High Power Before FCC

WASHINGTON, June 20.—Opponents f super-power today began their resentation before the Federal Com- unications Commission at the open- f the third week of hearings on pro- osed new rules for broadcasters.

Preparing to introduce a number of itnesses, Paul D. Spearman, counsel

Additional developments in radio yesterday on page 8.

r the National Association of Re- ional Broadcasting Stations, told the ommission that his group was defi- itely opposed to any power in excess f 50 kilowatts.

Super-power was also attacked by he American Federation of Labor in petition to intervene in which it was

(*Continued on page 8*)

Cooperation with NY Unit Voted by Allied

ALBANY, June 20.—A decision to ork together with the group in the ew York area, rather than separate- y, today was reached at the meeting f Allied Theatres of New York held ere at the Hotel DeWitt Clinton.

Max A. Cohen, state president, de- ivered an address on the purposes of he organization to the 17 theatre

(*Continued on page 7*)

South Africa Circuit Aims At 40 Houses

Stiff competition to the Schlesinger interests in South Africa, which have dominated the film and theatre field there for years, is in the making, with a circuit of about 40 theatres projected. The total capital involved is reported as $4,000,000.

Twentieth Century-Fox will be the Schlesingers' chief competitor, having made arrangements for distribution through its own organization, headed by Otto Bolle. United Artists, which also released through the Schlesinger organization, is setting up its own offices. M-G-M figures in the picture because it handles its own distribution and is the chief theatre operator in Johannesburg in opposition to the Schlesingers.

N. Lurie of Johannesburg has arrived here to conclude a deal with

(*Continued on page 7*)

Talk of F. C. Walker For Term in Senate

ALBANY, June 20.—Prominently mentioned in Democratic circles here for the appointment to the U. S. Senate is Frank C. Walker, vice-president of the Comerford circuit.

The death of U. S. Senator Royal S. Copeland is represented as giving President Roosevelt the opportunity to assign his close personal friend, the former treasurer of the National Democratic Committee, to the upper house of Congress.

Gov. Herbert Lehman of New York has the appointive power.

McCarey Forms Own Producing Company

HOLLYWOOD, June 20.—Leo McCarey has formed Leo McCarey Productions, Inc., to produce for RKO release, with that major company financing production.

His first picture will be "Love Affair," starring Irene Dunne, in a story by Mr. McCarey and Dore Schary. Under the terms of the deal Mr. McCarey will produce many of RKO's pictures and direct others, as well as guiding his own product.

Shanghai Circuit

Dover, Del.—June 20.—Asia Theatres, Inc., has been formed here to deal in theatres, and listing capital of $2,000,000.

Although corporation details are never given out here, it has been learned that the corporation was formed on the application of a Shanghai lawyer, and that the company will operate from a main office in the Chinese city.

G.N. Distribution Contract Approved

LOS ANGELES, June 20.—Federal Judge William P. James has approved the Grand National contract with Fine Arts Pictures, Inc., calling for the distribution by Grand National of a minimum of 26 films, including eight westerns, each year for five years.

In the court proceedings, Edward L. Alperson was allowed $500 weekly as trustee of Grand National Films and the subsidiary, Grand National Studios. The law firm of Omelveny, Tuller & Myers, acting for the trustees, was awarded $500 a week in attorneys' fees. The petition of Carpenter, Babson & Fendler, attorneys for Grand National creditors, for $3,500 in fees, was taken under advisement.

Grand National will release four pictures during July, and an additional one has been set for August release, according to Mr. Alperson and Loyd Wright, co-trustees.

Playwrights Refuse NLRB Registration

HOLLYWOOD, June 20.—John Lee Mahin, president of the Screen Playwrights, Inc., has notified Dr. Towne Nylander, regional director of the National Labor Relations Board, that the organization's members will refuse to register as to whether or not they were working on June 4, as requested. The registration has been scheduled for June 23 and 24.

The Screen Playwrights contend the position was taken because the association holds that film writers are not employes under the meaning of the Wagner Act, that they do not come within the jurisdiction of the N. L. R. B., and that they do not consider the elections authoritative,

Studios Hit Peak; 48 Before Cameras

HOLLYWOOD, June 20.—Forty-eight pictures, representing the greatest total in production for months, were before the cameras this week, as 15 started and six finished. Twenty are being prepared and 56 are in the cutting rooms.

Started were: "The Lady and the Cowboy," Goldwyn; "The Chaser," "Love Finds Andy Hardy," (resumed shooting after layoff), and

(*Continued on page 7*)

Wyler, Director, Is Removed by Goldwyn

HOLLYWOOD, June 20. — Samuel Goldwyn has removed William Wyler as director of "The Lady and the Cowboy" and has suspended Mr. Wyler's contract. Production on the film continued without interruption today, with H. C. Potter in Mr. Wyler's place as director.

Although Mr. Goldwyn advanced no reason for the action, it is understood that the producer was dissatis-

(*Continued on page 8*)

My Word!

By Irene Kuhn

◆ Howard Harris, free lance radio writer, and brother of the columnist, Radie Harris, has done the script "L Is for Love" for Tallulah Bankhead and her husband, John Emery, on the Rudy Vallee hour Thursday.

◆ Autograph hounds at "21" yesterday waited for Robert Taylor to show up. He came in from Hollywood for the fight but neglected "21."

◆ Ambassador Joseph P. Kennedy and Arthur Goldsmith were "21" lunchers yesterday, as were Morton Downey, Jesse Lasky, Dorothy Mackaill (just in from Hollywood), and Bert Wheeler.

◆ Ward (King Features) Greene is driving up to Cape Cod for the summer tryout of his play "Honey" which Max Gordon will produce this fall. It will open at Cape Cod Playhouse on the 27th. Other summer openings listed for the 27th are: "We the Willoughbys" in Stockbridge which John Golden bought from Myer Kanin and Harry Ingram; "Away from It All" by George Sklar, starring Aline MacMahon and William Harrigan, at the Rockridge Theatre in Carmel.

◆ William Gaxton has been signed for the new Vinton Freedly show which Sam and Bella Spewack are doing.

◆ The "If I Had a Chance" radio program featured a German refugee, Leo Taubmann, pianist. As a result of his appearance he got a job accompanying Grace Moore and is now en route to the Coast to coach Pearl Jessner, Metropolitan Opera singer.

◆ Mort Lewis will write the radio material in New York for Ben Lyon's and Bebe Daniels' radio shows which they will do in Europe next September. First broadcast is Luxembourg.

◆ Universal is looking for a story for its new hit, Danielle Darrieux. Must be dramatic; no comedy.

◆ John and Jerrold Krimsky are planning to make motion pictures of their American Music Hall successes. The script on "Naughty Naught" is completed.

Combine Opens Office

Associated Theatres of New Jersey, buying and booking combine which has a membership of 15 theatres, yesterday opened an office in the Corn Exchange Bank Building at 303 West 42nd St. Booking for the group will be gone from there. Irving Dollinger, president of Allied of New Jersey, heads the combine.

Sears to Plane East

Hollywood, June 20.—Gradwell L. Sears, general sales manager of Warners, tomorrow night will leave by plane for New York following a week of conferences at the studio during which release dates on films for July and August were set.

Purely Personal

Walt Disney arrived in town yesterday and stopped off for a spell at the Waldorf en route to Yale and Harvard, from both of which universities he will receive Master of Arts honorary degrees this week. He was accorded an honorary Master of Science degree from the University of Southern California last week.

•

Harry Shaw, Loew-Poli district manager in New England, and William Dannenberg, publisher of the *Bridgeport Herald,* conferred with Oscar A. Doob, Loew advertising head.

•

Mark Hellinger, accompanied by Mrs. Hellinger, the former Gladys Glad, have arrived in town to attend the Louis-Schmeling fight. They expect to fly back to the coast Thursday.

•

Lou Irwin, Lou Pollock, Mack Gordon and Harry Revel arrived from Hollywood via TWA's Superchief yesterday to see the championship fight tomorrow night.

•

Kenny Baker arrived on an American Airlines plane last night with William Price Dunlavy. He is scheduled to sail tomorrow on the *Queen Mary.*

•

Robert Taylor got in from the coast yesterday with Nat Goldstone. The actor is here to see the Louis-Schmeling bout at the Yankee Stadium.

•

L. R. Beilenson, attorney for the Screen Actors' Guild, flew to the coast via the TWA Skychief yesterday. Ben Lyon was also a passenger.

•

Frank Murphy, Loew's manager in Wilmington has returned after spending a day in New York with Joseph R. Vogel, circuit executive.

•

Cecil Vogel, Loew City manager in Memphis, and Howard Burkhardt, the circuit's manager in Providence, have been vacationing here.

•

Ben Kalmenson, Warner eastern and southern sales manager, left yesterday for a visit to Charlotte, Atlanta and Dallas.

•

Mitchell Rawson, Warners' eastern publicity manager, returned yesterday from an extended stay at the studio.

•

Harry Brand, 20th Century-Fox studio publicity head, will arrive today on the *Ile de France.*

•

William Kupper, 20th Century-Fox division manager, has returned from New Orleans.

•

Ben H. Berinstein, Los Angeles theatre owner, has returned to the coast.

Joseph S. Hummel, Warners' foreign sales manager, is due July 6 from a seven-week tour of the globe. He is in Italy this week, then goes to Paris, and will sail on the *Ile de France,* June 30.

•

E. G. Wagner, secretary-treasurer of Eastern Service Studios and Audio Productions, Inc., is celebrating the 20th anniversary of his continuous service with the Bell Telephone system.

•

F. P. Hill, 20th Century-Fox traveling auditor, is in the Presbyterian Hospital, Denver, recuperating from an appendicitis operation. He became ill while on a train en route to Denver.

•

Capt. Harold Auten, American representative of Greater Union Theatres in Australia, is due this week from the coast where he arrived the other day from Sydney conferences.

•

Dunn O'Mullally's story, "The Hard Way," has been purchased by Monogram for production as a vehicle for Frankie Darro, under the title, "Wanted by the Police."

•

Jeffrey Bernerd and Mrs. Bernerd, the latter recovered from her recent illness, have gone to Canada for a few days rest before returning to London.

•

Mrs. Florence Marston, head of the eastern office of the Screen Actors Guild, plans to leave for Hollywood for an extended visit in a week or 10 days.

•

George Gladden, creative artist-engineer for Eastern Service Studios and Audio Productions, Inc., is vacationing in Bermuda.

•

Barney Powell, Movietone News cameraman in the Far East, has arrived on his first furlough in four years.

•

David Flam, publicity and theatre executive, has joined Filmack Trailer Co. in Chicago.

•

. . . Seattle

Trig Rourke of Columbia has married Dorothy Baker. Two other weddings set for this week involve Silvaggio of Republic and Judy Magrillo, and Jack McMillan of Northwest Films and Alice Saunders of Warners.

Pearl Danz, sister of John Danz, has joined the Sterling Chain Theatres as a bookkeeper.

Grover Parsons, sales manager of Republic, was a visitor, as was Al O'Keefe, division sales manager for Universal.

Milton Hoesfelt of the Fox West Coast Theatres home office has been spending a few days with Frank L. Newman, head of the Hamrick-Evergreen division of F. W. C.

Two Groups Take RKO

Jules Levy, general sales manager of RKO, has closed for the playing of the company's new season product in two more Midwest circuits. They are Publix-Friedl and the Miner Circuit. L. C. Goldhammer, Minneapolis branch manager, represented RKO in the negotiations.

"Banners" in 235 Spots

"White Banners," the world premiere of which Warner film was handled by Arnold Albert at Columbia City, Ind., on Saturday, will have 235 simultaneous day and date openings this weekend in key cities throughout the nation. National release date is June 25.

Nine New Pictures
Approved by Legi

The National Legion of Dece
has approved all of the nine new
tures reviewed and classified for
current week, six for general patr
age and three for adults. The n
films and their classification follow.

Class A-1, Unobjectionable for G
eral Patronage—"Holiday," "Huap
go" (Spanish), "Ladies in Dist
"Law of the Plains," "Mysterious
Moto," "Three Blind Mice." Cl
A-2, Unobjectionable for Adult
"Gleisdreick" (German), "Pri
Farm," "Woman Against Woman."

Contest Dinner Tonig

A dinner tonight will be given
advisory board of judges for the Fl
Gibbons "Your True Adventures" c
test, prior to the screening of
three shorts from which the winn
will be selected. The shorts to
judged are "Danger—High Volta
"The Bolted Door" and "Playing w
Danger."

The dinner, which will be presi
over by Albert Howson, scenario
tor and director of censorship
Warners, will be attended by Ma
Quigley, Jack Alicoate, Jay Em
uel, Jack Dempsey, Heywood Br
Quentin Reynolds and William G
ton. Judges for Warners will
Major Warner and Mr. Gibbons,
this city, and Errol Flynn, who
give his selections from the coast.

Silverstone in Englan

London, June 30.—Murray Silv
stone, executive head of United
ists, arrived here today for two we
during which he will complete his
fairs before returning to make
office permanently in the Uni
States. He will hold a conference h
next weekend.

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DAILY
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880 Sasazuka, Ichikawa-shi, Chiba-Ken; H. T
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DAILY

Schaefer Address Opens UA Meeting

CHICAGO, June 20.—George J. Schaefer, vice-president in charge of United Artists distribution, again truck at what he called the "dissipation of product," in the playing of two utstanding features on a dual bill, s he opened the western sales meet[illegible]f the company at the Drake Hotel [illegible] today. About 80 delegates are in ttendance.

Harry Buckley, vice-president, spoke n exchange management and Jack Schlaifer discussed product. During he afternoon sessions the new season's list was described by Mr. Schaefer, A. W. Smith, Jr., sales manager; Mr. Schlaifer, Monroe Greenthal, director of advertising and ublicity, and Paul Lazarus.

Mr. Schaefer stated during his peech this morning that no changes n the executive personnel of the western division were made last year. The nly change, he said, was the addition of a single salesman. This is aid to be an unusual record.

Use Sert Room Decorations

Convention headquarters here have een decorated in the same manner as was the Sert Room of the Waldorf-Astoria during the eastern meeting in New York, all the trappings having een shipped here for the purpose.

Hal Roach is expected tomorrow morning on the Century. He will outline his product plans during the afternoon session.

"Algiers," "Drums" and three short ubjects will be screened tomorrow morning.

Cohan Heads Actor Guild

George M. Cohan has been installed s the 25th president of the Catholic Actors' Guild. His father, Jerry Cohan, was the first guild president. Other officers are: Gene Buck, first ice-president; Hugh O'Connell, second vice-president; the Rev. John F. White, treasurer; Brandon Peters, ecording secretary; William David, hairman of the executive board; Lida Kane, historian, and Helen Namur nd Mrs. Cornelius J. Gallagher, ocial secretaries.

Hold John Hicks Rites

SEDALIA, MO., June 20.—Funeral ervices were held here today for ohn W. Hicks, Sr., 75, father of ohn W. Hicks, Jr., Paramount vice-president in charge of the foreign department, who died at his home here n Saturday. The Paramount executive arrived here over the weekend. The elder Hicks had been in the automobile business. Also surviving are nother son, William Hicks of *Life*, nd two daughters.

Seidelman in London

LONDON, June 20.—Joseph H. Seidelman, general foreign manager of niversal, arrived here today, and denied reports that Universal is planning reestablish independent distribution ere.

"Sheik" Is Phila. Hit

PHILADELPHIA, June 20.—The ewsreel Theatre reported today hat the first week of its new feature olicy trebled the average take with ews and shorts. "Son of the Sheik" as the first feature.

Critics Find "Blockade" Mixture of Fact, Fiction

The New York daily newspaper film critics found "Blockade" a strange combination of fact and fiction, with the effect of the whole hampered somewhat by the situation that finds fiction superimposed on a stark reality. Excerpts from their reviews follow.

Herald Tribune—. . . An engrossing and provocative film . . . romantic spy story against the terrifying realities of the Spanish Civil War.

Journal-American—A dramatized preachment against warfare . . . elaborately produced.

Mirror—. . . A tried and reliable film story, told more elaborately than usual. . . . Fictional characters are placed in situations sadly real.

News—. . .A handsome production . . . might have been slicker and more thrilling melodrama if William Dieterle had stuck to the story.

Post—. . . The picture is surprisingly good . . . smoothly fashioned. Equal doses of entertainment and anti-war entertainment.

Sun—. . . Highly colored melodrama. . . . Spanish civil war as background for a lurid spy story.

Times—. . . A curious unreality about it, considering the grim reality behind it. It goes without saying that you'll want to see it for yourself.

World-Telegram—. . . Fiery propaganda against war . . . leaves a great deal to be desired. . . . Deserves one's admiration . . . unmistakably Loyalist in its sympathies.

Phila. Chance Game Plea Refused Again

PHILADELPHIA, June 20.—The plea of the Roxy Theatre for a restrainer against the city authorities relative to the local ban on all chance games, pending a decision by the State Supreme Court, has been refused again.

This marks the third refusal by the state court. The plea was prepared by former State's Attorney General Margiotti. Exhibitors are expected to drop any further attempts to seek a restraining writ, and the games probably will remain out of local theatres at least until the final Supreme Court hearing in the fall.

Try New Theatre Game

PHILADELPHIA, June 20.—After a conference at the district attorney's office today Dennis Games, using a new stunt called Hollywood Movie Star Party, put it into two theatres tonight in the hope that it will be accepted as legal. The company formerly sponsored Lucky which came under the ban of Judge McDevitt.

Visual Educational Meet Well Attended

CHICAGO, June 20.—The current meeting of the National Conference on Visual Education, which opened here today, will be the largest ever held by the group, it is indicated by the heavy registration.

More than 50 film subjects will be shown during the sessions, which will extend for three days. Speeches will be delivered by leaders in the film industry.

A banquet at the Hotel Sherman Wednesday night will celebrate the 25th anniversary of Herman A. DeVry.

New Camera Ready Soon

Developments in a deal for the new camera and projection method devised by a group headed by Courtland Smith, former president of Pathe News, and Jack S. Connolly are promised by Mr. Connolly shortly. The latter has returned from the coast where he spent two months in connection with the new mechanisms, which pertain to a radically different focal system than the one now in use, it was said.

Wanger Replies to "Blockade" Protest

Walter Wanger, producer of "Blockade," has replied from the coast to the protest of Joseph F. Lamb, deputy of the New York State Council of the Knights of Columbus, against the film, which was characterized as "Marxist propaganda."

Wanger declared he was "shocked" at the protests, and said: "I firmly state that my picture was never intended, nor does it, take sides in the present Spanish conflict . . . I think it unfair to assume that Mr. Lamb speaks for the entire membership of his organization."

CEA Opens Summer Meet at Folkestone

By AUBREY FLANAGAN

FOLKESTONE, ENGLAND, June 20.—The annual summer conference of the Cinematograph Exhibitors' Association opened here today with approximately 250 exhibitor delegates in attendance. A totalof 39 companies were represented in an exhibit of various types of theatre equipment.

The Mayor of Folkestone officially welcomed the visiting exhibitors and their guests at a civic reception this evening which was heavily attended. A trade golf tournament was held today at Sundwich in perfect weather.

Tomorrow the business of the session will get under way, with a meeting of the general council. The major topic of discussion tomorrow will be the report on the attitude of the Kinematograph Renters' Society (distributors) toward the small exhibitor plan of the C.E.A. George Coles and Michael Egan will speak.

More than 500 are expected to attend the annual conference banquet tomorrow evening.

Party Today for Lopert

E. I. Lopert, president of Pax Film, Inc., will be tendered a cocktail party this afternoon at the Pierre by Albert N. Chaperau, co-producer of "Mayerling." Mr. Chaperau has an interest in six French films now in production which are scheduled for release here through Pax. Mr. Lopert and Mr. Chaperau will sail June 29 on the *Normandie* to arrange distribution details.

Report U.S. Plans Film Trust Action

WASHINGTON, June 20.—New Department of Justice proceedings against producers were said this week to be in preparation, and leaders of the industry are understood to be much concerned over the situation, regarding which they have been in communication with department officials.

Executives of the department, following the usual policy of secrecy, refused to admit or deny that new suits were under consideration, pointing out merely that complaints are always being received and investigated and that a more or less constant surveillance is kept over the motion picture and certain other industries.

Possibilities are seen that the next case against the film group may be brought in the midwest, where the department has had considerable success in prosecutions against the oil industry. A large part of the department's strategy lies in picking the right location for prosecutions, it being recognized that it is difficult to successfully conduct cases against certain industries in some jurisdictions.

Grainger Sets Deal With Durkee Circuit

James R. Grainger, Republic president, returned yesterday from Baltimore where he closed a deal for the entire Republic program to be played over the Durkee circuit, of 23 theatres. This will give the company the best representation it has had to date in the circuit. The contract was signed by Frank H. Durkee.

This was Mr. Grainger's first field trip since taking charge of the company's distribution. He also visited Richmond and Washington.

He left for Boston last night to confer with Herman Rifkin, Republic franchise holder there, and will be interviewed by Ruth Moss over station WAAB this morning.

Mr. Rifkin will be host to Mr. Grainger at a luncheon at the Statler Hotel in Boston today, at which he will be introduced to local exhibitors.

RKO Plays Golf Today

The fourth annual golf tournament sponsored by RKO will be held today at the Westchester Country Club at Rye. Attendance is expected to reach 150. Various prizes will be awarded for the best scores and the day will be topped off with a dinner and entertainment. Jack Redmond, a trick shot player, will do his stuff for the assembled film men, exhibitors and their guests.

Another Holdup in Hub

BOSTON, June 20.—Bandits took $40 and missed $3,500 at the Oriental in Mattapan late last night. Three bandits got $450 and missed $1,500 at the RKO Boston exactly three weeks previously. Three gunmen, possibly the same trio, stuck up five M. & P. employes at the Oriental but missed the Saturday and Sunday receipts on "The Adventures of Marco Polo."

Joseph Carroll Weds

BOSTON, June 20.—Joseph Carroll, local United Artists booking head, has married the former Margaret Hurley, who resigned recently from United Artists here.

Danielle Darrieux

She's th

4

4

DANIELLE DOUGLAS
DARRIEUX • FAIRBANKS, Jr.

"THE RAGE OF PARIS"

A NEW UNIVERSAL PICTURE WITH
MISCHA AUER • LOUIS HAYWARD
HELEN BRODERICK

Original story and screen play by Bruce Manning
and Felix Jackson
Directed by HENRY KOSTER
Produced by B. G. de SYLVA
CHARLES R. ROGERS
Executive Vice-President In Charge of Production

1. LOS ANGELES

Topping every opening in past year except two! HELD OVER!

TALK!

"If we can't have an installment of the French debt, then let's take La Darrieux! . . . She's certain to shine with the brightest!"
THE WASHINGTON TIMES

TALK

"You . . . are compl
bewitched!"
LIBERTY MAG

OLD OVER "RAGE" f the country NOW!

OPENINGS!

HOLD OVERS!

2. WASHINGTON

ongress closes, Darrieux opens - It's a smash! **HELD OVER!**

3. BOSTON

"Greatest star to hit our screen!" Record-breaking attendance! **HELD OVER!**

4. CHICAGO

Hitting a three week pace! Predictions all broken! **HELD OVER!**

TALK!

"Crackles with originality!"
CHICAGO HERALD & EXAMINER

"If F. D. R. thought Janet Gaynor cute as a button wait until he sees Darrieux in 'The Rage of Paris'!"
CHICAGO TRIBUNE

TALK!

"An emphatic hit . . . she wins a large and immediate following!"
LOS ANGELES HERALD

"Her beauty has exquisite freshness...intriguing ...Picture is speedy and spicy!"
BOSTON RECORD

MOTION PICTURE DAILY'S HANDY BOOKING CHART

[Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
May 27		**Yellow Jack (G) (D)** *Montgomery* *Bruce*	**Phantom Ranger (O)** *McCoy*	**Hunted Men (G) (D)** *Lloyd Nolan* *Carlisle*			**Kidnapped (G) (D)** *Warner Baxter* *Bartholomew*			**Crime School (G) (D)** *"Dead End" Kids* *Bogart*
June 3		**Three Comrades (G) (D)** *Robt. Taylor* *Sullavan*		**You and Me (G) (D)** *Raft* *Sidney*	**Desert Patrol (O)** *Bob Steele*	**The Saint in New York (G) (D)** *Hayward* *Sutton*	**Josette (G) (C)** *Simon* *Ameche*		**Wives Under Suspicion (G) (D)** *Warren William* *Gail Patrick*	**Little Miss Thoroughbred (G) (D)** *Janet Chapman*
June 10		**The Toy Wife (G) (D)** *Rainer* *Douglas*	**Marines Are Here (D)** *June Travis* *Gordon Oliver*		**Ladies in Distress (G) (C)** *Skipworth* *Polly Moran*	**King Kong (reissue)** *Wray*	**One Wild Night (G) (C)** *June Lang* *Lyle Talbot*			**Gold Diggers in Paris (G) (M)** *Rudy Vallee* *Rosemary Lane*
June 17	**Holiday (G) (D)** *Hepburn* *Cary Grant*	**Woman Against Woman** *Bruce* *Marshall*		**Prison Farm (D)** *Lloyd Nolan* *Carlisle*	**Riders of the Black Hills (O)** *3 Mesquiteers*	**Blond Cheat** *Fontaine* *DeMarney*	**Three Blind Mice (G) (C)** *Loretta Young* *Joel McCrea*	**Blockade (A) (D)** *Madeleine Carroll* *Fonda*		**When Were You Born? (G) (D)** *Anna Wong*
June 24	**Stagecoach Days (O)** *Luden* **Highway Patrol (G) (D)** *Wells*	**Lord Jeff (D)** *Bartholomew* *Rooney*	**Romance of the Limberlost (G) (D)** *Jean Parker* *Eric Linden*	**Bar 20 Justice (G) (O)** *Boyd*	**Gold Mine in the Sky (O)** *Gene Autry*	**Border G-Man (G) (O)** *O'Brien*	**Mr. Moto Takes a Chance (G) (D)** *Lorre* *Rochelle Hudson*		**Young Fugitives** *Robt. Wilcox* *Dorothea Kent*	**White Banners (A) (D)** *Claude Rains* *Fay Bainter*
July 1	**City Streets (D)** *Carrillo* **West of Cheyenne (O)**	**Shopworn Angel (D)** *Sullavan* *Stewart*		**Tropic Holiday (C)** *Bob Burns* *Martha Raye* *Dorothy Lamour*	**Army Girl (D)** *Madge Evans* *Preston Foster*	**Having Wonderful Time (C)** *Rogers* *Fairbanks, Jr.*	**Always Goodbye (D)** *Stanwyck* *Marshall*	**South Riding (D)** *Edna Best* *Edmund Gwenn*	**Danger on the Air (D)** **The Rage of Paris (G) (C)** *Darrieux*	
July 8		**Fast Company** *Florence Rice* *Melvyn Douglas*	**Man's Country (O)** *Jack Randall*	**Return of the Fox (O)** *Boyd*	**Durango Valley Raiders (O)** *Bob Steele*	**Crime Ring** *Allan Lane* **Little Women (reissue)** *Hepburn*	**Panamint's Bad Man (O)** *Noah Beery* *Smith Ballew*			**Cowboy from Brooklyn (M) (G)** *Dick Powell*
July 15	**Pioneer Trail (O)** *Jack Luden* *Joan Barclay*	**Crowd Roars** *Taylor* *O'Sullivan* *Frank Morgan*		**Professor Beware (C)** *Harold Lloyd* *Phyllis Welch*		**Mother Carey's Chickens** *Ruby Keeler* *Anne Shirley* *Ellison*	**Passport Husband** *Pauline Moore* *Stuart Erwin*			**Men Are Such Fools (G) (D)** *Wayne Morris* *Priscilla Lane*
July 22	**Reformatory** *Jack Holt* *Charlotte* *Winters*	**Love Finds Andy Hardy** *Rooney* *Stone* *Parker*		**Booloo (O)** *Colin Tapley*		**I'm from the City (C)** *Joe Penner*	**I'll Give a Million** *Warner Baxter* *Marjorie Weaver* *Jean Hersholt*	**Algiers (D)** *Boyer* *Gurie* *Lamarr*	**Prison Break** *Glenda Farrell* *MacLane*	
July 29	**South of Arizona (O)** *Starrett* *Meredith*			**Orphan Annie Detective**		**Northern Flight** *Richard Dix*	**Little Miss Broadway** *Shirley Temple*	**Young in Heart** *Gaynor* *Fairbanks, Jr.* *Goddard*	**Letter of Introduction** *Leeds* *Bergen-McCarthy*	**Secrets of an Actress** *Kay Francis* *George Brent*

G. B.

The Show Goes On (D)
Neagle
Carminati
(June 17)

3 on a Week End (G) (D)
Lockwood
John Lodge
(July 1)

Crime Over London
Margot Grahame
Paul Cavanaugh
(July 15)

Evergreen (G) (M) (reissue)
Jessie Matthews
(Aug. 1)

G. N.

Held for Ransom (D)
Grant Withers
(June 17)

I Married a Spy (D)
Neil Hamilton
(July 1)

Rollin' Plains (O)
Tex Ritter
(July 8)

High Command (D)
Lionel Atwill
(July 15)

Renfrew on White Trail
(July 22)

South Africa Circuit Aims At 40 Houses

(Continued from page 1)

Century-Fox whereby the com- will invest $200,000 in a first n house which will be an outlet for e company's films. The Katz & urie group, with 20th Century-Fox, forming a company to build the theatre.

In addition, the film company is onsoring the construction of other ouses on the continent, which will be ned chiefly by independents. In all stances 15-year film franchises will given by 20th Century-Fox, it is derstood.

In addition to Johannesburg, major ouses will be in Cape Town, Durban, ort Elizabeth, Pretoria, East London and other cities. First and second n houses are under construction in urban and two theatres will go up in loemfontein. Contracts have been t for small theatres in Petersburg, rmelo and Vrygeid.

The Johannesburg house, which will the flagship of the circuit, will be the main section of the city in the eighborhood of the Loew first run d two Schlesinger houses.

Marine Studios to Open

St. Augustine, Fla., June 20.—The arine Studios, located at Marineland, few miles south of here, will open ormally Thursday afternoon.

Invitations have been issued in the ame of U. S. Senator Claude Pepper, ayor Walter B. Fraser of St. ugustine, Mayor Frank B. Couch of aytona Beach, and directors and offi-als of the Marine Studios. The studios as well as other features of arineland will be shown during the ternoon.

C. V. Whitney, a director of Selzick International, Inc., is chairman the board.

Wall Street

Tide Turns; Stocks Gain

	Open	High	Low	Close	Net Change
l.	11⅛	11¾	11⅛	11¾	+1¼
ons.	1⅛	1⅛	1⅛	1⅛	.....
ons. pfd.	6	6	6	6	+ ¼
K.	152	154½	152	154½	+4
ew	41⅝	44	41⅝	43½	+2½
ra.	7⅛	7⅝	7⅛	7½	+ ⅝
ara. 1	73	74	73	74	+3
ara. 2	8¼	8¾	8¼	8¾	+ ⅝
he	4¼	4⅝	4¼	4⅝	+ ⅛
KO	2⅛	2⅛	2	2	.....
th Fox	22½	22¼	21½	22¼	+1¼
th pfd.	30	30	30	30	.....
niv. pfd.	29	30	29	30	+2
. B.	4½	4¾	4½	4¾	+ ⅜

Small Curb Changes

	Open	High	Low	Close	Net Change
N.	⅜	⅜	⅜	⅜	—1/16
onogram	1¼	1¾	1⅝	1¾	+ ⅛
ch.	23	23½	23	23½	+ ⅞
ans-Lux	2⅛	2⅛	2⅛	2⅛	.....

Bonds Shift in Fractions

	High	Low	Close	Net Change
eith 6s '46	84	84	84	— ¼
ew 3½s '46	98⅜	98	98⅜	+ ⅞
ra. B'way 3s '55	58¾	58¾	58¾	.....
ra. Pict. 6s '55	91⅛	91⅛	91⅛	— ⅛
ara. Pict. '47	70½	70½	70½	.....
. B. 6s '39	68⅞	68⅞	68⅞	— ⅛

(Quotations at close of June 20)

Studios Hit Peak; 48 Before Cameras

(Continued from page 1)

"Sweethearts," M-G-M; "The Mysterious Rider," Paramount; "Terror of Tiny Town" (added scenes), Lesser-Buell; "Smashing the Rackets," "Birthday of a Stooge," "Painted Desert," RKO; "Come On, Leathernecks," "Mesquiteer," Republic; "Hold that Co-Ed," "Down to Earth," 20th Century-Fox; "The Road to Reno," "Youth Takes a Fling," Universal.

In addition to these, also shooting were:

"You Can't Take It With You," "Outside the Law," "Wild Bill Hickock," Columbia; "The Great Waltz," "Too Hot to Handle," "Honolulu," "Boys' Towns," M-G-M; "Barefoot Boy," Monogram; "Spawn of the North," "Men with Wings," "If I Were King," "Artists and Models Abroad," "Bulldog Drummond in Africa," "Paris Honeymoon," Paramount; "Breaking the Ice," Principal; "Carefree," RKO; "As You Are," and "Gold Mine in the Sky," Republic; "Just a Jiffy," "There Goes My Heart," Roach; "The Young in Heart," Selznick International; "My Lucky Star," "Suez," "Ellis Island," "Straight, Place and Show," "Meet the Girls," "Mr. Moto in Egypt," 20th Century-Fox; "Little Tough Guy," "Red Barry," "Missing Guests," Universal; "Three Girls on Broadway," "Head Over Heels" and "The Sisters," Warners.

Those finished were: "The Gladiator," Loew-Columbia; "Affairs of Annabel," "I'm from the City," RKO; "Prison Break," Universal; "Valley of the Giants," "Unlawful," Warners.

Only one short subject was shooting, having started this week at M-G-M. That company finished two and RKO one. M-G-M is preparing six. A total of 13 are being edited.

More Ohio Tax Bills Aimed at Exhibitors

Columbus, June 20.—With the Ohio Legislature floundering about, seeking any solution to the relief problem that will mean the making of the most votes and the fewest political enemies, theatre owners are again threatened with additional taxes.

One of two new bills in the House is gaining support. It calls an increase in the censorship fee from $3 per reel to two cents per lineal foot on all film publicly shown in the state. The author of the bill, Representative Williams of Darke county, says the measure will produce $1,500,000 annually for relief purposes.

The other bill, which also has been sent to the House Taxation Committee, is one introduced by Representative Lody Huml of Cleveland which would give cities and towns authority to levy a seven per cent tax on theatres and other amusement places. It is estimated that in Cleveland alone $700,000 would be collected.

Degree to Barthelmess

Hartford, June 20.—Trinity College here has awarded a bachelor's degree to Richard Barthelmess, who left the college before graduating. The college confers the degrees on such students if, after 20 years, they have achieved outstanding success.

Musical Duals

Tampa, June 20.—"Living music" will be substituted for the second film of double feature programs, if a resolution adopted by the American Federation of Musicians bears fruit. The federation approved this proposed substitution as one of a number of proposals advanced during the convention to provide jobs for its members.

The federation's executive board was instructed to work out the agreements with exhibitors substituting the "living music" for the second feature in double feature houses.

Cooperation with N.Y Unit Voted by Allied

(Continued from page 1)

owners, representing 35 houses, gathered for luncheon at the four-hour session. It was decided to hold a state convention at Saratoga Springs during September.

Speaking on the legislative angle, Harry Kosch, attorney for Allied, appraised members of their need to keep awake. Mentioning the Rossi matron and theatre seating bills, Feld-Flynn and Crews two-men-in-a-booth legislation, etc., Mr. Kosch cited the wisdom of united action. The proposal in New York City for a theatre tax on seats or the alternative positive print film levy for relief purposes also was mentioned, the speaker pointing the possible spread upstate. The Neely bill also was discussed, as was northwestern legislation aimed at Ascap.

Another speaker was Bert Sanford of Altec Service who stressed cooperation.

A local group will attend the New York meeting next month in a body to provide upstate representation.

E. Thornton Kelly, in charge of the Allied drive upstate, claimed more than 60 exhibitors were in line.

SMPE Fall Meeting Plans Are Completed

Plans have been completed for the annual fall convention of the Society of Motion Picture Engineers, which will be held in Detroit, Oct. 31 to Nov. 3. The meeting will be held at the Statler Hotel, with arrangements under the supervision of W. C. Kunzman, convention vice-president.

In charge of the program of papers and presentations is J. E. Crabtree, editorial vice-president, and G. E. Matthews, chairman of the papers committee. Karl Brenkert of Detroit is chairman of the local arrangements and reception committee. Mrs. J. F. Strickler will act as convention hostess.

Says Muncie Holding Up

Theatre business in Muncie, Ind., is holding up well, probably because the city has diversified industries and does not depend on the automotive plants alone, it was said yesterday by Leonard Sower, city manager for Theatrical Managers circuit, which operates five theatres in Muncie. Mr. Sower is here with his family on a two-week vacation.

Propaganda on Screen Facing IATSE Action

(Continued from page 1)

United States, "or its achievements which may tend in any wise to weaken our faith in democracy." The presentation and passage of the resolution is believed to have been due to the criticism of certain Hollywood groups lamenting the fact that American pictures do not make use of social issues dominant in the world today.

What the attitude of producers toward the proposal will be remains to be seen. It is understood that the argument of the I.A.T.S.E. will be that it will be better to have a committee making classifications of propaganda films than for individuals or locals to attempt to make individual judgments.

Theatre Association Is Formed in Omaha

Omaha, June 20.—Owners and managers of Omaha's 27 theatres have organized the Omaha Theatre Owners and Managers Association. William Miskell, manager of the Orpheum, was elected president at the first meeting.

Sam Epstein of the Epstein circuit is vice-president; Lawrence Grobeck, owner of the Muller, alternate vice-president, and Walter Creal, owner of the Beacon, secretary-treasurer. The group will meet once a month at one of the downtown houses.

The first project will be to oppose Mayor Butler's proposed city ordinance which would give the city censor board extreme powers of control over stage and film theatres and all other forms of amusements. The new group is an outgrowth of the Omaha Motion Picture Exhibitors' Association, inactive since the passing of Bank Night a year ago. The group represents about 800 theatre owners, managers and employes.

SEC Reports Briggs Bought Pathe Stock

Washington, June 20.—Acquisition by O. Henry Briggs, New York Pathe officer, of 1,200 shares of that company's common stock, bringing his holdings to 1,700 shares, was the only transaction in film stocks reported tonight by the Securities and Exchange Commission in its semi-monthly summary.

The report also carried a return for January, in which Briggs reported the receipt of 400 shares of Pathe common as compensation.

Reports of the holdings of persons becoming officers or directors of corporations showed that Louis Phillips, New York, elected a Pathe director April 26, held none of the company's equity securities, while Mabel M. Malone, who became a Pathe officer May 13, held 55 shares of common and one share of preferred stock.

Postpone Allied Party

Allied of New Jersey's dinner party scheduled for June 30 at Ben Marden's Riviera has been postponed to July 12.

Radio Personals

NORM SIEGEL of the *Cleveland News* and Mrs. Siegel are vacationing here . . . Maxine Sullivan will perform as the soloist over CBS with the Howard Barlow symphony orchestra in the broadcast commemorating the first anniversary of the death of George Gershwin . . . Frances Bloom of WHN will be married to Dr. Saul Freedman Saturday, with a trip to Mexico City following the ceremony . . . Eddie Cantor will sail for Europe on the *Queen Mary,* July 6, and will return July 27, on the *Normandie.* He will return to the air Oct. 3 . . . Dave Driscoll, Jr., of the WOR-Mutual special events crew, will interview his father and Johnny Vander Meer, the new baseball sensation, over the network tonight. Dave's dad, one time general manager of the Brooklyn Baseball Club, is the discoverer of the young hurler.

* * *

Thad Holt, manager of WAPI, Birmingham, is in New York for a brief stay. . . . J. Soulard Johnson, KMOX sales promotion manager, is at CBS headquarters for the remainder of the week to discuss promotion plans for his station with headquarters here. . . . Doug Connah's book, "How to Build the Radio Audience," is off the press. . . . Dick Bard is on his way to South America to write a book. . . . Shep Fields will return to the Mutual network June 24 from the Aragon Ballroom in Chicago, and Abe Lyman will be heard over the same network beginning the next night from the Steel Pier in Atlantic City.

* * *

Pittsburgh

Kay Barr, publicity director at KDKA, is spending a two-week vacation in Illinois with his mother. . . . Ollie O'Toole of WWSW and his wife are resting in Atlantic City. . . . Stephania Diamond, of WCAE and KDKA, is home again after three weeks in New York looking over the new shows. . . . Harry Bixbee has resigned from the WCAE engineering staff for a simliar post at WOR. . . . Edward J. Calahan of the KDKA artists service and his wife will celebrate their silver wedding anniversary soon. . . . WCAE Announcer Carl Dozer and Helen Jane Douthitt will be married June 28.

To Change Sponsorship

Capt. Tim Healy's stamp program on WJZ will terminate its cycle under Temu Soap sponsorship on Monday but will resume immediately under the sponsorship of the Pure-Pak Division of the Ex-Cell-O Co. The same broadcast schedule will be continued, Mondays and Thursdays, over WJZ from 5:45 to 6 P. M. The Ferry-Hanley agency placed the contract.

Extend Don Lee Chain

HOLLYWOOD, June 20.—The Don Lee Broadcasting System has been extended from 26 to 29 stations on the Pacific coast, according to Lewis Allen Weiss, general manager of the network. The three new stations are KVEC, San Luis Obispo; KYKC, Visalia, Cal., and KOOS, Marshfield, Ore.

F. C. C. Lists Dates For Radio Hearings

WASHINGTON, June 20.—Dates for the hearing of broadcasting cases have been set by the Federal Communications Commission as follows:

June 24, before an examiner—Applications of Roberts-MacNab Co. for a 1,310-kilocycle station at Livingston, Mont., with 100 watts power night, 250 watts day, and KTKC, Visalia, Cal., for change of frequency from 1,190 to 890 kilocycles, increase of time from day to unlimited an increase of power from 250 to 1,000 watts.

June 30, before an examiner—Application of Pacific Radio Corp. for a 1,320-kilocycle, 500-watt daytime station at Grants Pass, Ore.

July 14, before an examiner—Applications of WEST, Easton, Pa., and WKBO, Harrisburg, Pa., for change of time from sharing with each other to unlimited.

Sept. 14, before an examiner—Applications of Sweetwater Radio, Inc., for a 1,310-kilocycle, 100-watt daytime station at Sweetwater, Tex., and Fredericksburg Broadcasting Corp. for a 1,260-kilocycle, 250-watt daytime station at Fredericksburg, Va.

Sept. 15, before the commission—Applications of Pottsville Broadcasting Co. for a 580-Kilocycle, 250-watt daytime station at Pottsville, Pa., and Arlington Radio Service, Inc., for an 1,140-kilocycle, 1,000-watt daytime station at Arlington, Va., and contesting applications of Schuylkill Broadcasting Co. and Pottsville News & Radio Corp. for a 580-kilocycle, 250-watt daytime station at Pottsville, Pa.

Sept. 22, before the commission—Applications of W. C. Irvin for a 1,500-kilocycle station at Amarillo, Tex., with 100 watts night, 250 watts day, vs. Amarillo Broadcasting Corp. for a 1,500-kilocycle, 100-watt station at Amarillo, Tex.

Plan Mutual Program

Still another audience participation show will be added to the already crowded schedule of programs of that nature when "Press Time" bows in over Mutual June 30. This one will have a newspaper twist in that participants will be asked to give information on news appearing in the daily press. Jack Arthur will handle the program and music will be supplied by Bob Stanley's orchestra.

Evening Average Up

The average of radio sets in use during evening hours for the week ended June 11 was 24.5 per cent, C. E. Hooper, Inc., audience survey firm, has reported. This compares with 23.3 per cent a year ago and 27.1 per cent for the week ended May 21.

Air Exposition Events

NEW HAVEN, June 20. — Daily broadcasts by local stations from the Crystal Cage, scene of the New Haven Tercentenary exposition, have created increased interest in local air work. Radio attractions have been leading drawing cards at the event.

Push NBC Coast Studio

HOLLYWOOD, June 20.—Steel work on the new NBC Hollywood studios has been completed. Work on the project is progressing according to schedule, and it is expected the new building will be ready for occupancy some time late in September.

Opponents of High Power Before FCC

(Continued from page 1)

contended that 500-kilowatt applications may not be granted by the commission under the Communications Act.

Mr. Spearman told the commission that his group is directly interested in five issues, of which super-power is one. It would, he said, recommend changes in the definition of Class 1-A stations to conform with the new North American Broadcasting Agreement, and would propose that more than one station be permitted to operate on a clear channel, with safeguards for the dominant station against interference.

The association also was anxious to assure protection of regional stations from interference under the new setup, and, further, would propose changes in the rules so that it would be possible for regional stations to operate at night with higher power than now provided for.

In its petition, the American Federation of Labor, which will present testimony later, asserted that the granting of super-power applications would cause "serious and objectionable intereference" to labor stations and other broadcasters, and that an increase in power of clear channel stations will bring about a concentration of economic and social power and influence in that group that would adversely affect other stations and the public interest.

Standard Brands to Broadcast from Fair

An open air theatre where radio programs will be staged will be built by Standard Brands, Inc., at the New York World Fair.

At this early date it is impossible to determine which of the Standard Brands shows will emanate from the Fair grounds. The Rudy Vallee show, however, is likely to come from there. In addition to the live programs, the company will have a continuous marionette show, featuring in miniature Edgar Bergen, Charlie McCarthy, Rudy Vallee, Don Ameche and others.

Stanton West Tomorrow

Frank N. Stanton, CBS director of research, will leave for the coast tomorrow. He will deliver several talks while in California, the first before the Pacific Advertising Club Association in Los Angeles, June 28. He will address the Los Angeles chapter of the American Marketing Association June 30, and on July 5 he will speak to the members of the San Francisco Advertising Club. All the talks will be on radio research.

To Sponsor NBC Serial

The Quaker Oats Co. will take over sponsorship of "Girl Alone," NBC serial, now heard on a sustaining basis, some time in the fall. "Girl Alone" previously was sponsored by the Kellogg Co.

Herman to Consolidated

Harry Herman, formerly of the J. Walter Thompson and Lord & Thomas advertising agencies, has joined the staff of Consolidated Radio Artists. He will serve as a writer and producer.

Luce Asserts Films Should Be Realistic

(Continued from page 1)

country, more than any other, the industry holds to the philosophy audiences want only fairy tales 'Alice in Wonderland' themes, tha only such material can be entertainment. I believe this point was mad by Will Hays in his annual repor last spring.

"Pictures dealing with reality ca also be entertainment. They can b in fiction form, dramatized, but the don't have to be fairy stories, unrelated to what is going on in th world."

Mr. Luce was informed that Walte Wanger had attempted to deal wit reality in a current film, "Blockade," but that it has encountered wide protest.

"I am not saying that there are no many problems involved in makin realistic films," Mr. Luce answered "Of course, there are many problems, such as censorship and nationa viewpoints. But that does not mea that such films should not continu to be made.

Interview a Rarity

"Whether an audience would wan to sit through a feature film based o a realistic themes, or a feature lengt documentary, depends on the subjec matter and the production."

The head of the Time enterprise who rarely submits to an interview reported that he observed a greate interest in documentary films abroa than is the case in the United State This has developed to such a degre he said, that there are negotiations i progress looking to the lifting of restrictions so as to permit the free flo of the documentaries among countrie

As for the March of Time, whic is now in its fourth year and is produced in English and French editions, in addition to the America Mr. Luce declared that it will continu to deal with "actuality—fairly, completely and accurately."

The protests some time ago Harry M. Warner and others regar ing March of Time's film titled "Inside Nazi Germany" will not det the company from making such fil in the future.

"Certainly Germany is importa today, and we intend to deal wit everything that is important," he sai

Wyler, Director, Is Removed by Goldwy

(Continued from page 1)

fied with the manner in which M Wyler had handled the picture. M Wyler maintained that he was forc to proceed without a completed scri and that his demands that he be le alone while shooting were ignored.

Mr. Wyler's contract with M Goldwyn has more than a year run, and will be resumed when a other picture is ready.

Duffy in Writer Post

Al Duffy, for three years a memb of the Columbia exploitation staff, h signed a writing contract with t company and will leave for the stud in about two weeks.

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

OL. 43. NO. 141 | NEW YORK, WEDNESDAY, JUNE 22, 1938 | TEN CENTS

Studios Must Cut Expenses, Says Giannini

Production Forces Need Discipline, He States

Studios must scale down costs and iscipline their executive production ersonnel not to throw away money n making pictures, declared Dr. A. H. Giannini, until recently president f United Artists, on the eve of his eparture with his family on the *Queen Mary* today for an extended acation in Europe.

He added, however, that the cost utting must be done judiciously and vithin reason, "without penalizing alent and genius," which are needed n producing fine pictures.

Dr. Giannini's views were given in onnection with comment on the current economic situation in the industry.

"Talk to people in the steel industry, in the utility field or in banking; they will all tell you that their

(Continued on page 4)

Report Out Plan To Lift State's Ban on Gambling

Albany, June 21.—The Bill of Rights Committee sent District Attorney Henry Hirshberg's suggestion o strike out the verbiage concerning ambling from the State Constitution o the 168 constitutional delegates this fternoon by a 10-1 vote. Earlier in he convention, the same committee lowned the Orange County delegate's roposal and five lottery amendments

(Continued on page 8)

Women's Units Split On "Birth" for L. A.

Los Angeles, June 21.—Two large organizations, one whose principal interest is the promotion of decency on he screen and the other whose interest in motion pictures is an incidental phase of its primary activities, were livided today upon the suitability of he public showing of "The Birth of a Baby" following a private screening of the picture which is due to

(Continued on page 5)

Radio News—P. 10

Para. Board Majority to Management

Hicks and Weisl Named: Finances Improving

Management men were given a majority on the Paramount board of directors yesterday with the election by the stockholders at their annual meeting at the home office of two new members, both representative of management. The two new directors are John W. Hicks, Jr., vice-president in charge of foreign distribution, and Edwin L. Weisl, counsel for the company.

The 14 remaining members of the directorate, all reelected, represented management and non-management in equal numbers. The management directors, headed by Adolph Zukor, chairman of the board, include: Barney Balaban, president; Stanton Griffis, chairman of the executive committee; Neil F. Agnew, Y. Frank Freeman and Austin C. Keough, vice-presidents, and E. V. Richards, head

(Continued on page 8)

Independents Gain By UA Canada Shift

Toronto, June 21.—The transfer of distribution in Canada of London Films productions from Regal Films, Ltd., Toronto, to United Artists Corp., Ltd., with head office in Toronto, is, in some respects, a "break" for the independent theatre owners of Canada.

Regal Films is controlled by N. L. Nathanson of Toronto, who is president of Famous Players Canadian

(Continued on page 8)

MPTOA WARNS ON FEDERAL CONTROL

Says It's Coming Unless Conciliation Moves Are Speeded Up

Government regulation is the only alternative to conciliation, declares Ed Kuykendall in an M.P.T.O. bulletin to be sent out today. He appeals to exhibitors individually, regardless of affiliation, to bring pressure upon distributors for a conciliation setup.

"Don't fool yourself any about Government regulation, either by statute, commission or court decrees," the bulletin reads. "The Government can and will regulate and control exhibition just as well as distribution, if the industry insists that is the only way out of its attitude on trade practice self-regulation. Invariably it has taken control of retailing as well as wholesaling and manufacturing, as witness the NRA, the Wagner Act, the S.E.C., the liquor business, Social Security Act, and many others.

"If that's what the business wants, it won't be hard to get it. It's squarely up to the distributors, and the exhibitors all over the country will be watching to see what, if anything, they do

(Continued on page 9)

Duals Gaining

There is little prospect of the elimination of double features in the near future, Barney Balaban, president of Paramount, declared yesterday in answer to a question put by a stockholder at the annual meeting of the company's shareholders.

As a matter of fact, the executive said, the policy appears to be gaining. He referred to the distributor attempt to eliminate duals by contract in Philadelphia, which was declared invalid by the Federal courts.

Australia Now Has Oversupply of Film

An oversupply of product for Australia has resulted in 172 films awaiting customs clearance with no one to claim them, it was said by Capt. Harold Auten, American representative for Greater Union Theatres and associated companies, who returned early this week from conferences in Sydney.

The films were consigned to theatres but with current needs being met, the surplus is permitted to remain in customs with no application for their withdrawal having been made. The great majority were consigned by American major companies.

Capt. Auten conferred with Norman Bede Rydge, chairman of Greater Union, on plans of the organization

(Continued on page 8)

Producers Point to Record In Answering Warner Blast

Hollywood, June 21.—With 52 pictures now before the cameras, which total represents a 30 per cent gain in production over the level of studio activity on May 20, last, Hollywood today appeared quite unruffled by the verbal blast of Harry M. Warner, who last weekend accused unnamed rival studios of "deliberately withholding their important films until autumn."

Although none would reply directly to the Warner accusations, surprise was expressed in some quarters that such a vigorous statement should have been issued at a time when the studios again are enjoying a period of impressive activity, following immediately upon an extremely slack period.

Some of the comments indicated the belief that the statement was part of the Warner strategy of timeliness, serving by indirection to call attention to the Warner product of the moment. Others termed it an unprovoked contribution to internal problems, and were of the opinion

(Continued on page 9)

Hoblitzelle Group Buys Dallas Papers

Dallas, June 21.—Karl Hoblitzelle, president of Interstate circuit; R. J. O'Donnell, general manager, and John Moroney, counsel, will go into the newspaper business here July 1. Together with A. O. Anderson, former publisher of the *Dallas Dispatch*, they have incorporated and have purchased the *Dispatch* from Scripps-Howard along with the *Dallas Morning News* and will merge the two into an afternoon paper.

At a meeting of the new owners Mr. Hoblitzelle was elected chairman of the board and Mr. Anderson was named president. Mr. Moroney and Mr. O'Donnell are on the board of directors.

Music Hall Pickets Protest "Blockade"

Three pickets yesterday paraded in front of the Radio City Music Hall, where "Blockade" is being shown, carrying signs which protested the showing of the film on the ground that it was "war propaganda," "a viola-

(Continued on page 9)

Purely Personal

JOE MOSKOWITZ, 20th Century-Fox studio representative, returned yesterday from Callander, Ont., where he supervised shooting on "Five of a Kind." He canceled a reservation on the *Queen Mary* today and now plans to sail next Wednesday.

•

A. H. BLANK, Des Moines; BOB O'DONNELL, Dallas, and E. V. RICHARDS, New Orleans, all Paramount theatre partners, are here to attend the championship fight tonight. MR. RICHARDS will attend the Paramount board meeting tomorrow.

•

SPYROS and GEORGE SKOURAS are enroute to the coast to attend the wedding of EDITH, daughter of CHARLES SKOURAS, to JACK JUNGMEYER, JR., in Los Angeles on Saturday. They will return next week.

•

EGIDIO CONSUNI of Colombia, S.A., and MRS. CONSUNI are at the Hotel McAlpin. They are building a new theatre in Cali and are looking over the market in the United States for equipment.

•

BEN N. JUDELL, president of Progressive Pictures, will leave today for the coast, with stopovers planned in Chicago, Indianapolis, Milwaukee and St. Louis.

•

C. C. PETTIJOHN of the Hays office will leave today on the *Queen Mary* for a vacation. He is expected back the middle of July.

•

CLAUDE RAINS will arrive in New York tomorrow for a short business-and-pleasure visit.

•

. . . Pittsburgh

ED (HIP) SEGAL, manager of the Duffield in Brooklyn, is home on a vacation.

KASPAR MONAHAN's wife and two children are going to Denver for the summer.

SONJA HENIE has written JOHN HARRIS she will open her tour this year at his Duquesne Garden.

ART LEVY has taken a summer home in Atlantic City for his wife and son.

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AMERICAN AIRLINES *Inc.*

My Word!

By Irene Kuhn

◆ There's a chauffeur in town who combines a nice sentiment with a practical business sense. If you chance to pick up a remodelled Cadillac limousine cab which he drives, you'll notice a card, framed in heavy black, hanging near the driver's identification license. The card says: "Your driver is Siegfried Baum, ex-chauffeur of J. P. Morgan, deceased."

◆ C. C. Pettijohn is building a wading pool for underprivileged youngsters at Rye. He hopes to get government assistance for a bigger pool next year. . . . Mayor F. L. Herron has completed a new residence at Stamford. . . . Did you know Will Hays' hobby is raising soy beans on his Indiana farm?

◆ Douglas Burden and Ilya Tolstoi (grandson of the Russian author), promoters with a few others of the marine studio at Marineland, Fla., near St. Augustine, will be on hand for the big opening tomorrow. The young men conceived the idea of building an underwater studio for motion picture work and they will furnish anything that swims: sharks, porpoises, what have you?

◆ The tank is built on land, with channels leading in from the ocean, and the fish are brought right up and led through the inlets. From ringside seats on "A" deck in the Circular Tank, visitors tomorrow at the Porpoise Cocktail party will be served tasty marine hors d'oeuvres, mostly mullet. The 50-foot expedition boat will tie up at the small dock with a load of fish at 5 P. M. and the catch will be moved from vessel to tanks.

◆ Five colts have been foaled on the Bing Crosby breeding farm in the past two months. The crooner's racing stable now numbers 30. It'll take plenty of notes to supply oats for this stable. . . . What with all Hollywood going ga-ga over the bangtails, pretty soon they'll be naming movie stars for race horses.

◆ George B. Odlum, Paramount exec, enjoys the unique distinction of having two valedictorians in the family. Daughter Betty, born in 1924, was last year valedictorian of her class, P. S. 39, Far Rockaway, L. I. Daughter Beverly, born in 1926, is this year's valedictorian of her class, also P. S. 39. Principal Elizabeth Brame says nothing like it has ever happened before in the school's history.

◆ Richard Brooks of WNEW has solved the problem of writing a play despite two daily jobs which keep him occupied day and night. He's at WNEW afternoons and evenings until midnight. He does a column "The Little Things of Life" for the *Paterson Call* mornings. But every weekend he takes the train to Boston and has five hours of uninterrupted writing going and five hours of the same coming back. He never even changes his seat, but just does the round trip with his typewriter. The opus is a three-act play named, appropriately enough, "Challenge."

"Adventure" Shorts Screened at Strand

The three short subject candidates for the prize of $1,000 in the Floyd Gibbons "Your True Adventures" series sponsored by Warners were shown last night at the Strand. The titles are "Danger—High Voltage," "The Bolted Door" and "Playing with Danger."

The judges called upon last night to decide by secret ballot the best of the three were Jack Dempsey, Jay Emanuel of *The Exhibitor,* William Gaxton, Quentin Reynolds of *Colliers,* Jack Harrower of *The Film Daily,* James P. Cunningham of *Motion Picture Herald* and James M. Jerauld of MOTION PICTURE DAILY. The decision will be made known in a few days after their ballots have been mailed to the Warner judges: Major Albert Warner, Errol Flynn and Mr. Gibbons.

Prior to the screening a dinner was held at Jack Dempsey's Eighth Avenue restaurant. Among those present were: Mr. Gibbons, Sam Sax, in charge of Vitaphone production in the east; Norman H. Moray, Vitaphone sales manager; J. F. Dolid, assistant to Mr. Moray; Joseph Henabery, director of the series; Ira Genet, script writer for the series; Chester Bahn, A-Mike Vogel, Sid Rechetnik, Mark Hanna, manager for Mr. Gibbons; Harry Goldberg, director of Warner theatre advertising; Jed Kiley, Albert Howson and Clem McCarthy.

Roach Details Films At U. A. Sales Meet

CHICAGO, June 21.—Delegates to the United Artists western sales conference at the Drake Hotel here today heard an addresss by Hal Roach in which the producer discussed the product he will make for the coming season. He stated that his Laurel and Hardy features hereafter will be four reels each. He left for the coast tonight.

During the afternoon session George J. Schaefer, vice-president in charge of domestic distribution, and A. W. Smith, Jr., sales manager, outlined product for 1938-'39. This followed a series of screenings during the morning.

Chaperau Gives Party

Albert N. Chaperau, French film man, and co-producer of "Mayerling," was host yesterday at a party in the Pierre for Mr. E. L. Lopert, President of Pax Films, Inc.

Mr. Lopert will sail with Mr. Chaperau on the *Normandie* June 29 to arrange for American distribution of six French films which the French producer is making abroad.

During the two months that he has been in America Mr. Chaperau negotiated with major studios for the sale of re-make rights to his films "Fauteuil 47," "Balthazar," "A Nous Deux Madame La Vie," "Quatres Heures du Matin," "Boissiere," "Le Club des Aristocrates," "Venus d'Or" and "L'Homme a Battre."

American Film Resumes

The American Film Exchange has resumed activity by taking over distribution of "The King of Kings," Cecil B. DeMille production. A sound track with orchestration and choral singing has been added.

RKO Golfers, Guest
Hold Tourney at R

The fourth annual golf tournam
sponsored by RKO was held yest
day at the Westchester Country C
at Rye. Prizes in profusion w
offered and the day was climaxed
a dinner at the clubhouse last night

Winners among the RKO play
were:

Low Gross, south course: Sena
J. Henry Walters, first; M. G.
second. *Low Gross, west course*:
Miller, first; Andre Baruch, seco
Low Net: E. J. Smith, Jr., first; Ju
Levy, second.

The guest players finished as f
lows:

Low Gross, west course: Char
C. Pettijohn, Jr., first; Nick Ken
second. *Low Gross, south course*: I
Stewart, first; H. Grandall, second

Sid Weil a Winner

Sid Weil took the hole-in-one pr
and S. Barret McCormick was the
cipient of the duffer prize. Ha
Moran and Bert Kulick finished
that order for the putting prize.
Moran finished "nearest to the p
on the fourth hole, south course, f
lowed closely by Ben Grimm. In
same classification on the fifth h
west course, Ed McAvoy took f
place with Dave Chadkin runner-

Among the prominent exhibit
who stood around the course in
afternoon and sat around the fest
board in the evening were
O'Donnell, Si Fabian, Ralph Brand
Leon Netter, Harry and Billy Bra
Sam Rinzler, Nat Holt, W. G.
Schmus, Sam Dembow, Jr., Char
Koerner, Barney Hoffman, A.
Blank and Morton Singer.

Jules Levy was toastmaster at
dinner, which was attended by all
RKO executives.

MOTION PICTURE
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naga, representative.

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STARS in the summer sky!

Leo's answer to your box-office now and in the hot weeks ahead!

Clark Gable

Myrna Loy

Robert Taylor

Margaret Sullavan

Luise Rainer

James Stewart

Freddie Bartholomew

Judy Garland

Mickey Rooney

Florence Rice

Franchot Tone

Robert Young

Frank Morgan

Mary Astor

Walter Pidgeon

Lewis Stone

Melvyn Douglas

Herbert Marshall

THREE COMRADES with Robert Taylor, Margaret Sullavan, Franchot Tone, Robert Young, Guy Kibbee, Lionel Atwill, Henry Hull.

•

THE TOY WIFE with Luise Rainer, Melvyn Douglas, Robert Young, Barbara O'Neil, H. B. Warner

•

WOMAN AGAINST WOMAN with Herbert Marshall, Virginia Bruce, Mary Astor.

•

SHOPWORN ANGEL with Margaret Sullavan, James Stewart, Walter Pidgeon

•

THE CROWD ROARS with Robert Taylor, Edward Arnold, Frank Morgan, Maureen O'Sullivan, William Gargan, Lionel Stander, Jane Wyman

LORD JEFF with Freddie Bartholomew, Mickey Rooney, Charles Coburn, Herbert Mundin, Gale Sondergaard.

•

FAST COMPANY with Melvyn Douglas, Florence Rice, Claire Dodd, Shepperd Strudwick, Louis Calhern, Nat Pendleton, Douglas Dumbrille

•

LISTEN DARLING with Freddie Bartholomew, Judy Garland.

•

LOVE FINDS ANDY HARDY with Lewis Stone, Mickey Rooney, Judy Garland, Cecilia Parker, Fay Holden

•

TOO HOT TO HANDLE with Clark Gable, Myrna Loy, Walter Pidgeon, Walter Connolly, Leo Carrillo

Newsreel Parade

Movietone News

Vol. 20, No. 81

(*20th Century-Fox*)

This issue offers good coverage of a number of outstanding news events of the past few days that are still alive in the public mind. The makeup in general is a cleverly edited collection of personalities, foreign affairs, sport and the light and humorous.

The recent bombing of Canton opens the reel. Eric Mayell's camera caught much of the frenzied activity, destruction and suffering wrought on the Chinese city by Japanese airmen. Another interesting event in a different vein is the marriage of John Roosevelt to Anne Lindsay Clark at Nahant with the entire first family and other notables present. The train wreck on the Milwaukee Road line in Montana which is still on front pages has good treatment. King George is seen at the ceremony of the trooping of the colors in London. Ambassador Joseph P. Kennedy arrives on the *Queen Mary* but has nothing to say. General Franco inspects the rebel fleet at Vinarosa.

Sports offer championship feminine tennis at Wimbledon with many prominent players on the court. Ralph Guldahl takes the Western Open golf title at St. Louis and baseball offers Johnny Vander Meer demonstrating his pitching and Babe Ruth as coach of the Dodgers. Lew Lehr then has his moments with comical dialect narration as scenes come on of a chimpanzee fooling around with a pair of pliers in front of a mirror. Running time, 9½ mins. P.

News of the Day

Vol. 9, No. 279

(*M-G-M*)

Opening with scenes of the train wreck on the Milwaukee Road in Montana, this issue also includes a number of events which lift it out of the routine category. The material ranges wide and is generally interesting.

King George has second place. He is shown in London at the trooping of the colors ceremony. Ambassador to England, Joseph P. Kennedy, arrives from London for conferences with the President. Apes at a St. Louis zoo contribute merriment as they perform various acrobatics and other laughable stunts. The John Roosevelt-Anne Clark marriage is next with interesting closeups of the groom's family and his bride. The Japanese aerial attack on Canton is exciting, gruesome stuff. Johnny Vander Meer shows his pitching prowess in slow motion. Babe Ruth takes up a new job coaching the Brooklyn Dodgers and the reel ends with a Princeton invitation track meet with Glenn Cunningham and Archie San Romani taking part, among others. Running time, 9 mins. P.

Paramount News

No. 92

(*Paramount*)

The tragic news highlight of this reel is the pictures of the Montana train crash which cost nearly 50 lives. Taken 12 hours after the crash, the pictures show the high water still swirling about the half-submerged cars in which many were trapped. Impressive, too, are the pictures of the wreckage of a plane lost in the Yosemite hills last March, just now discovered.

The "bowl of rice" parties in New York hold the attention of Chinatown, in one of a series of benefits for Chinese refugees. Ambassador Joseph P. Kennedy arrives on a visit from England, Henry Ford examines plans for factory expansion by way of celebrating the 35th anniversary of his company, and laughs are provided by a pair of well-trained chimps in the St. Louis zoo.

The reel also pictures the wedding of John Roosevelt and Anne Lindsay Clark at Nahant, Mass.; Babe Ruth on his return to baseball as a Brooklyn Dodger coach; young Johnny Vander Meer, no-hit, no-run pitching sensation, and Glenn Cunningham winning a mile race at a Princeton track meet. Running time, 9 mins. A.

RKO Pathe News

Vol. 9, No. 96

(*RKO*)

A fast, varied newsreel, opening with headline news, excellent shots of the Montana train wreck, followed by shots of Henry Ford and his one-man attack on the depression. Riveting is a horrendous noise, but it's music when it's making a $35,000,000 plant, creating jobs for men.

The last of the Roosevelt bachelors as a groom is shown with his unsmiling bride. Hoi polloi behind the ropes watch the arrival of the President and the First Lady, and the emergence from church of bride and groom.

Baseball—with Babe Ruth in action on his new job, and Johnny Vander Meer, rookie sensation; tragic shots of the finding of the plane lost four months ago in the Sierra Nevadas.

Pageantry at its best—King George rides to the trooping of the colors and, at home, Ambassador Joseph P. Kennedy smiles on board the *Queen Mary* at quarantine.

Good shots of the world's crack milers at the Princeton Invitational Meet, narrated by Clem McCarthy, show the collision between Romani and Cunningham, and the latter's victory in the mile race, his defeat by Wayne Rideout in the three-quarters, setting a new record. Excellent pace and variety. Running time, 8 mins. I. K.

Universal Newsreel

Vol. 10, No. 677

(*Universal*)

This release bats in the higher brackets for news selection, editing and arrangement as well as narration. The stories are up to date, camera work uniformly good and the cutt just right.

Starting off with the Roosev Clark nuptials at Nahant, the shifts to the Montana train wre with aerial and ground views of twisted cars. Then the wreckage the lost plane which crashed seve months ago in Yosemite Pa Scenes of the bombing in Canton followed by the "rice bowl" fest in Gotham's Chinatown. The ot shots are of Ambassador Joseph Kennedy speaking for the micropho on his arrival from England; K George reviewing the trooping of colors; a strange religious process in France; a "chimp" act in the Louis zoo; Johnny Vander Meer, sational pitcher, doing his stuff Boston; Babe Ruth donning his form as Brooklyn coach, and Ar Williams coming from behind to the Princeton invitation track m Running time, 9 mins.

Disney to Time Shorts; He Also Has Big Feature Plans

Walt Disney, en route yesterday to receive honors from Yale and Harvard, set at rest any rumors that the success of "Snow White" and his plans for future features will change the Disney policy on shorts.

"As a matter of fact," he said, "not only are we not letting up on shorts, we are putting more emphasis on them than ever before. Shorts are box-office. I believe in putting entertainment on the screen. That's my business. It's what the public expects from Disney and it's what they will get more and more of.

"Among the 18 shorts scheduled for the coming season will be six that are 'specials,' shorts of unusual character. Under ordinary circumstances these would be sold as separate subjects. I'm going to put these six specials into the regular group for release."

Aside from the feature treatment and great entertainment value in these specials, Disney is going to back them up with exploitation and publicity on a par with that given "Snow White." With the release of these singles there will be national merchandising tieups worked through the Kay Kamen office. Each special will have its individual press book, something never done before. The subjects will have seasonal appeal and will be released to synchronize with a new series of comics based on the individual pictures to be syndicated nationally by King Features.

Mother Goose Film Set

"Brave Little Tailor" will come out Sept. 23. "Ferdinand the Bull" is set for Thanksgiving and through the Christmas season. "Mother Goose Goes Hollywood" is for Christmas; "The Practical Pig," continuing the adventures of "The Three Little Pigs," will be released Feb. 22; "The Ugly Duckling" is for Easter; "The Autograph Hound," a Donald Duck, for July 21, 1939. The other 12 subjects will all be timed to have definite seasonal appeal and tie up with events. "Donald's Lucky Day" is for June 13, 1939, Friday the 13th, and Donald's birthday.

"Society Dog Show" is timed to show on the screens at the height of the dog show season—the Westminster Kennel Club and Madison Square Garden Shows in New York, and similar dog shows throughout the country.

Mickey Mouse in "The Hockey Champ" will come out March 17, the professional hockey playoff for the championships. "Beach Picnic" will be a June, 1939, release to tie in with summer activities.

Plans Musical Picture

Mr. Disney hopes, he said, to have his second feature, "Pinoochio," ready for next year. The third will be "Bambi," the story of a deer.

His great adventure, however, will be a picture which may be seven years in the making, a musical feature in six units. Two units are in production now.

"When Stokowski returns," he said, "we'll put our heads together on this. I have no definite plans for it, but I think a lot can be done with great music and our medium. We don't have to change the medium. But I believe children and music students and music lovers, generally, will get a lot more out of music if we can interpret the theme behind the music for them. If a story is based on legend, we'll follow it. That's what I mean in a sense, although all this is subject to experiment and change. We'll do lots of research on great music, discover its general interpretation and add ours. I think we can make something really great."

Studios Must CutExpenses Says Giannin

(*Continued from page* 1)

businesses are affected alike by con tions," he said. "The conditions the film industry are not peculia it. It is simply undergoing an e perience that all others are. It is r going to the bow-wows.

"Picture business is here to stay. is the chief entertainment medium f the public, and their necessary ent tainment."

Here Dr. Giannini pointed out t cost factor, which, he intimated, seriously contributing to the curr situation in the industry.

"Hollywood has to curb the mou ing costs of production so that son thing will be left for the produce he declared. "In recent years e penditures have been increasing, stories, directors' salaries, extras a so on, and also because of widespre unionizing. It has been a story pyramiding costs.

Says Condition Is General

"They have to cut out their e travagances and politics, and the lea The same applies to all of them. is a matter of outgo and intake. U less a picture is really big it does do much at the box-office.

"Every industry is experiencing same thing and this industry is goi through the labor pains that are affe ing them all. It is a fallacy to h that picture business is declining. is a permanent part of American lif

Dr. Giannini said he had no pl for an affiliation with a picture co pany. He also indicated that he not discussing any affiliation while New York. He said he has been ing to Europe every year for the p 30 years and that his trip, with wife and son, is purely a vacati

Make Yale Drama Fil

New Haven, June 21.—Yale U versity's Department of Drama just completed the first film in country to record behind-the-sce procedure in dramatic production. " Not All Play," a feature length fi is the first in a contemplated se and will be released to theatre wo ers in churches, schools and colleg

risco Takes Off, "Saint" Gets $15,500

SAN FRANCISCO, June 21.—With all st runs below average "The Saint New York" at the Golden Gate, the highest gross and came st to par with $15,500. This was 00 below normal.

'Toy Wife" and "Stolen Heaven" ed $12,200 at the Paramount and hree Comrades," with "Little Miss oroughbred," took $11,000 in a ond week at the Fox.

Total first run business was $66,700. erage is $87,800.

Estimated takings:

Week Ending June 14:

"SAINT IN NEW YORK" (RKO)

OLDEN GATE—(2,850), 35c-40c-55c, 7 ys. Stage: vaudeville. **Gross:** $15,500. verage, $16,000)

Week Ending June 15:

"THE TOY WIFE" (M-G-M)
"STOLEN HEAVEN" (Para.)

ARAMOUNT — (2,740), 15c-35c-40c-55c-, 7 days. **Gross:** $12,200. (Average, ,000)

"ADVENTURES OF MARCO POLO" (U.A.)

NITED ARTISTS—(1,200), 15c-35c-40c--65c, 7 days, 5th week. **Gross:** $5,000. verage, $7,000)

"THREE COMRADES" (M-G-M)
"LITTLE MISS THOROUGHBRED" (W.B.)

OX—(5,000), 15c-35c-40c-55c-75c, 7 days, week. **Gross:** $11,000. (Average, $17,000)

WIVES UNDER SUSPICION" (Univ.)
"LADY IN THE MORGUE" (Univ.)

RPHEUM — (2,440), 15c-35c-40c-55c, 7 ys. **Gross:** $6,500. (Average, $8,500)

Week Ending June 16:

"YOU AND ME" (Para.)
"ONE WILD NIGHT" (20th-Fox)

ARFIELD — (2,680), 15c-35c-40c-55c-75c, lays. **Gross:** $9,500. (Average, $13,000)

"TREASURE ISLAND" (M-G-M)
"SIX OF A KIND" (Para.)

T. FRANCIS—(1,400), 15c-35c-40c-55c-, 5 days. **Gross:** $3,000. (Average, $7,000)

"GREEN FIELDS" (Collective)

LAY—(400), 15c-35c-40c, 7 days. **Gross:** 0. (Average, $1,300)

Week Ending June 17:

"PATIENT IN ROOM 18" (W.B.)
"CASSIDY OF BAR 20" (Para.)

EMBASSY—(1,400), 25c-30c-40c, 7 days. oss: $3,200. (Average, $5,000)

Crime School" on Dual N. H. Winner

NEW HAVEN, June 21. — "Crime hool" and "A Bride for Henry" at Roger Sherman made the only er par showing at the downtown uses, which suffered from tremendous competition of three performances a Tercentenary pageant in the Yale wl. The dual grossed $5,600, over $900.

The second week of "Three Comles" and "Swiss Miss" at the Cole took $2,500, slightly under par.

Total first run business was $17,400. erage is $20,000.

Estimated takings for the week end- June 17:

"THREE COMRADES" (M-G-M)
"SWISS MISS" (M-G-M)

OLLEGE—(1,499), 35c-50c, 7 days, 2nd ek. **Gross:** $2,500. (Average, $2,800)

"HOLIDAY" (Col.)
"MAN'S CASTLE" (Col.)

OEW-POLI—(3,040), 35c-50c, 7 days. oss: $6,000. (Average, $8,000)

"YOU AND ME" (Para.)
"SAILING ALONG" (G.B.)

ARAMOUNT—(2,348), 35c-50c, 7 days. oss: $3,300. (Average, $4,500)

"CRIME SCHOOL" (W.B.)
A BRIDE FOR HENRY" (Monogram)

OGER SHERMAN—(2,200), 35c-50c, 7 ys. **Gross:** $5,600. (Average, $4,700)

Small Theatre Plan Discussed by C.E.A.

By AUBREY FLANAGAN

FOLKESTONE, ENGLAND, June 21.—The general council of the Cinematograph Exhibitors Association, in annual summer conference here, today considered the report on the organization's negotiations with the Kinematograph Renters' Society (distributors) relative to the C.E.A. plans for the treatment of small exhibitors.

Considerable discussion was held on the release problem and the showing of two "A" films on one program, and the while several speakers commented on the alleged abandonment of the principle of arbitration. The members of the council appeared unwilling to air their domestic discussion before the press. Ultimately they voted to defer consideration of the whole rental problem to the next meeting of the council in July.

There is a strong impression about here of a lack of unity between the circuits and independents within the C.E.A.

Exhibitors were warned not to place contracts for theatre television apparatus until they are officially advised.

Banquet in Evening

At a banquet held tonight Sir Phillip Sassoon, motion picture commissioner of works, who was guest of honor, pleaded with the exhibitors present to see to it that the influence of films remained predominately British. He paid tribute to the work of the industry in the United States but protested that Britain does not want too heavy an American influence. America, he said, must not be regarded as the universal provider of cinema entertainment.

President Nyman in his address traced the history of Folkestone and compared it with the history of Britain. He paralleled the critical plight of municipalities today with the condition of the industry and called attention to the role of the present day film as entertainer, newspaper and educator.

Presenting Charles Metcalf, ex-president, Mr. Nyman paid tribute to his work during the period when the quota act was being formulated.

A hearty reception by the 545 guests was accorded E. J. Hinge, vice-president.

Important conferences are scheduled for tomorrow. Papers will be read by Philip Guedalla and Mr. Metcalf, the former on "Films and the Nation" and the latter on "Impression and Depression." A luncheon is slated for noon and a screening for the evening.

Niesse Opens New House

INDIANAPOLIS, June 21. — Carl Niesse, who has spent 30 years in the theatre business, most of it here, opened his de luxe Vogue on the northern edge of the city Saturday night. Olsen and Johnson, who are at the Lyric this week, sold tickets as part of the opening night festivities.

Council Meets June 29

LONDON, June 21.—The new Films Council, formed under the Films Act of 1938, whose personnel was named last week by Sir Frederick Whyte, chairman, will hold its first meeting on June 29.

"Comrades" Is Film Lead in Philadelphia

PHILADELPHIA, June 21.—The exception to a dull week was the booking of Gene Krupa and his band as a stage attraction at the Earle, which gave the house $17,500. The film was "The Devil's Party." Average for the theatre is $14,000.

The Stanley got off with a $16,000 start for "Three Comrades." The par here is $14,000.

Total first run business was $65,900. Average is $67,800.

Estimated takings for the week ending June 16:

"FAREWELL TO ARMS" (Para.)
Reissue

ARCADIA — (600), 25c-40c-55c, 7 days. **Gross:** $2,300. (Average, $2,800)

"TOY WIFE" (M-G-M)

BOYD—(2,400), 35c-55c-65c, 4 days, 2nd week. **Gross:** $5,000. (Average, 7 days, $14,000)

"DEVIL'S PARTY" (Univ.)

EARLE—(2,000), 25c-40c-55c, 7 days. **Stage:** Gene Krupa and band. **Gross:** $17,500. (Average, $14,000)

"GOLD DIGGERS IN PARIS" (W.B.)

FOX—(3,000), 37c-55c-65c, 7 days. **Gross:** $13,000. (Average, $14,000)

"ROBIN HOOD" (W.B.)
2nd Run

KARLTON—(1,000), 25c-40c-55c, 7 days. **Gross:** $4,400. (Average, $4,000)

"JOSETTE" (20th-Fox)
2nd Run

KEITH'S — (2,000), 30c-40c-55c, 7 days. **Gross:** $3,200. (Average, $4,000)

"THREE COMRADES" (M-G-M)

STANLEY—(37c-55c-65c), 7 days. **Gross:** $16,000. (Average, $14,000)

"SINNERS IN PARADISE" (Univ.)

STANTON—(1,700), 30c-40c-55c, 7 days. **Gross:** $4,500. (Average, $7,000)

Leads Baseball League

The Consolidated Film Industries team is leading the Motion Picture Baseball League, with the Skouras outfit in the second spot. Last week's games had these results: International Projector—4, Columbia—2; RKO—2, Loew-M-G-M—1; Skouras —6, NBC—5.

"Crime School" on Top at Milwaukee

MILWAUKEE, June 20. — "Crime School" and "The Divorce of Lady X" was the only combination to make par, grossing $5,000 at the Warner. All other business was off.

Total first run business was $23,000. Average is $26,500.

Estimated takings:

Week Ending June 15:

"ADVENTURES OF MARCO POLO" (U.A.)
"HOLIDAY" (Col.)

STRAND—(1,400), 35c-50c, 6 days. **Gross:** $2,500. (Average, $4,500)

"YOU AND ME" (Para.)
"SWISS MISS" (M-G-M)

PALACE—(2,400), 35c-50c, 6 days. **Gross:** $4,000. (Average, $5,000)

"KIDNAPPED" (20th-Fox)
"JOSETTE" (20th-Fox)

WISCONSIN—(3,200), 35c-50c, 7 days. **Gross:** $7,000. (Average, $8,000)

Week Ending June 16:

"WHEN G-MEN STEP IN" (Col.)

RIVERSIDE—(2,300), 25c-30c, 7 days. Stage: vaudeville. **Gross:** $4,500. (Average, $5,000)

"CRIME SCHOOL" (W.B.)
"THE DIVORCE OF LADY X" (U.A.)

WARNER—(2,400), 35c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

Women's Units Split On "Birth" for L.A.

(*Continued fom page 1*)

open Thursday at the Paramount, largest open film house in Los Angeles.

Mrs. W. A. Burk, president of the Southern California Motion Picture Council, composed of representatives of more than 40 organizations, declared following the invitational showing of the film, "our executive board has definitely agreed that the picture has scientific and educational merit but is not suitable for public exhibition."

From Mrs. Leo B. Hedges, chairman of the California Congress of Parents and Teachers, came the announcement that her reviewing committee of 25 had reported favorably upon the picture and that the organization approved of control over the showings exercised by the American Committee on Maternal Welfare which bans double billing, stage shows and children under 16 without adults.

While admitting the picture is produced in good taste, Mrs. Burk said, "I see nothing in the film which would tend to lessen any dangers connected with motherhood as sponsors contend but I do see a strong plea that persons employ doctors regularly."

Won't Play Neighborhoods

"It is a shame that legitimate film producers and distributors cannot force a theatre to stop showing 'The Birth of a Baby,'" Mrs. Burk said. "Should they violate the Production Code they would hear about it from all sides. But when a thing like this happens there seems to be nothing that can be done about it. Persons and organizations who endorse public showings of this film are blind to the fact that this is a wedge to open theatres to all sorts of propaganda. We are discouraged about our failure to do anything to prevent it from opening Thursday in Los Angeles but we are determined that the film shall not play neighborhoods and suburbans."

Regents Hear Pleas on 'Human Wreckage'

Argument on an appeal from the N. Y. censor ban on "Human Wreckage" was held yesterday at the State Office Building here. The appeal was filed by Cinema Service Corp. The film was screened June 9 by George J. Ryan and Gordon Knox Bell, members of the Board of Regents.

The picture was denied a license by Irwin Esmond on April 15. He classified it as "indecent and immoral."

Seek Stay on Censor Ban

ALBANY, June 21.—First information that Irwin Esmond, censor board director, has terminated a permit granted in 1921 for showing of "Animated Diagrams of the Human Body" was made public here in an application from Jewel Productions, Inc., Social Hygienic Films of America, Inc., and Samuel Cummins for a temporary injunction in Supreme Court. The application is to be argued Friday.

"Animated Diagrams" is a two-reel film on social diseases allegedly made by the U. S. Government and shown privately during the World War. Together with "Some Wild Oats," it was given a permit Aug. 25, 1921. The permit for "Some Wild Oats" was revoked in 1924. The film has been shown recently in a number of New York theatres.

IT'S GREATER *Box Office*

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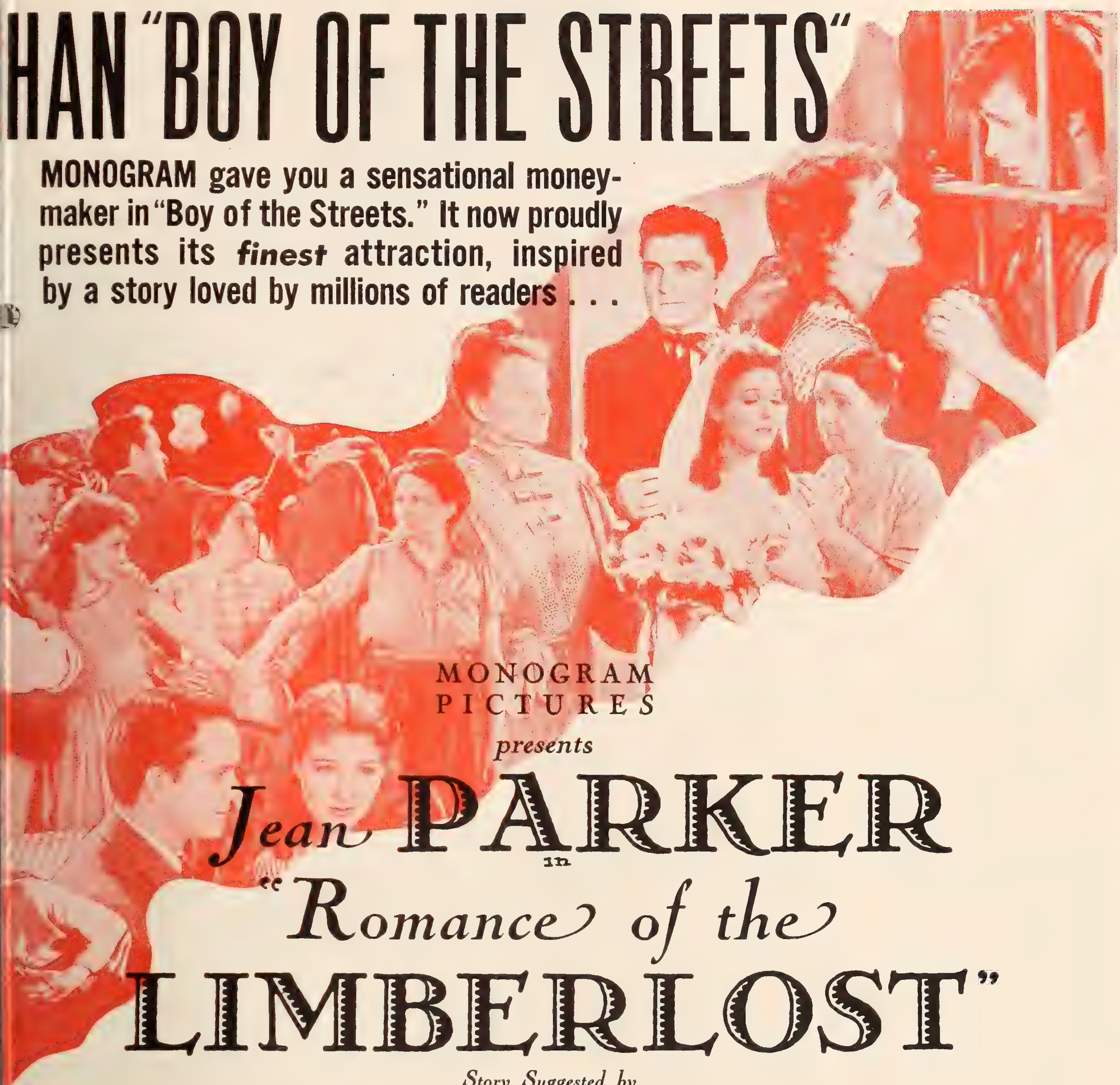

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e production will score with heart-throbs...very
pressive and convincing. For the family trade,
s a natural." — *Film Daily*

man, earthy and appealing melodrama... Jean
rker's portrayal an achievement." — *Boxoffice*

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ntains all of the entertaining elements of the
ginal." — *Daily Variety*

"Hits new Mono high. Jean Parker does easily the finest work of her career. Carries universal emotional appeal." — *Hollywood Reporter*

"Story has plenty of vitality . . . fine performances are presented." — *Motion Picture Daily*

"Swell family picture . . . good production, good cast and plenty of selling values." — *Showmen's Trade Review*

Para. Board Majority to Management

(Continued from page 1)

of the Saenger circuit, Paramount's southern affiliate. The non-management directors are: Stephen Callaghan, Harvey D. Gibson, A. Conger Goodyear, Duncan G. Harris, John D. Hertz, Earl I. McClintock and Maurice Newton.

The directors were elected by a tally of 4,151,030 votes cast for each of the 16 nominees for the directorate. Represented at the meeting was more than 71 per cent of the total voting power of the corporation.

Mr. Keough, as secretary of the meeting, opened the stockholders' session, over which Mr. Balaban presided. Mr. Griffis and Mr. Weisl lent him moral support in flanking him at the front of the Paramount projection room, where the meeting was held. Appropriately, those who conducted the meeting sat beneath the projection room screen.

Sees Dividend Possible

Mr. Balaban declared that the company's cash position has shown an improvement each month since the beginning of the current year, and, in answer to a question from the floor, expressed the belief that a dividend on the common stock for the first six months of 1938 is "possible," provided the company maintains the earnings level of 1937, figured entirely on a consolidated basis.

The company's cash position has improved by about $1,500,000 since December, 1937, Mr. Balaban said.

Replying to the criticism of salaries paid to leading executives of the company, leveled by one or two stockholders who made their presence heard in the room, Mr. Balaban declared that Mr. Zukor's salary is $156,000 a year and that he has no contract.

Of himself, the Paramount president declared that his remuneration takes the form of $156,000 per year paid by Paramount to Balaban & Katz for his services, but that Paramount receives a return of approximately $98,000 on that amount in view of the substantial interest which the company has in Balaban & Katz.

Foreign Business Called Good

Foreign business of Paramount has held up "remarkably well," Mr. Balaban said, and is actually running ahead of last year at this time.

The stockholders gave formal approval to a resolution which provided that such shares of first and second preferred stock of the corporation which had been surrendered for conversion into common stock be eliminated from the authorized and issued shares of the corporation.

Mr. Balaban, in a prepared statement read to the stockholders, pointed out that the last year has been unusually trying. At the last meeting the trend was of rising income, he said, but the last half of 1937 brought a direct reversal of trend, and profits were eaten into as a result.

"We have liquidated unprofitable production commitments and concentrated operations, thereby making possible reductions in overhead. We have now established an operating basis which I believe to be sounder than any the corporation has enjoyed for a number of years," he said. Later Mr. Balaban emphasized in answering a question that the company has had "marked success" in cutting operating costs, "especially in production."

He pointed out that thus far, due to the year lag between the planning of product and the return from it, the company has not been able to reduce costs as rapidly as business has come down.

Balaban Laughs

When a stockholder criticized the salaries paid to Paramount executives, at the meeting of the company's annual stockholder's yesterday, Barney Balaban, president, retorted with a good natured laugh:

"If you can hire another president for less than you pay me, I'd like to find one."

Australia Now Has Oversupply of Film

(Continued from page 1)

and American product needs for the circuit. Greater Union has commitments with M-G-M, Universal, Republic and Monogram, and thus is at a disadvantage for product in comparison with Hoyts, Australia's largest circuit, which has contracts with other distributors. With a surplus making itself felt, however, Greater Union is obtaining some films which are being released by Hoyts.

He reported that Greater Union has improved its position substantially since splitting with Hoyts a year ago and that a cash dividend of approximately $250,000 is expected to be disbursed to stockholders for the first year of operation under Mr. Rydge at the end of this month.

Greater Union is spending $1,000,000 to build and rejuvenate its theatres and is planning further expansion, said Capt. Auten. This was his first trip to Australia in 24 years.

Cinesound Busy

Cinesound, Greater Union's production affiliate, is making eight films a year, while the distribution outlets, Associated British Film Distributors and British Empire Films, are scheduling the release of a total of 52 features.

A major development in Australia is the formation of J. C. Williamson, Ltd., a circuit of legitimate theatres with the Williamson & Tait group as a nucleus. Kenneth Asprey, formerly vice-chairman of Greater Union, heads the company and joint managing directors include Stanley Crick, formerly 20th Century-Fox managing director in Australia, George Deane of the Snider-Deane circuit and John Tait. Ernest Rolls, former London producer, will put on the shows. He is due here Monday to arrange for bookings.

Capt. Auten brought over three Cinesound films, "Tall Timbers," "Lovers and Luggers" and "Broken Melody," which he may offer for American distribution. While in Hollywood en route he signed Cecil Kellaway, Australian actor who has appeared in RKO films, for Cinesound's "Mr. Chidworth Steps Out."

Report Out Plan To Lift State's Ban on Gambling

(Continued fom page 1)

by an 8-7 vote. The action assures a vote on the floor for adoption or rejection. Simply drawn, Hirshberg's measure takes out of the Constitution prohibitions against lotteries, bookies and various other forms of chance.

The belief that one week of debate will be necessary to decide the gambling proposal was voiced in Capitol corridors, with many delegates expected to offer changes in the Hirshberg bill once it reaches special orders. In the main, the chances of passage will rest on the number of upstate delegates favoring legalization of gambling. With 85 votes needed to pass, it is asserted that 25 upstate delegates will be required for the "ayes" to insure the measure's chances of success.

Exhibitors concerned with possible inroads that greyhound races, lotteries and the like would make on the theatre-attending public's income are reported to be in a quandary whether to oppose the measure openly or to let the church groups do the opposition work.

Independents Gain By UA Canada Shift

(Continued from page 1)

Corp., which has numerous theatre subsidiaries. One year ago Mr. Nathanson and United Artists Corp., Ltd., failed to reach an agreement for a renewal of booking contracts for the circuit theatres and the result was that independent exhibitors, many of them in key situations throughout the country, signed 10-year rental franchises. United Artists productions, such as "The Hurricane," "Stella Dallas," "The Goldwyn Follies," "A Star Is Born," "Dead End" and "Vogues of 1938" played extended engagements in independent theatres of large and small cities apart from chain units.

With the change in Canadian distribution of Korda productions, a number of important British pictures will now be added to the available list as first run attractions for independent theatres which are also in the position of being able to secure subsequent runs of much other product from different exchanges. United Artists Corp., Ltd., has branch offices in six key centers across Canada from St. John, N. B., to Vancouver, B. C.

Theatre Sets Dividend

TORONTO, June 21.—Eastern Theatres, Ltd., operating the Imperial Theatre, Toronto, ace house of Famous Players Canadian Corp., seating 3,500, has declared a 3½ per cent dividend on the preferred stock of the company for the six months ended June 30 next, payable July 30.

Phila. Game Not Halted

PHILADELPHIA, June 21.—Police last night visited the Lorraine Theatre where the new game Hollywood Star Party was played for the first time, but made no arrests. It is believed the game will not come under the general ban.

Shore Houses Open As Business Gain

A score of shore theatres in th metropolitan area have reopened fo the summer or will have bee opened by the end of June.

A major development is the poolin of Lee Newbury's Ocean, 600-sea house, with the Walter Reade inter ests in Asbury Park, making tha community 100 per cent Reade. latter circuit has five theatres in town. Reade will operate the Ocea and handle the booking, reopening th unit on June 25.

Reade has also reopened the Lyri and Paramount in Asbury Park o a seven-day basis, and is putting on Rudy Vallee Week in connection wit the band leader's appearance at th Paramount and the Casino dance hal July 18, 19 and 20. City officials ar cooperating to attract crowds to th resort during the period.

Joe Seider is remodeling the Rialt Patchogue, L. I., closed for severa years, and plans to reopen it abou July 26. Samuel Kantor's Rockawa houses will be running again by th end of the month, including th Boardwalk, Rockaway Beach; Ar verne, Arverne, and Edgemere, Edgemere.

Dave Sonin's West End and Rugo & Becker's Lido, both in Long Beac are scheduled for reopening this wee

All houses in the Reade circuit ar now operating. Newbury opened th new Algonquin in Manasquan las month and plans to keep it open a year.

Col. Sells Debentures

The private sale of $1,500,000 in six year 4½ per cent sinking fund debentures of Columbia Pictures Corp., yesterday was announced by the com pany. They are due at the rate o $250,000 on May 1 annually unti 1944.

"Grove" Gets $32,500

"Cocoanut Grove" garnered $32,50 at the Paramount and is being held fo a second week. "Men Are Such Fools did $12,000 at the Strand.

Wall Street

Stocks Hold to Rising Prices

	Open	High	Low	Close	Net Chang
Col.	11⅞	12	11⅞	12	+ 1⁄
E. K.	155	166	155	161	+6½
E. K. pfd...	158⅛	160	158½	160	....
G. T. E.....	12	12	11¾	11⅞	+15⁄
Loew	44	45⅜	44	44½	+1
Para.	7¾	8½	7¾	8½	+1
Para. 1.....	75	78½	75	78½	+4½
Para. 2.....	9⅛	9⅜	9	9⅜	+ 5⁄
Pathe	4⅝	5	4⅝	5	+ 3⁄
RKO	2⅛	2⅛	2	2	....
20th Fox ..	22⅜	22⅞	22¼	22½	+ 1⁄
20th pfd. ..	30	30	30	30	....
Univ. pfd.	30	30	30	30	....
W. B.	4¾	5⅛	4¾	5	+ 1⁄

Curb Issues in Decline

	Open	High	Low	Close	Net Chang
Monogram .	1¾	1¾	1⅝	1⅝	— 1⁄
Tech.	23½	23⅞	23½	23½	....
Trans-Lux	2	2	2	2	— 1⁄
Univ. Corp.	2	2	1⅞	1⅞	— 1⁄

Bonds Generally Increase

	High	Low	Close	Net Chang
Loew 3½s '46....	98½	98½	98½	....
Para. Pict. 6s '55	92	92	92	+ 1⁄
Para. Pict. '47....	71	71	71	+ 1⁄
RKO 6s '41	67	67	67	+ 1⁄
W. B. 6s '39......	69	68½	68½	— 1⁄

(Quotations at close of June 21)

IPTO Warns Federal Rule Is In Offing

(Continued from page 1)

exhibitor complaints and griev- ow before them during the next eeks. Now is the time for ac-

The bulletin asks: "What is ob- ucting this program?" and answers by saying: "Obviously the distribu- rs, who have had it before them for o years. What their real reasons e, only the said distributing com- nies know. It is their responsibilty decide whether this effort shall be ade, or the industry shall face the ospect of regulation by statute and tensive litigation. The organized hibitors have done everything pos- ble. No progress can be made until e distributors act."

The bulletin says it does little good complain about distributors as a oup.

"The individual exhibitor and the ate and local exhibitor associations e not without responsibility in the atter. Getting this done is not a e-man job. Your leaders and okesmen must have active support. hey have been doing everything in eir power for two years, but it isn't ough.

Hits Exhibitor Silence

"Exhibitors who won't take the ouble to write a letter to a general les manager to register a protest, 10 won't bother to make it known the local film men that these things e demanded, who won't record their ievances and demands in the right aces, who are indifferent to plans and oposals for their own benefit and otection, can hardly blame the dis- ibuting companies if they consider hibitor complaints unimportant and t worthy of any serious considera- on. Wishing for such things won't ake them happen. What are you, rsonally, going to do about it?"

Iusic Hall Pickets Protest "Blockade"

(Continued from page 1)

on of neutrality" and other similar essages.

The pickets were authorized by *he Catholic Worker*, a monthly per. Spokesmen at the editorial fice of the paper said that leaflets rther explaining the stand would distributed. The text on the signs ad "'Blockade' Is War Propaganda; ease Do Not Enter This Theatre," The Catholic Worker Protests lockade,' a Violation of Neutrality," d "Boycott 'Blockade'; Keep War ropaganda Off the Screen."

V.B. Club Outing Today

Today's the day for the annual out- g of the Warner Club. The *Peter uyvesant* of the Hudson River Day ine will take more than 900 members d their guests to Bear Mountain ark where, under the direction of alph Budd, a full day of festivities ill include athletic contests, drawings r prizes and a baseball game with oseph Bernhard wearing the umpire's ask.

Producers Point to Record In Answering Warner Blast

(Continued from page 1)

that, as recited in the general press, it would have an adverse effect on general theatre business.

Joseph M. Schenck declared: "It has never been the policy of 20th Century-Fox to hold back important product for any reason. We haven't missed a picture scheduled for the season and will not miss any. We are releasing 'Alexander's Ragtime Band' in August and our July schedule includes such pictures as 'Always Goodbye,' 'Little Miss Broadway' and 'I'd Give a Million.'"

Wanger Releasing Two

Walter Wanger, also commenting only on his own product, said, "I cannot speak for anyone but myself, but two of the biggest pictures I have ever made are being released in June and July, and I am not worried in the slightest about the gamble I am taking with the summer slump bugaboo. 'Blockade' is doing splendid business, and 'Algiers' will follow in July. There is nothing wrong with our business that good pictures, properly exploited and presented, will not cure."

Clifford Work, studio head at Universal, pointed to "The Rage of Paris" and "A Letter of Introduction," July releases, and "That Certain Age," planned for August, as evidence of adherence to the precept of Nate Blumberg, company president, that, "We have only one guide, today's box-office." Mr. Work declined direct comment on the Warner statement.

Officials at Paramount merely directed attention to such July and August releases as "Professor Beware," "Tropic Holiday," "The Texans," "Spawn of the North" and "Give Me a Sailor," pointing out that that product was certainly no indication of box-office fears.

No Hoarding, Says Schaefer

CHICAGO, June 21.—George J. Schaefer, United Artists vice-president in charge of domestic distribution, queried today by MOTION PICTURE DAILY concerning weekend statements of Harry M. Warner criticising the withholding of films during the summer months, stated:

"United Artists never did believe in 'hoarding.' We have two big pictures ready for release within four weeks. They are 'Algiers' and 'There Goes My Heart.'"

Warners-FWC Sign

Los Angeles, June 21.—Gradwell L. Sears, Warners general sales manager, today closed a deal with Fox West Coast for the company's entire lineup of 1938-'39 product, including features, shorts and trailers. The contract guarantees 113,736 playing days over the circuit. Mr. Sears left for New York by plane tonight.

New York Executives Retort

Typical of the reactions of home office executives here yesterday to the statement of Harry M. Warner last weekend that other companies are "withholding their important films" are the following:

Herman Wobber, 20th Century-Fox distribution head, said, "This company has not pulled any punches and we don't intend to. Our pictures are going out to exhibitors on the basis of one a week and we plan to release some big pictures this summer."

Abe Montague, Columbia general sales manager, said it is evident the Warner charges do not apply to it since three of its bigger pictures are scheduled for summer release. These are "Holiday," which was prereleased prior to its general release date, June 15, and is now playing generally; an untitled film with Edward G. Robinson and "The Gladiator," starring Joe E. Brown, which has an Aug. 15 date.

William F. Rodgers, general sales manager of Loew's, declared, "Our record speaks for itself. We are not harboring any pictures. We are releasing them as rapidly as we can turn them out. The only exception is 'Marie Antoinette,' Norma Shearer's starring vehicle, which we are holding for a roadshow."

"Marie Antoinette" will start a two-a-day run at the Carthay Circle in Hollywood July 8 and is scheduled for a similar run at the Astor on Broadway beginning early in August.

Grants Stay for "Birth"

N. Y. Supreme Court Justice Bernard L. Shientag yesterday granted the application of the American Committee on Maternal Welfare, Inc., for a temporary injunction pending trial against Jewel Productions, Inc., Samuel Cummins and Burt Lewis, officers and stockholders, restraining the defendants from exhibiting any motion or still pictures similar in title to the plaintiff's picture, "The Birth of a Baby."

"Son of Sheik" to RKO

"Son of the Sheik" has been booked through the entire RKO circuit, it was stated yesterday by Emil Jensen, president of Artcinema Associates, Inc. There are 150 prints of the film in circulation, said Mr. Jensen.

Wm. McChesney Buried

Funeral services for William McChesney, 49, for 27 years an employe of the Walter Reade circuit, were held yesterday in Asbury Park, where he resided. He died Sunday in Memorial Hospital, Long Branch, after an illness of two years. He started with Walter Reade as a reel boy and in later years was chief booker and general supervisor. A son, George, is manager of Reade's Strand, Freehold.

Hold Rites for Gerth

CINCINNATI, June 21.—Funeral services were held here today for Edward W. Gerth, 25, short subject booker for 20th Century-Fox here, who was killed instantly when his automobile struck a pole on Sunday. He is survived by his father and a sister.

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Banner LINES

CBS took elaborate precautions to prevent a meeting between Norman Thomas and John Matthews, who staged a debate on Mayor Frank Hague of Jersey City over the CBS facilities last Sunday. To begin with, the speakers were assigned studios on separate floors, Mr. Thomas on 22, and Mr. Matthews on 21, and each was assigned a private elevator. And to safeguard against a possible demonstration by either faction, CBS had a cordon of police about the building.

The setting was perfect for action, but nothing happened. Demonstrators stayed away in droves, and Mr. Thomas and Mr. Matthews were kept apart, although for a moment it did appear that they would meet in the lobby of the building following the debate. The elevator operators did not time their downward trip, and the indicators showed the cages to be coming down neck and neck. The Thomas elevator slowed down just before it reached the ground and the Socialist leader emerged just soon enough to get a glimpse of Mr. Matthew's back as he swung out the door.

And, oddly enough, there was a dearth of telephone calls following the broadcast. Usually when controversial subjects are aired, the telephone lines to the studios are jammed with calls from partisans of all sides, but the Thomas-Matthews debate drew six telephone calls in all, three for each side.

▼

Biggest pedestrian stopper in town yesterday was that new NBC-RCA television mobile unit parked in Radio City. It was brought up from Camden to be tested here, and it's a beautiful looking bus, chrome plated from tip to stern.

▼

John Holt Baxter of NBC takes us to task for writing that radio has not developed any outstanding performers in the last half-dozen years. He asks, "How about Fred Allen, Charlie McCarthy, Tommy Riggs, Don Ameche, Frances Langford, Jane Froman and Lanny Ross?"

Well, let's look at the record, Fred Allen, a half-dozen years or so ago was very well known in radio, was working in "Town Hall Tonight" then as he is now, and previously had enjoyed a quite successful run as the star of the Linit program on CBS. Don Ameche admittedly was developed in radio, working out of Chicago in the "First Nighter" series before going to Hollywood. But would Don be on the Chase & Sanborn show, and the big name he is now in radio, if Hollywood hadn't built him up to the point where he became an outstanding entertainment name, instead of just another dramatic actor in radio? It hardly seems possible that he would. Lanny Ross? We remember Lanny as the star of "Showboat" as far back as 1932 or 1933, so that eliminates him as a recent development. That leaves Charlie McCarthy, Frances Langford and Tommy Riggs. Here is where Baxter wins a point, although we wouldn't exactly call Tommy Riggs an outstanding radio name. Anyway, the score is at least 70-30 in our favor.

—JACK BANNER

AFRA Pact with NBC, CBS Set for Signing by July 1

The American Federation of Radio Artists, the A. F. of L. organization in the radio field, has practically closed months-long negotiations with the networks here, and NBC and CBS will sign an A.F.R.A. agreement covering wages, hours and other conditions of artist employment by July 1. The pact will cover the key stations of both networks in New York, Chicago and Los Angeles, and will afford substantial benefits to the radio performers, according to the provisions contained in the pact, which is now virtually completed.

Talent appearing in coast-to-coast sustaining shows will be paid by the following scale: $25 for a full hour program, $21 for a half-hour, and $17 for quarter-hours. Local and regional sustainers will receive approximately 25 per cent less than the coast-to-coast rate.

Salaries Differ by Cities

Staff sustaining singers on the networks broadcasting out of the New York studios are to receive a weekly wage of $65. Chicago staff singers working for the NBC and CBS stations there will receive $45 per week, with an additional $3 to be added to their weekly wage if their programs are carried over the network.

Group singers on sustaining programs out of New York will receive a minimum of $45 per week. In Chicago they will receive $37 per week, and in Los Angeles, $33 per week. If programs are piped to the networks, the pay will be increased.

For re-broadcasts, the artists on sustaining shows will receive 50 per cent of the salary scales as listed above.

The pact covers an eight-hour day, 24-hour week, and will extend for two years.

Rehearsal time of two, six and eight hours will be allowed for actors on 15-, 30- and 60-minute shows, respectively, at the rate of $4 per hour. In the case of singers, half of the above rehearsal time will be allowed.

All performers will be paid for auditions, according to another provision, and rehearsals must be paid for whether the show is broadcast or not.

Appearance Time Set

Performers will not be required to be in the studio more than 15 minutes prior to the broadcast, another provision states.

Performers working on a weekly basis will automatically be assured of six weeks' work, the contract provides, by stipulating a guarantee of four weeks, plus two weeks' notice of discontinuance.

Meanwhile, it is learned that an A.F.R.A. contract covering the NBC announcers has been completed, although the terms covering this pact are not known.

Following the final settlement of the artists' agreement on or about July 1, at which time the networks will sign the document, A.F.R.A. will resume its conferences with the advertising agencies to obtain an agreement for sponsored artists, following which it will move into the studios of the local independent stations.

FCC Dates Hearings To Late September

WASHINGTON, June 21.—The Federal Communications Commission has dated hearings on broadcasting applications, as follows:

June 30, before the commission: Applications of WDNC, Durham, N. C., for change of frequency from 1,500 to 600 kilocycles and increase of power from 100 to 1,000 watts; WLBL, Stevens Point, Wis., change of time from day to specified hours with 1,000 watts night, 5,000 watts day; Joe L. Smith, Jr., for a 1,210-kilocycle station at Beckley, W. Va., with 100 watts night, 250 watts day.

July 15, before an examiner: Applications of WQDM, St. Albans, Vt., for change of time from day to unlimited; Charles Porter and Edward T. Eversole for a 1,420-kilocycle, 100-watt daytime station at Festus, Mo., and competing applications for a station at Pontiac, Mich., of King-Trendle Broadcasting Corp., 1,440 kilocycles, 250 watts; Pontiac Broadcasting Co., 1,100-kilocycle, 1,000 watts day only, and George B. Storer, 600 kilocycles, 500 watt night, 1,000 watts day.

Boston Unit Asks Increase

Sept. 8, before the commission: Applications of WORL, Boston, for increase of power from 500 to 1,000 watts and change of time from day to unlimited: WDZ, Tuscola, Ill., increase of power from 250 to 1,000 watts; Tri-City Broadcasting Co., Inc., for a 950-kilocycle, 1,000 watt station at Schenectady; Kentucky Broadcasting Corp., for a 1,210-kilocycle station at Louisville, with 100 watts night, 250 watts day.

Sept. 9, before an examiner: Applications of KGBX, Springfield, Mo., for increase of power from 500 to 1,000 watts; WCBA, Allentown, Pa., increase of power from 500 to 1,000 watts; WSAN, Allentown, Pa., increase of power from 500 to 1,000 watts.

Sept. 12, before an examiner: Applications of WFIL, Philadelphia, for increase of power from 500 watts night, 1,000 watts day, to 1,000 watts night, 5,000 watts day; WEMP, Milwaukee, for increase of power from 100 to 250 watts.

Sept. 19: Applications of KTOK, Oklahoma City, for increase of day power from 100 to 250 watts; WCAZ, Carthage, Ill., for increase of power from 100 to 250 watts.

Sept. 20: Applications of Eugene De Bogory for a 1,500-kilocycle, 100 watt daytime station at Dallas; the Exponent Co. for a 1,370-kilocycle station at Clarksburg, W. Va., with 100 watts night, 250 watts day.

Sept. 29, before the commission: Application of the Birmingham News Co., for a 590-kilocycle, 1,000-watt station at Birmingham.

Piano Series on WQXR

The German refugee pianist Josef Wagner will inaugurate a series of recitals over WQXR at 6:30 P.M. July 2.

Super-Power Use Hit as Handicap For Small Unit

WASHINGTON, June 21.—Efforts o the Federal Communications Commission to limit duplication of program will be totally ineffective if the ge eral use of super-power is permitte members of the commission warned today.

Testifying in behalf of the Nationa Association of Regional Broadcasting Stations, opposing super-powe Dr. G. W. Pickard, consulting e gineer, submitted a number of chart to show how duplication of service o the clear channel stations increase from west to east, reaching its pea south of the Great Lakes.

With 500 kilowatt stations supe imposed upon the present structure, h said, the duplication of clear chann service would be more than doubled i many areas, and if present chain a filiations were retained the duplicatio of network service would be eve more pronounced.

Cites Value of Regionals

Under the present arrangement, h explained, while some sections of th country have less clear-channel se vice than others, that lack is made u by the regional stations.

The regional association witnesse took issue with proponents of supe power who had contended that 50 kilowatts operation would not ac versely affect the revenues of th smaller broadcasters, arguing tha the appeal of super-power stations t the public would be irresistible an would deprive the regionals of muc of the audience they now serve. Thi in turn, would be reflected in adve tising, and the result would be to crip ple the ability of the smaller statio properly to serve the needs of the public.

With the hearings proceeding at snail's pace, interest has materiall dwindled, and of the nearly 200 broad casting representatives present on th opening day less than two score no remain and the hearings, starting o in the vast Department of Commerc auditorium, for the past two week have been comfortably accommodate in a small hearing room in the Pos Office Department Building.

Webster Made Chie Engineer for F.C.C

WASHINGTON, June 21. — Commander E. M. Webster, retired Coas Guard officer, today was appointe assistant chief engineer of the Federal Communications Commissio succeeding Lieutenant E. K. Jett, wh became chief engineer at the begi ning of the year.

Commander Webster has been assistant chief engineer since Jan. 1.

Set Winchell Substitute

An audience participation progra featuring queries about items contained in Walter Winchell's colum will be the Jergens replacement sho when the columnist vacates the ai for the summer. The quiz series, t be conducted by announcer Ben Gra er, will begin July 3 and will contin until Mr. Winchell's return Aug. Lennen & Mitchell set the show, whic will be produced by Mann Holliner.

The subscription price of MOTION PICTURE HERALD will be increased to five dollars a year on July 1.

(*foreign* $10.00)

Edited by
TERRY
RAMSAYE

MOTION PICTURE
HERALD
Distributors Promise Concessions On Trade Practices This Summer
Net Profits Shown By Four Companies
Ask Free Speech for Screen, Radio, Press

Subscribers wishing to extend their subscriptions for a full 52 weeks from their present expiration date may do so at the current rate of $3.00, in the Americas, and at $5.00 in foreign countries, if the renewal reaches the circulation department before June 30, 1938.

MOTION PICTURE HERALD
Rockefeller Center
New York City

"A PICTURE YOU CAN PRAISE TO HEAVEN..." —N.Y. POST

and that's the tops!

All over the country, in more than 250 key spots, "Blockade" is thundering to new seasonal highs. Over 2,000 persons jammed into Radio City Music Hall during the first twenty minutes!

"Wanger has displayed rare courage. It goes without saying that you'll want to see it for yourself." —*New York Times*

"Engrossing and provocative . . . has awareness of forces at work in world today and vigor of treatment. A photoplay you will not easily forget." —*N.Y. Herald Tribune*

"Thrilling action and intense suspense . . . an elaborate and beautifully mounted film. Picture moves with steady accumulation of suspense toward thrilling climax, 'Blockade' is a handsome production!"—*Daily News*

"An excellent picture, satisfying and stirring. A film which deserves everyone's admiration because it has courage. Acting is in every way first rate . . . Fonda does a grand job . . . Carroll lovely and effective. 'Blockade' deserves to be seen." —*World Telegram*

WALTER WANGER

presents

BLOCKADE

co-starring

Madeleine *Henry*

CARROLL • FONDA

with **LEO CARRILLO • JOHN HALLIDAY**

REGINALD DENNY • VLADIMIR SOKOLOFF • ROBERT WARWICK

Music by Werner Janssen • From the screen play by John Howard Lawson

Directed by WILLIAM DIETERLE • *Released thru* UNITED ARTISTS

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

L. 43. NO. 142 NEW YORK, THURSDAY, JUNE 23, 1938 TEN CENTS

ᴀsk Multiple Use of Clear Air Channels

dvanced as Alternative For Super-Power

WASHINGTON, June 22.—Multiple e of clear channel frequencies was ggested to the Federal Communications Commission today as an alter- tive to super-power as a means of proving broadcasting reception in ctions of the country now inade- ately served.

Appearing on behalf of the Na- nal Association of Regional Broad- st Stations, Paul E. Godley pre- nted data to show that many of the ear channels could be used by addi- nal stations without interference th the normal coverage of the dom- ant broadcaster.

Mr. Godley presented charts on sev- al of the clear channels, including e for the 860-kilocycle frequency, ed by WABC, New York, which so, he said, would accommodate a e-kilowatt station as near as Kan- s City, working on a directional tenna, and another on the Pacific

(Continued on page 8)

Veber Will Carry Theatre Musicians Drive to Studios

Joseph N. Weber, president of the merican Federation of Musicians, id yesterday that he and the mem- rs of the federation's executive ard would be in Hollywood within x weeks to take up the question of nployment in theatres with Holly- ood producers. Mr. Weber said the act date would be determined upon

(Continued on page 8)

.F.M. Meets on Air Reemployment

The executive board of the Ameri- n Federation of Musicians, just re- rned from the organization's annual nvention in Tampa, opened sessions re yesterday to complete the nego- ations with chain and independent dio stations, and with recording and

(Continued on page 8)

More Radio—P. 8

Guedella Hits British Films Before C.E.A.

Attacks "Hay Fever of Historical Epics"

By AUBREY FLANAGAN

FOLKESTONE, ENGLAND, June 22.—A scathing rebuke to British film production was delivered today by Philip Guedella, noted English novelist and biographer, and recently appointed a non-trade member of the important Films Council provided under the Films Act of 1938.

Mr. Guedella spoke at this morning's session of the annual summer conference of the Cinematograph Exhibitors' Association, in convention here. The subject of his address was "Films and the Nation."

He referred in his speech to the "contemporary hay fever of historical epics and the pretentious absurdities we suffer in courteous silence." He flayed the historical excesses and anachronisms and asked why producers in England do not follow the American example of making historical films about their own people.

He declared the need is not for British or American films, but for good films. He pleaded for trade

(Continued on page 5)

Not Holding Product, States Adolph Zukor

HOLLYWOOD, June 22.—Answering charges of "hoarding" of pictures during the summer months, Adolph Zukor, Paramount board chairman, today stated:

"Our release schedule speaks for itself. As theatre operators with interests surpassing those of all other producer-operators combined it behooves us to continue to provide exhibitors and public alike with top entertainment. There has not been and will not be any withholding of fine

(Continued on page 6)

Schenck Says M-G-M Not Hoarding Films

Harry M. Warner's charge that major companies other than Warner are "withholding important films" during the summer yesterday brought this statement from Nicholas M. Schenck, president of M-G-M:

"As far as M-G-M is concerned, there is no such thing as summer 'hoarding.'

"Among strong attractions which we will release this summer are 'Shopworn Angel,' starring Margaret

(Continued on page 6)

Just an Escort

J. Edgar Hoover, chief G-Man, accompanied Charlie Pettijohn up the gangplank of the *Queen Mary* yesterday before the latter sailed for a European vacation. Reporters spied the F.B.I. head and wanted to know if Mr. Pettijohn was being deported.

"Not at all," replied Mr. Pettijohn, "I merely took him along to make sure that Mrs. Pettijohn gets home safely."

Dr. A. H. Giannini, former head of United Artists, who sailed with Mrs. Giannini and their son, Bernard, will visit England, France and Italy and return Aug. 1.

Board of MPPDA Takes No Action On World's Fair

The board of directors of the Motion Picture Producers and Distributors of America yesterday deferred action on industry participation in the New York World's Fair of 1939, at an adjourned meeting, which concluded the quarterly June session which opened last Wednesday. No decision was taken on the World's Fair issue.

The board named two committees, one the Copyright Committee of the M.P.P.D.A. for 1938, comprising eight members, and the other a three-man committee named to attend a meeting of various interests on the general copyright situation. The organization's copyright group, of which E. P. Kilroe of 20th Century-Fox is chairman, includes: James S. Polk, Paramount; D. O. Decker, Loew's; Adolph Schimel, Universal; Robert H. Dann, RKO; Harold S. Bareford, Warners; Benjamin Pepper, United Artists; Irving Moross, Columbia.

In attendance at yesterday's meeting were: Barney Balaban, Nate Blumberg, Jack Cohn, Earle W.

(Continued on page 6)

RKO Pathe Planning 26 Shorts This Year

A total of 26 RKO Pathe shorts will be released during the 1938-'39 season, according to Frederic Ullman, Jr., vice-president, on his return from a three-week visit to the coast. Of the 26, eight are already completed or in work. The subjects will be distributed by RKO.

The schedule calls for four comedies, 13 Sportscopes, five single reels as yet untitled, and four novelty reels. Ed Sullivan, columnist, will assist in

(Continued on page 6)

U. S. Monopoly Drive May Be Begun in July

New Appropriation to Be Available Then

By BERTRAM F. LINZ

WASHINGTON, June 22.—Initiation of the long projected monopoly drive against the motion picture and other major industries immediately after the beginning of the new fiscal year, July 1, when increased appropriations will be available, is planned by the Department of Justice, it was learned today.

The first step in the campaign will be the employment of a number of additional attorneys to handle the cases which will be started. These men, so far as possible, will be selected from candidates familiar with the industries which they will prosecute.

A voluminous report on conditions in the film industry has been on Attorney General Cummings' desk for some time, but department officials said no conclusion had been reached as to whether any action was to be taken immediately. It is now believed that this report will be turned over to the anti-trust division for consideration in connection with its drive and that no proceeding will be started until after July 1.

While department heads refuse to discuss their plans, it is understood

(Continued on page 6)

Ticket Tax Shows Sharp Drop in May

WASHINGTON, June 22.—Dropping sharply for the second consecutive month, admission tax collections by the Treasury in May amounted to but $1,394,659 as compared with $1,541,518 in April and $1,537,119 in May of last year, it was reported today by the Internal Revenue Bureau.

The declining revenue in May further narrowed the spread between

(Continued on page 6)

Grainger Is Honored At Boston Luncheon

BOSTON, June 22.—Representative theatre operators from all sections of New England honored James R. Grainger, president of Republic, at a luncheon at the Statler Hotel here yesterday given by Herman Rifkin, New England franchise holder.

Among those present were: M. J. Mullin and Samuel Pinanski of M. &

(Continued on page 6)

Ad. Libs

Script Stunt

As a box-office booster on "Three Comrades," Manager Leo Rosen of the Troy in Troy and J. G. Walsh, M-G-M exploiteer, arranged a contest with a local radio station whereby a script was broadcast and listeners were asked to identify six characters in the film. The first 10 correct answers receiving free tickets. That's one way to overcome ether competition.

* * *

Biography

Rutgers Neilson of RKO showed "Little Women," which the company plans to revive, to Katharine Anthony, author of a biography on Louisa May Alcott, who wrote "Little Women." Miss Anthony liked the film, said so in print, and gave Mr. Neilson permission to use the result in publicity. It is expected that might not do the film any harm.

* * *

Bullseye

Lee Balsly, who directs ad accessory sales for 20th Century-Fox, reports that Leonard Mintz, ad sales manager in Philadelphia, scored a bullseye last week when he sold 53,000 heralds on "In Old Chicago" to 11 Warner theatres, the largest order the circuit had ever placed with the local exchange.

* * *

Fight Tickets

Bob Taplinger, heading Warner studio publicity, passed out a flock of "tickets" for the Louis-Schmeling fight. They entitled the holders (press and studio officials) to sit in the reception room and listen to the fight via radio.

* * *

Spreading Himself

Lou Lifton, Monogram's ad and publicity boss, is spreading himself on "Romance of the Limberlost." What with an essay contest, "breaks" in Life and the fan papers, and a lengthy list of merchandise tieups on Jean Parker and Eric Linden, it looks as though he had something.

* * *

Pleased

Bob Gillham, Paramount advertising and publicity director, is not exactly displeased with the general comment on the press sheet for "Prison Farm" turned out by Bob Moriarty and his staff.

Rites for Julie Becker

Funeral services for Julie Becker, 39, salesman for Columbia in New Jersey for nine years, were held yesterday at Our Lady of Sorrows Church in Jersey City. He is survived by a wife and two children.

John Wenisch, head booker at the local exchange, who took over the Jersey territory when Mr. Becker became seriously ill last May will continue to handle the territory. The booking spot has been filled by Sam Feinblum.

◂ Purely Personal ▸

RALPH MILLER, publicity head for Alexander Film Co., with C. E. OLSON, studio director, and JOE MAROLD, cameraman, returned yesterday from Boston where they made background shots. They left last night for their headquarters in Colorado Springs.

•

JOHN W. HICKS, JR., vice-president in charge of Paramount foreign activities, will return to his desk today, following his return from Sedalia, Mo., where he attended the funeral of his father.

•

HERMAN WOBBER, 20th Century-Fox distribution chief, will leave by plane for San Francisco, his home, tomorrow night. He will also visit the studio and expects to return in about 10 days.

•

HAL MILLER, nephew of BOB MILLER, songwriter, will come up from Memphis for radio and picture work. HAL appeared in several Educational shorts last season.

•

KENT and MRS. TAYLOR are staying at the Waldorf following their arrival Tuesday on the *Ile de France*. They will return to the coast shortly.

•

H. ALBAN-MESTANZA, editor of *Teatro al Dia,* became the father of an eight-pound boy at 4 A.M. yesterday. Mother and child are fine.

•

PAUL ROBINSON, harmonica player, has been signed by MILTON SCHWARTZWALD to appear in a Mentone short scheduled for July 7.

•

BILLY GILBERT, screen comedian, has been signed for "Greek to You," VINTON FREEDLEY musical which will open on Broadway in October.

•

ROBERT MORLEY, the Louis XVI of M-G-M's "Marie Antoinette," yesterday sailed for London on the *Queen Mary.*

HAROLD C. LUND, Ross Federal district manager in Pittsburgh; C. E. WALLACE, Memphis branch manager, J. A. KRAKER, Philadelphia manager, and K. A. DAVIS, Albany branch head, arrived yesterday for conferences with DENSMORE A. ROSS, vice-president.

•

LOUIS SATENSTEIN, HARRY BRANDT'S father-in-law, and MRS. SATENSTEIN left yesterday on the *Queen Mary* for a pleasure trip. MRS. ALFRED J. MCCOSKER, wife of the head of WOR, is a passenger on the same ship.

•

WILLIAM DOVER, 20th Century-Fox studio personnel manager, and MRS. DOVER, returned yesterday from a Bermuda cruise. They will leave for the coast Friday.

•

TAY GARNETT and his wife, the former HELGA MORAY of the English stage, will arrive today from a trip to South America and Europe on the *Paris.*

•

JOSEPH FISHER of Amalgamated Theatres, Singapore, and MRS. ELIZABETH LAPLANTE, mother of LAURA, will arrive today on the *Washington.*

•

GRADWELL L. SEARS, Warners' general sales manager, arrived yesterday from the coast by plane. He will return to his desk today.

•

GEORGE W. WEEKS, Monogram sales manager, is in Oklahoma City on a tour of exchanges that will take him to the west coast.

•

DAVID ROSE, in charge of British production for Paramount, is scheduled to return to the home office some time next week.

•

JOE HEPPNER and MOE LEFTOFF of Metropolitan Photo Service have rented a summer home in Highbridge, N. J.

M.P. Associates to Have Dance Nov. 26

Motion Picture Associates, organization of local salesmen and exhibitors, will hold its annual ball at the Astor Hotel Nov. 26, it was said yesterday by Jack Ellis, president.

The M.P.A. will hold its last luncheon meeting of the season at Braddock's restaurant today. A proposal for a boat ride, the windup of the membership drive, group insurance and club rooms are scheduled for discussion.

Moe Sanders is general chairman of the annual Thanksgiving Week affair.

MGM Unit Off to Jungle

An M-G-M filming expedition left yesterday for the jungles of Dutch Guiana where they will shoot scenes among the Djukas natives for use in the film, "Too Hot to Handle," which will star Clark Gable and Mryna Loy.

Warner's Construct Vault

HOLLYWOOD, June 22.—Construction has started at Warners on a $10,000 film storage vault to be used for raw negative stock. It will be ready for use early in September.

IFCA Presses Drive For Ban on "Birth"

LOS ANGELES, June 22.—Frustrated in its attempts to prevent the exhibition of "The Birth of a Baby," which will open tomorrow at the Paramount here, the International Federation of Catholic Alumnae, headed by its president, Mrs. Thomas Hearn, today started a campaign to prevent the film from being exhibited in neighborhood and suburban theatres. Father John J. Devlin, representing the absent Archbishop John J. Cantwell of the Los Angeles diocese, likewise was unsuccessful in protests against the showing of the film, being turned down, he said, by police authorities to whom he appealed for a ban on the picture.

Mrs. Hearn declared that a campaign of letters and protests is under way throughout California and other coastal states urging police officials and civic organizations to take action against the film's exhibition.

"Reformatory" at Globe

"Reformatory" will have its Greater New York premiere Sunday at the Globe following a preview performance the day before.

Joseph Schenck to Sail on Wednesda

Joseph M. Schenck, chairman the 20th Century-Fox board, plans sail on the *Normandie* next Wednesday for a European survey and vacation. He had postponed his trip tw or three times. Joseph Moskowit his New York assistant, will accompany him.

Other passengers on the *Norm* will be David Bernstein, treasu Loew's, Inc., who will sail with Mr Bernstein for a six-week vacatio Carl Laemmle, Sr., is also schedule to sail.

Picketing Brings Police

Picketing by three representatives the *Catholic Worker* in front of th Music Hall yesterday afternoon cause a disturbance which was quelled b police. Carrying banners chargin "Blockade" is "war propaganda" an that "this film is a lie," the picket were attacked by several persons, an the placards were torn. A girl seize a broken standard and struck one o the pickets. There were blows an name calling, but the police disperse the crowd without arrests.

"Blockade" at $68,000

"Blockade" was off at the Musi Hall this week, winding up the stanz with about $68,000. "Three Comrades" finished a third week at th Capitol last night with $18,000.

Para. Meeting Today

All officers of Paramount are expected to be reelected at the meetin of the company's board of director scheduled for today. Routine business is expected to be transacted asid from the election of officers.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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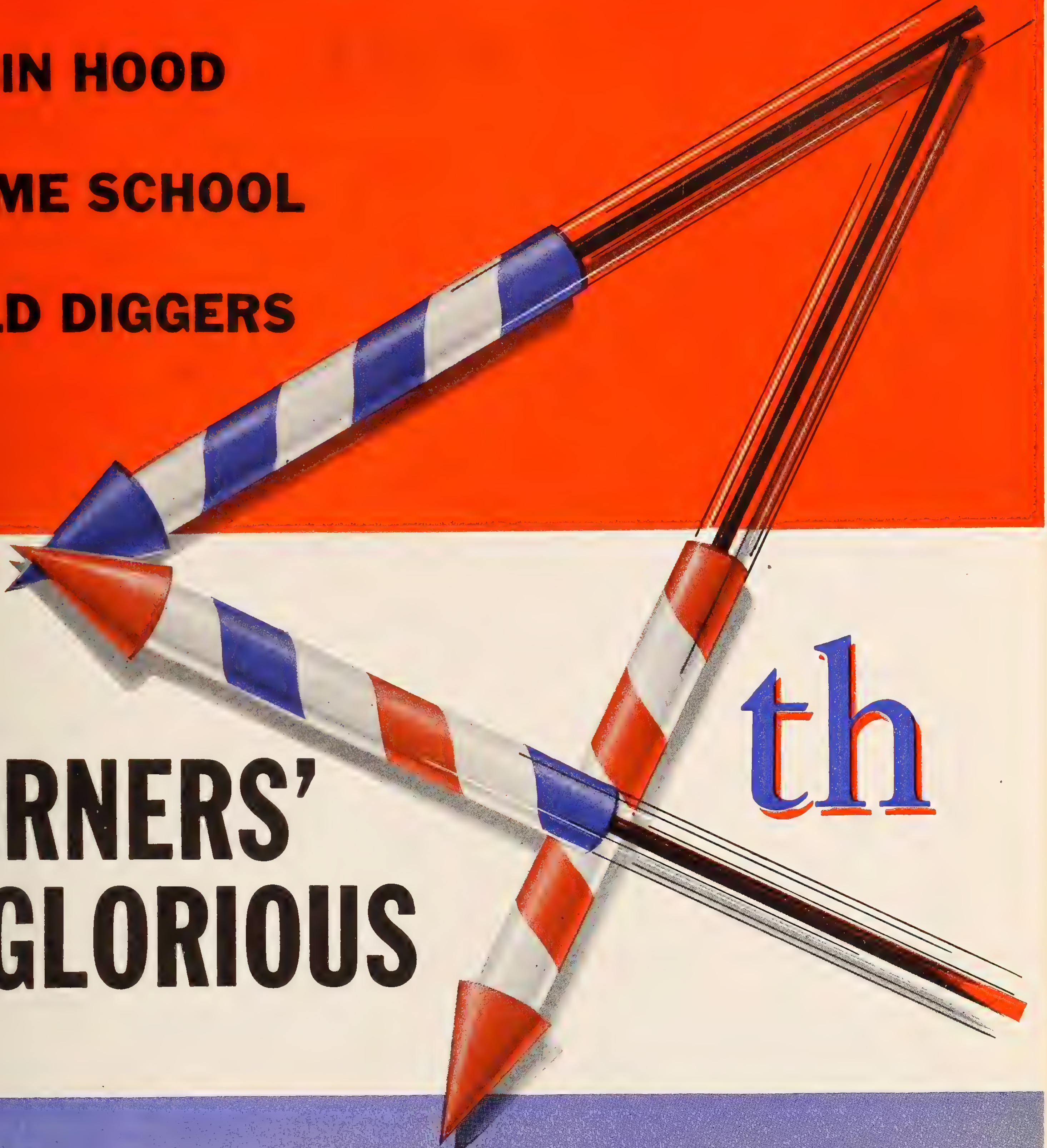
ROBIN HOOD

CRIME SCHOOL

GOLD DIGGERS



Now
Comes

WARNERS' GLORIOUS

th

White Banners"

From the Immortal Best-Seller and Cosmopolitan Magazine Serial by

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Author of 'Magnificent Obsession' and 'Green Light'. . . With

CLAUDE RAINS · FAY BAINTER · JACKIE COOPER

NITA GRANVILLE · HENRY O'NEILL · KAY JOHNSON · JAMES STEPHENSON

Directed by Edmund Goulding · Music by Max Steiner

Screen Play by Lenore Coffee, Cameron Rogers, Abem Finkel · A COSMOPOLITAN PRODUCTION

Variety Club

Cincinnati

Cincinnati, June 22.—James D. Shouse, vice-president and general manager of WLW, and John H. Kelly of the National Theatre Supuly Co., have been accepted as resident barkers. L. O. Davis, president of the Virginia Amusement Co., Hazard, Ky., is the latest barker in the non-resident classification.

The current favorite indoor sport of Joe Kolling, property master, is inhaling 57 varieties of soup. Reason: He has donated all his teeth to the dentist.

Sol Worthington is the latest local barker to middle aisle it. The other is Vici Timmons, erstwhile vaudeville player and subsequently dance instructor at Evansville, Ind.

Indianapolis

Indianapolis, June 22.—The annual golf tournament of Tent No. 10 will be July 18 at the Highland Golf and Country Club. Barkers from other tents, as in past years, have been invited.

Kansas City

Kansas City, June 22.—Director of Variety Club has named the following revised welfare and charity committee: Arthur Cole, chairman; E. E. Webber, Jr., Russ Borg, Frank Hensler, Jay Means, Les Durland, Leland Allen, E. C. Rhoden, Sam Nastor, George Baker, Charley Vaughan, John Wangberg.

Bob Withers and George Baker were named co-chairman of the annual Variety Club-Film Row picnic, with Norris Cresswell and Arthur Cole members.

Earl Jameson of Film Delivery heads the movie ball as general chairman.

Chief Barker R. R. Biechele made the appointments.

Pittsburgh

Pittsburgh, June 22. — George Tyson has arranged Variety Club headquarters in Atlantic City for the summer at the Traymore Hotel.

Harold W. Cohen of the *Post-Gazette* is around the club again after four weeks in Hollywood writing a daily column. John Harris and Jimmy Balmer were in Baltimore for a few days last week installing a new tent. Harry Kalmine and Harry Seed soon will be bachelors for the summer.

The seventh annual golf tournament will be held at the Pittsburgh Field Club, Aug. 15. William Stebler is chairman. The club's American Legion branch has voted to present a show the first Wednesday of each month at the Veteran's Hospital.

Managers to Vacation

New Haven, June 22. — Eight Warner theatre managers will start vacations on July 2. They are Bill Hatkoff, Rialto, South Norwalk; J. O'Laughlin, Strand, Amesbury; Barney Gordon, Commodore Hull, Derby; Bob Hamilton, Palace, Norwalk; Thomas Grace, Circle, Manchester; Victor Morelli, Bristol; Francis Morin, Regal, Hartford and Bill Flanagan, Lyric, Hartford.

Hollywood Previews

"Lord Jeff"

(M-G-M)

Hollywood, June 22.—The gallery crowd applauded lustily when this title and its personnel credits flashed on the screen. Upon the film's conclusion, the expressions of satisfaction for what had been seen were even more demonstrative.

The story told in "Lord Jeff" is rich in human interest. Although its major locale is an English merchant marine training school and its characters are all British, the moral of its story-book theme is one which is recognized as being of strong appeal to modern-minded American juveniles and adolescents. The moral also is of significance and interest to adults.

The underlying motif of "Lord Jeff" is the pointing out of the path to true manhood as traced through the experiences of a youth who at first spurned the opportunity; who, subsequently, upon conquering his rebellious nature, yearned for it eagerly and finally achieved it. Its theme parallels the fancied or actual experiences of many youngsters. It has a down-to-earth character in its portrayal of commonplace living.

In the making-of-a-sailor yarn, Freddie Bartholomew is first the snobbish, sham aristocrat, tool of a pair of jewel thieves. Apprehended, he is sent to a sailors' training school under the condition that he behave or go to a reform school. A "gentleman," he is too good for his associates. To him earnest, honest, ambitious Mickey Rooney is everything that he does not want to be; homeless, fatherless Terry Kilburn is dirt under his feet. He is too mutinous to take interest in the school's fun or lessons. "Chilled" by his mates, even though he steers the school's barge to victory, he is cheered when he learns to cherish the ideals of true loyalty as the story builds to an exciting climax.

Bartholomew gives a performance that matches his work in "Captains Courageous," and Mickey Rooney again demonstrates that he is rightly entitled to recognition as the fastest rising young star of the day. In the person of eight-year-old Terry Kilburn, M-G-M has unearthed a potential new screen personality. He is the kind of youngster women should take to their hearts and in whom youngsters become intensely interested. While this trio carries the brunt of the story, a number of other boys are important in its detailing. In the adult segment of the cast, Charles Coburn, Herbert Mundin, Gale Sondergaard, George Zucco, Emma Dunn, Gilbert Emery and Walter Kingsford handle their assignments capably.

As the material is picturized, it is evident that Bradford Ropes, Val Burton and Endre Boehm, who prepared the original, and James K. McGuinness, who did the screenplay, interested themselves solely in developing a yarn that would be sound in its presentation of understandable and believable humanness. They and Sam Wood, who directed, chose to eschew anything savoring of romantic love interest. Yet practically every other entertainment element and personnel value in which exhibitors might interest themselves when they come to exploit the picture, in ways that will arouse wide audience interest and be particularly attractive to youngsters of the approximate ages of its juvenile principals, has been included.

Running time, 80 minutes. "G."

"Highway Patrol"

(Columbia)

Hollywood, June 22.—Melodramatic action, which at times turns to sensationalism, is the principal ingredient of "Highway Patrol." A well developed romantic love story, together with occasional bits of comedy, serve to accentuate the basic suspense. The original story written by Lambert Hillyer as well as the screenplay by Robert Kent and Stuart Anthony are logical and understandable. In handling his story material, production values and players, C. C. Coleman contrived to keep the theme moving at a swift pace and give it a character that should be appealing to those who like something doing all the time.

The picture derives its title from the fact that the hero, Robert Paige, is a highway patrolman. When Robert Middlemass, oil refinery operator, refuses to join a combine to keep up the price of gasoline, sinister forces led by Arthur Loft, Eddie Foster and Ed Laughton set out either to force him to do so or wreck his business. To prevent this, Middlemass seeks the assistance of Paige. Between helping Middlemass and endeavoring to tame his headstrong daughter, Jacqueline Wells, Paige has his hands full and is in personal danger many times. Loft's desperate plot backfires and he is electrocuted. The remainder of the criminals cleaned out, Middlemass is able to carry on his business in his own way as the stage is set for Paige to marry Miss Wells.

Showmen who like to go in for spectacular exploitation should find here plenty of opportunity to exercise their talents.

Running time, 55 minutes. "G."

Short Subjects

"Wanderlust"

(Vitaphone)

Not quite up to the standard o Floyd Gibbons' other headline hunts but compensated by the screen appearance of Margaret Wycherley, first rank stage actress. The stor concerns a boy who runs away fror home. He eventually comes t[illegible]tawa and into contact with a fa[illegible] whose son also ran away. Variou complications ensue which provide reason for the yarn. The affair a length is unwound with a certai amount of interest. Average. Runnin time, 13 mins. "G."

"The Jitters"

(RKO)

Leon Errol does his familiar rubbe knees act here and it is 19 minute of first rate comedy entertainmen Errol gets drunk because his wife ha taken up with a dancer who teache the "Jitters." He drifts into a dancin school and is mistaken for the ir structor. A group of women, ir structed to watch closely, emulate hi drunken careening and the doings be come hilarious. Later, discovered a a fake, Errol is thrown out. Runnin time, 19 mins. "G."

"Three Missing Links"

(Columbia)

The Three Stooges contribute large number of laughs of a familia sort as this two-reeler unwinds. Ca as janitors in the offices of a fil company they ultimately become actor and go to Africa on location. The fa member of the troupe dresses for th part of a gorilla and the other tw become cavemen. They brush with "real" gorilla and a native witch doc tor and generally have a harum scarum time of it. It's good for sus tained hilarity. Running time, 17 mins. "G."

"Voodoo in Harlem"

(Universal)

Adopting the technique of the ink well films of years gone by, the pro lucers of this short have revived th idea and produced a vehicle that give clever and imaginative entertainmen The plot is set in an animator's studi and after he leaves colored characte come to life. They give a livel truckin' and swing concert until daw rolls around. Running time, 7 min "G."

"Freddie Rich and His Orchestra"

(Vitaphone)

Here is another in this tasteful produced series that should have goo reception. The band is quite we known and there are novelties by th Three Symphonettes, Nan Wynn ar Joe Sodja. Running time, 11 min "G."

"The Fox Hunt"

(Disney-RKO)

Donald Duck and Goofy have th Technicolor spotlight in this cartoo In the hilarious Disney manner th take to the chase. This provided th animators with an excellent subje and they acquitted themselves wi honors. It will satisfy everywher Running time, 7 mins. "G."

Guedella Hits British Films Before C.E.A.

(Continued from page 1)

ly before the new Films Council, ning it is impracticable for the public, or non-trade members of the ouncil to give the industry what it wants unless the trade knows and expresses its desires.

He acidly criticized the present level of lay press film criticism. He declared: "The motion picture has the worst criticism of any of the existing arts. There is nothing between a glorified office boy who edits a radio column and the pseudo-intelligentsia who talk about Mr. Chaplin and who applauded "Modern Times" because hey thought it documentary."

The United States has no particular advantage in executive brains, Mr. Guedella said, but is ready to buy hem and even to buy authors. Britain continues to buy second-hand stars and the center of Britain's second-hand trade is still Wardour St., Mr. Guedella stated.

There is an amazing shortage of any British films telling the world how Britain lives, the speaker said. The paper was heard by the largest audience of any conference in the history of the C.E.A.

During the afternoon, Charles Metcalfe, former president of the C.E.A., read a paper on "Impressions and Depressions," in which he surveyed lightly and without acrimony various trade problems, skimming the surface of the majority of the exhibitor problems. He insisted the most important objective is the increase of the aggregate income.

Hits Long Programs

He criticized long programs and blind booking, and expressed the belief that a national advertising campaign to stimulate attendance would cost £250,000 annually. He declared his opinion that the rentals problem had not reached the limit possible under present negotiations, and declared that complete submission of the association's policies to the Kinematograph Renters' Society (distributors) was necessary to the success of negotiations with that body.

Mr. Metcalfe suggested that a solution rested with the individual exhibitors. He said he hoped one day it would be possible to place the majority of independent bookings in the hands of one individual.

A luncheon today was tendered by the London and Kent Branches of the C.E.A., which was attended by about 300 persons. Thomas France, presiding, won the group with a witty speech of welcome which was voted the convention's best.

Tomorrow two technical papers will be read, by K. Knopp on projection, and by F. Watson Mann on lighting. This evening was held the premiere of the Gainsborough-General Film Distributors film, "Alf's Button Afloat." A supper dance followed.

Collins to Monogram

Des Moines, June 22.—Jess Collins, formerly with Republic in this territory, has joined the Monogram exchange under F. E. Judd.

Hollywood Previews

"Tropic Holiday"

(Paramount)

Hollywood, June 22.—The high spot in this light and wholly frivolous comedy is a bullfight sequence in the best Sennett tradition with Martha Raye as the feminine matador. This rates as one of the funniest episodes of the screen year. A preview audience already pleasantly amused by Bob Burns, Binnie Barnes, Dorothy Lamour, Ray Milland, Tito Guizar and Elvira Rios, a Mexican girl of thrilling voice, practically rolled in the aisles during this burlesque. It is at once the high spot of the film and its most readily exploitable angle.

The picture is likewise distinguished by its musical content. Words and music by Ned Washington and Augustin Lara in the Spanish mode lay lasting hold upon the ear. Senorita Rios and Senor Guizar sing them roundly, Miss Lamour taking over occasionally, with the San Cristobal Marimba Band furnishing striking accompaniment.

The screenplay by Don Hartman, Frank Butler, John C. Moffitt and Duke Atterberry from a story by Hartman and Butler is about a scenarist sent to Mexico to write a love story, his stenographer, the Oklahoma politician who loves her, the guitarist who fascinates her, the native girl who fascinates the scenarist and the cinema star engaged to him who comes to bring him back to Hollywood but doesn't. Romantic complications encountered are not unfamiliar and never serious.

As produced by Arthur Hornblow, Jr., and directed by Theodore Reed, the film is easy to look at and listen to, a gay, colorful consignment of summery stuff admirably timed as to release. The music is sure to be well established on the air and the bull ring sequence may be expected to incite widespread word of mouth publicity.

Running time, 75 minutes. "G." William A. Weaver

"Wives Under Suspicion"

(Universal)

Hollywood, June 22.—Of great appeal to women, Universal's "Wives Under Suspicion" is a social drama based on the peregrinations of the minds of husbands who, though faithful, are so busy that they pay little attention to their homes. It is intimate film fare.

The cast presents Warren William, as the hardworking district attorney; Gail Patrick, his pretty wife, who has everything but the uninterrupted companionship of her husband; Constance Moore and William Lundigan, young friends of the pair; Ralph Morgan, as the murderer whose pattern of domestic relations resembles that of the district attorney's.

William, as prosecutor, is faced with the urge to kill when he mistakenly suspects his wife of unfaithfulness. Engaged in prosecuting Morgan who in similar instances has shot his wife, William suddenly realizes his neglect of his own home, and in a dramatic courtroom scene, urges clemency for Morgan. The prosecutor then returns to his own home to effect a reconciliation of his almost shattered marriage.

The original screenplay suggested by a Ladislaus Fodor play is by Myles Connolly. James Whale directed the Edmund Grainger production.

Running time, 75 minutes. "G."

"Reformatory"

(Darmour-Columbia)

Hollywood, June 22.—Having as background the introduction and working out of an honor system among boys of a correction institution, "Reformatory," produced by Larry Darmour for Columbia release, offers a novel exploitation campaign basis. Mention of Jack Holt's starring is guaranty for his following that the picture will be fundamentally of the action type, and in this he shares honors with Bobby Jordan, Frankie Darro and Tommy Bupp, well known film youngsters, in a story which tells simply of the seamy side of the lives of some youngsters, the outbreak of criminal tendencies, attempts at correction and regeneration and the struggle of one man to keep politics out of penology.

Supporting these four are Charlotte Wynters, Grant Mitchell, Ward Bond, Sheila Bromley, Paul Everton, Lloyd Ingraham and Joe Caits. Lewis D. Collins directed from the Gordon Rigby original.

Holt, upon being made supervisor of a reformatory, institutes humane methods and fires the brutal guards. One of the men plots revenge and induces Darro, an incorrigible, to make trouble for Holt by escaping. Jordan, having been regenerated by humane treatment, breaks up the plot and Holt and his methods are vindicated.

Running time, 60 minutes. "G."

(Additional Reviews on page 7)

"Blockade" on Double Strong On the Coast

Los Angeles, June 22.—"Blockade," on a dual with "Little Miss Thoroughbred," made an excellent showing at Warners' Hollywood and Downtown. The $16,200 take at the former was $2,200 over normal, and the $15,860 gross at the latter was $3,860 into the profit column.

"Swiss Miss," with Ted Lewis and a revue on the stage of the Paramount accounted for $21,000 which was $3,000 to the good.

Total first run business was $93,924. Average is $90,950.

Estimated takings for the week ending June 22:

"JOSETTE" (20th-Fox)
"GANGS OF NEW YORK" (Republic)
CHINESE—(2,500), 30c-75c, 7 days. **Gross:** $10,771. (Average, $12,500)

"PEARLS OF THE CROWN" (Lenauer)
ESQUIRE—(900), 40c-55c, 7 days, 3rd week. **Gross:** $1,000. (Average, $2,500)

"COUNT OF MONTE CRISTO" (U. A.)
"I COVER THE WATERFRONT" (U. A.)
4-STAR—(900), 40c-55c, 7 days. **Gross:** $2,993. (Average, $3,250)

"LIFE & LOVES OF BEETHOVEN" (World)
GRAND—(750), 35c-40c, 7 days. **Gross:** $1,200. (Average, $1,200)

"THE RAGE OF PARIS" (Univ.)
"CITY STREETS" (Col.)
HILLSTREET—(2,700), 30c-65c, 7 days, 2nd week. **Gross:** $6,100. (Average, $6,500)

"JOSETTE" (20th-Fox)
"GANGS OF NEW YORK" (Republic)
LOEW'S STATE—(2,500), 30c-75c, 7 days. **Gross:** $12,000. (Average, $14,000)

"THE RAGE OF PARIS" (Univ.)
"CITY STREETS" (Col.)
PANTAGES—(3,000), 30c-65c, 7 days. **Gross:** $6,800. (Average, $7,000)

"SWISS MISS" (M-G-M)
PARAMOUNT—(3,595), 30c-65c, 7 days. Stage: Ted Lewis & Revue. **Gross:** $21,000. (Average, $18,000)

"BLOCKADE" (U. A.)
"LITTLE MISS THOROUGHBRED" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000), 30c-65c, 7 days. **Gross:** $16,200. (Average, $14,000)

"BLOCKADE" (U. A.)
"LITTLE MISS THOROUGHBRED" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400), 30c-65c, 7 days. **Gross:** $15,860. (Average, $12,000)

Cincy Ban Fails to Halt Bingo Playing

Cincinnati, June 22.—Bingo, officially banned as of June 1, when City Manager C. O. Sherrill announced no further permits would be issued, is continuing in various locations, including churches, which are being "picketed" by police, although no interference has been encountered. Inquiries at offices of the City Manager and Chief of Police Eugene T. Weatherly fail to elicit information on the status of the order. "No comment," is the reply.

Finish Quints' Filming

Callander, Ont., June 22.—The four weeks of shooting on "Five of a Kind," 20th Century-Fox picture starring the Dionne Quintuplets, today was completed by the company's crew under the supervision of Joseph H. Moskowitz, New York production representative. He has left for New York while Jean Hersholt and Director Herbert Leeds headed the group which departed for Hollywood.

U. S. Monopoly Drive May Be Begun in July

(*Continued from page 1*)

that the three major phases of the film industry in which they are interested are, in the order of their importance, the relationship between producers, distributors and exhibitors, block booking and distributor, and fixing of admission prices, the last involved in the Dallas case.

The Government's new monopoly drive will come at a time when it will be of most value to the Administration politically, as the Congressional campaigns get under way, but at the same time will have an important bearing in connection with the monopoly fishing expedition which is to be undertaken by the joint Congressional-executive committee provided for in the O'Mahoney resolution, enacted in the closing days of the Congressional session.

Ticket Tax Shows Sharp Drop in May

(*Continued from page 1*)

1938 and 1937, collections for the first five months of this year, $7,722,309, being but $77,000 above the $7,645,239 collected in the same period last year.

The Broadway sector suffered severely, the bureau reported, collections in the Third New York District last month totaling only $415,798, against $596,035 in April and $484,691 in May of last year. The net loss was entirely in tax collections on admissions, which dropped from $534,561 in April to $350,402 the following month.

Other collections in the district were reported by the bureau as follows: Free or reduced rate admissions, $4,278 last month against $8,345 in April; tickets sold by brokers, $14,440 against $9,602; tickets sold in excess of established prices, $3,643 against $3,326; permanent use or lease of boxes and seats, $55 against $2; admissions to roof gardens and cabarets, $42,980 against $40,198.

Despite the decline in theatre business, admission tax collections for the current fiscal year which ends June 30 will top $20,000,000, it was indicated, receipts for the 11 months ended with May being $19,176,326 compared with $17,865,416 for the same period a year ago, an increase this year of $1,310,910.

Fined for "Baby" Ad

ATLANTIC CITY, June 22.—Howard C. Underwood has been fined $200 and costs by Vice-Chancellor W. Frank Sooy here for violating an injunction against misleading advertising for use of the phrase "a birth of a baby."

Bachman Succeeds M'Coy

John A. Bachman has been named manager of the Warner office in Charlotte, it was stated yesterday by Gradwell L. Sears, general sales manager. Bachman succeeds Ralph McCoy, who has been made branch manager at Atlanta.

Inducement

The latest inducement to attend the film theatre—other than a possible motion picture, of course—happened on Monday. At a house in the Bronx the regular cash prizes were there in the chance game drawing, but in addition, there were tickets to last night's Louis-Schmeling heavyweight bout.

One theatre in the Bronx gave one prize of a pair of tickets, and another of a single at $5.75, the seat for which was just south of Albany.

RKO Pathe Planning 26 Shorts This Year

(*Continued from page 1*)

the production of the novelty subjects, under a contract just signed. The subjects will feature screen personalities and will be titled: "Sports of the Stars," "Hobbies of the Stars," "Children of the Stars" and "Superstitions of the Stars." Frank Donovan, production manager, will leave for the coast next month to start production.

Sheila Barrett, entertainer and impersonator, will be featured in the one-reel comedies. Three of the subjects in the untitled series and five of the Sportscopes have been completed or are in production.

Grainger Is Honored At Boston Luncheon

(*Continued from page 1*)

P. Theatres; Nathan Yamins of Fall River, president of Allied States; Ed Fay, Providence; Martin Toohey, Pawtucket; Fred Green, Woonsocket; Harry Zeits, New Bedford; Nat Goldstein, Springfield; Eddie Read, Providence; Harold Stoneman, Eddie Ansin, E. M. Loew and Joe Levinson, all of Boston. Exhibitors from other cities were also present.

Critics of all Boston newspapers attended. Mr. Grainger was the only speaker and was introduced by E. M. Morey, manager for Mr. Rifkin. Before the luncheon he was interviewed over WAAB and a New England hookup by Ruth Moss.

Mills to Tacoma Today

E. C. Mills, general manager of Ascap, will leave today by plane for Tacoma, Wash., for the hearing on the constitutionality of the state's anti-Ascap law before a three-judge Federal court next Tuesday. Accompanying Mr. Mills will be Louis Frolich and Herman Finkelstein of counsel for Ascap. After the hearing, which is expected to be brief, Mr. Mills will go to Hollywood. He expects to return to New York in about three weeks. Similar cases are pending in Tennessee and Montana, while victories have been won by Ascap in Florida and Nebraska.

M.P.T.O. Wins Fight

SEATTLE, June 22.—The fight wage here by the M.P.T.O. of Washington to prevent leasing of the Civic Stadium for nightly midget auto races has been successful. Mayor Arthur B. Langlie has vetoed an ordinance previously passed 5-to-4, by the City Council, permitting use of the field for these races.

Schenck Says M-G-M Not Hoarding Films

(*Continued from page 1*)

Sullavan and James Stewart, in the first week of July; 'The Crowd Roars,' starring Robert Taylor, July 15, and 'Too Hot to Handle,' starring Clark Gable and Myrna Loy, Aug. 5.

"There is no spring, summer, fall or winter season. It's all year 'round. Last year, you will recall, we released such attractions as 'San Francisco' and 'The Good Earth,' and they did very well, thank you."

Loew's to Close 7 Neighborhood Spots

Loew's will close seven neighborhood theatres here July 2. Employes were given two weeks' notice last weekend.

A heavy seasonal decline in business is given as the reason. The theatres may be reopened in September, it was said, but it is possible that some of them may be dark beyond the summer period.

The theatres are the Hollywood, lower Manhattan; Dyckman, Washington Heights; Astoria, Astoria; Boston Road, Bronx, and the Brevoort, Century and Palace in Brooklyn. The circuit has other houses near some of these theatres.

While Loew's has closed a few theatres in other cities in previous summers, this is the first time the measure is to be taken in New York. Closed also are the Cameo, New Rochelle, and the Lyric, Bridgeport, where the circuit has three other houses. Whether the Lyric will be reopened in the fall is now indefinite.

Reassign Towns in Loew Circuit Shift

Shifts have been made in three Loew circuit divisions out of town to provide for better geographical handling. Akron and Canton have been withdrawn from William A. Finney's division and added to Harry Long's division, which also includes Cleveland and Toledo.

Mr. Finney, whose headquarters are in Columbus, has been given Evansville, formerly under the supervision of Lionel Keene, southern division manager at Atlanta. Loew's have the Victory and Majestic in Evansville. Mr. Finney's division also includes Columbus, Pittsburgh, St. Louis and Kansas City.

Warners Put 5 Top Pictures Into Work

HOLLYWOOD, June 22.—Warners is putting five major pictures into work in the near future, ahead of the time originally scheduled for their shooting.

The five pictures are "Angels with Dirty Faces," starring James Cagney; "Brother Rat," from the Broadway stage play; "Dodge City," with an all-star cast; "Wings of the Navy," with George Brent, and "Heart of the North," in color.

Bert Lahr for "Zaza"

HOLLYWOOD, June 22.—Bert Lahr, comedian, has been signed by Paramount for the part of Cascart, discoverer of Zaza, in the play of that name which will be filmed with Herbert Marshall and Isa Miranda in the leading roles.

Board of MPPDA Takes No Action On World's Fair

(*Continued from page 1*)

Hammons, Will H. Hays, Major Frederick L. Herron, Sidney R. Kent, Nicholas M. Schenck and Leo Spitz.

The committee of three was na[illegible] by the directors to attend a meeting at Columbia University on July 7, at the invitation of Edith Ware, executive secretary of the American National Committee on International Intellectual Cooperation, to consider the entire question of copyright legislation. The meeting will be attended by representatives of all interests concerned in copyright problems. From the M.P.P.D.A. will go Robert W. Perkins of Warners, chairman of the association's law committee; Gabriel L. Hess, general attorney of the M.P.P.D.A., and Mr. Kilroe.

Waldorf to Be Made Into Newsreel House

The first theatre project planned in connection with the rejuvenation of Sixth Ave. which is expected to follow the completion of the subway and removal of the "L" is a newsreel house on 50th St. west of Sixth Ave.

The present Waldorf Theatre, a subsequent run, will be reconstructed, under plans being drawn by a group headed by Joseph Steiner and Stanley Heller, who will open their first newsreel house, the Penn, on 34th St. opposite Penn Station, some time in August.

A traffic check was made before the group decided on the location, and it is believed that the rehabilitation of Sixth Ave. will make the site ideal for a newsreel theatre, according to the sponsors.

The Waldorf, which has 750 seats, will be made smaller and when reconstruction is completed there will be 500 seats. The front will be cut down to make room for six stores adjoining the theatre entrance. It will be air conditioned. Cost of remodeling is put at $75,000 and equipment is estimated to cost $30,000. Opening is planned for September.

Before the year is out there will be four theatres in the neighborhood, with the Music Hall, the Center and a newsreel theatre which will be opened in the new Associated Press Building under construction on 50th St. in Rockefeller Center, east of Sixth Ave. The latter will be operated by Newsreel Theatres, Inc., which has the Embassy on Broadway.

This circuit has withdrawn from the theatre at Fordham Rd. and the Concourse in the Bronx at the expiration of a one-year lease, but is building another at 72nd St. and Broadway, to be opened in September.

Not Holding Product, States Adolph Zukor

(*Continued from page 1*)

screen entertainment during the summer."

The Zukor statement was amplified with mention of "Spawn of the North," "The Texans," "Professor Beware," "Give Me a Sailor" and "Tropic Holiday" as typical Paramount pictures set for release during the warm months.

"Paris" Pulls $19,000 First Chicago Week

CHICAGO, June 22.—The Premiere of "The Rage of Paris" at the Palace was the outstanding attraction in the Loop last week. The Danielle Darrieux picture grossed $19,000 which is average business in normal times.

Other Loop theatres, most of them with holdover attractions, found the going rather tough. Two new pictures which got good reviews but failed to pull much business were "Yellow Jack" at the Roosevelt and "You and Me" at the Chicago. "Adventures of Robin Hood" at the Apollo and "Three Comrades" at the U. A. were fair as holdover attractions.

Total first run business was $82,400. Average is $103,000.

Estimated takings:

Week Ending June 16:

"ADVENTURES OF ROBIN HOOD" (W.B.)
APOLLO—(1,400), 35c-55c-65c, 7 days. **Gross:** $4,600. (Average, $6,500)

"YOU AND ME" (Para.)
CHICAGO—(4,000), 35c-55c-75c, 7 days. Stage: Geo. Jessel and Norma Talmadge. **Gross:** $24,000. (Average, $32,000)

"FAREWELL TO ARMS" (Para.) (Re-issue)
GARRICK—(900), 35c-55c-75c, 7 days. **Gross:** $4,000. (Average, $6,500)

"RAGE OF PARIS" (Univ.)
PALACE—(2,509), 35c-55c-75c, 7 days. Stage: Paul Haakon & Co. **Gross:** $19,000. (Average, $19,000)

"CALL OF THE YUKON" (Republic)
STATE-LAKE — (2,776), 20c-40c-55c, 7 days. Stage: Verne Buck and Revue. **Gross:** $10,800. (Average, $13,000)

Week Ending June 17:

"YELLOW JACK" (M-G-M)
ROOSEVELT—(1,300), 35c-55c-75c, 7 days. **Gross:** $9,000. (Average, $11,000)

"THREE COMRADES" (M-G-M)
UNITED ARTISTS—(1,700), 35c-55c-75c, 7 days, 2nd week. **Gross:** $11,000. (Average, $15,000)

Wall Street

Board Issues Hold Gains

	Open	High	Low	Close	Net Change
Col.	11⅞	13	11⅞	13	+1
Cons.	1⅜	1⅜	1⅜	1⅜	+ ⅛
Cons. pfd.	5⅞	6½	5⅞	6½	+ ½
E. K.	160¼	163	160	160	—1
E. K. pfd.	160	160	160	160	.....
G. T. E.	12	12	12	12	+ ⅛
Loew	45	46⅜	45	46⅜	+1⅞
Para.	8½	9¼	8⅜	9⅛	+ ⅝
Para. 1	79½	80	79½	80	+1½
Para. 2	9⅜	9⅝	9¼	9⅝	+ ¼
Pathe	5	5⅛	5	5⅛	+ ⅛
RKO	2⅛	2⅛	2	2⅛	+ ⅛
20th Fox	22½	23	22½	22⅞	+ ⅜
20th pfd.	30	30	30	30	.....
Univ. pfd.	30¾	30¾	30¾	30¾	+ ¾
W. B.	5	5⅜	5	5⅜	+ ⅜
W. B. pfd.	31½	31½	31½	31½	+1½

Curb in Increase

	Open	High	Low	Close	Net Change
Monogram	1¾	1¾	1¾	1¾	+ ⅛
Tech.	23½	23¾	23½	23¾	+ ¼
Trans-Lux	2	2	2	2	.....
Univ. Corp.	1⅞	1⅞	1⅞	1⅞	.....

Bonds Close Higher

	High	Low	Close	Net Change
Para. Pict. 6s '55	92½	92	92½	+ ½
Para. Pict. '47	71	71	71	+ ⅜
RKO 6s '41	67½	67½	67½	+ ½
W. B. 6s '39	68	68	68	+ ½

(Quotations at close of June 22)

New York Previews

"The Courier of Lyons"

(Pax Films)

This French production from Eclair Films is a fine theatrical treatment of a famous law case that is as well known in France as the Dreyfus affair. From appearances the handling of the story followed the court record. There is no glossing over with factual distortion in order to bring about a happy ending. Counterbalancing this realism are vivid characterizations by Pierre Blanchar and Dita Parlo, who are familiar to patrons of the foreign film house. It has English titles.

The scenario is based on the prosecution of four robbers who held up the stage coach which was transporting 7,000,000 francs to pay the French army in Italy. Murder was committed. Three of the accused are really guilty. The third, Blanchar, makes inquiries about a friend who is detained and is identified as a suspect by two women who keep an inn. He bears a strong resemblance to the ringleader of the gang and consequently is run through the mill of justice. He cannot explain his whereabouts on the night of the crime. But his wife, Miss Parlo, draws the information from him—he had spent the entire day with a woman. Miss Parlo rounds up the girl and other witnesses. Their testimony fails to convince the court. At length the quartet, convicted on circumstantial evidence, is sentenced to the guillotine and execution is later carried out. Blanchar goes to his death in spite of the protests of his guilty mates. The real criminal is on the sidelines watching the execution. He is later caught and the truth is brought out. The judge in the case is shown in final scenes, a suddenly aged man, with a bad case of conscience.

The historical details are good. Maurice Lehmann directed. Running time, 93 minutes. "A."

Bank Night Is Given Second Florida Blow

TAMPA, June 22.—Bank Night received another setback in the courts here when Circuit Judge L. L. Parks issued a temporary order restraining the Victory and Tampa Theatres from using the game on the ground that it is a lottery in violation of Florida law. He failed to order confiscation of the accumulated money which also was asked in the petition against the theatres.

Attorneys for Gulf Theatres, Inc., Jesse L. Clark, its manager, and Vincent Wade, local manager, against whom the petition was brought, said they would take an appeal to the State Supreme Court and ask the court to suspend the injunction pending the higher court's decision. The Supreme Court has before it another Bank Night case involving a Miami theatre, but has permitted continued staging of Bank Night there pending outcome of an appeal of that case.

Chester H. Ferguson, local attorney who filed the injunction petition in his own name, also had asked injunctions against Screeno and the Question Box, but this was denied by the court since the theatres already have abandoned those activities.

Latin America Rights Set

World Pictures Corp. has acquired the distribution rights on "Grand Illusion" for Cuba, Venezuela, Colombia, Peru, Bolivia, Ecuador, Central America, Mexico, Philippine Islands and Hawaiian Islands. The company distributes the film in this country.

Restore "Devil's Island"

HOLLYWOOD, June 22.—Warners has decided to call "The Return of Doctor X," Boris Karloff vehicle, by its original title, "Devil's Island."

Milwaukee Theatre Man Battles Union

MILWAUKEE, June 22.—A. C. Gutenberg, owner of the Grand, local neighborhood house, has gone to bat with the local projectionists' union. Signs displayed on the front of his theatre read:

"Local Union No. 164, I.A.T.S.E., is trying to force me out of business. Seventeen theatres of greater or like seating capacity are paying for one man operation $60 for a 40-hour week. I must pay $80 for 40 hours work per week for one man operation.

"Sixty-seven theatres in Milwaukee got relief. They refused me any relief. My offer to my employe is $60 for 40 hours of work. The business agent said you must be taught a lesson. What lesson? This theatre has been fair to all unions for the past 25 years. Is this union fair?"

Although the house is being picketed, Gutenberg is operating his own projector and remaining open.

Wilmington Getting Ready for Big Party

WILMINGTON, June 22.—The Delaware Swedish Tercentenary Commission has been granted permission to erect a wooden platform opposite the reviewing stand in front of the Public Building for five newsreel companies to take shots of the Tercentenary parade here next Monday. Plans are also being completed for camera space at the Swedish Park. "The Rocks" landing place of the Swedes in America 300 years ago, where President Roosevelt and Crown Prince Gustaf of Sweden will speak next Monday. More than 100,000 visitors are expected.

Broadcasting arrangements have been made by NBC, CBS and Mutual. and NBC will also short wave the program over W3XAL, W2XAD and W8XK.

Fox Theatres Final Report Before Court

Special Master Courtland Palmer yesterday filed his final report on claims filed against Fox Theatres in the receivership proceedings.

He dismissed the claim of Alfred F. Fiegel for $250,000 based on an agreement which he claimed Fox breached, whereby Fiegel was to secure advertising for the "Fox Weekly."

The special master allowed the claim of the Chicago Title & Trust Co., as assignee of Herbert Lubin for $1,110,055 in toto. This claim was based on an agreement made March 24, 1937, whereby Fox agreed to purchase the stock and control of Roxy Circuit, Inc.

A claim filed by Gordon and Violet Grant for $4,000 was allowed to the extent of 50 per cent.

The special master declared in his report that the only other claim not yet passed upon was that of William Fox for $7,000,000, based on an indemnity agreement. Inasmuch as proof of this agreement was not submitted to him, the special master requested that it be submitted directly to the U. S. District Court for adjudication. The report also asked that the special master be finally discharged from any further duties.

Orders Irving Trust Payment

Federal Judge William J. Bondy issued an order yesterday authorizing the Chemical Bank & Trust Co., as trustee under the collateral note indenture of RKO dated July 1, 1931, to pay to the Irving Trust Co. as trustee of RKO, the sum of $127,571 to be used by Irving Trust for administrative expenses and allowances. On May 4, 1936, the Chemical Bank & Trust Co. started to put aside a fund of $15,000 monthly to be used for this purpose.

Minnesota Will Be Closed on June 30

MINNEAPOLIS, June 22.—Minnesota Amusement Co. will close the Minnesota here June 30 for an indefinite period because of a continuing business decline at all downtown houses. Other units in the local circuit may be closed for the summer at about the same time unless a business revival occurs or overhead can be reduced further, it was stated officially.

The lower admission neighborhood houses are maintaining profitable operations, but the downtown houses here have suffered for several months. Minnesota operations are said to be at their lowest level in years.

Rogers to Criterion

Roy Rogers, Republic cowboy star, and "The Radio Rubes" will give two performances June 25, with a possible holdover the following day, at the Criterion, in connection with the showing of the Rogers' film "Under Western Skies." It will mark the first time a "live" talent show has ever played the Criterion.

Poli Corp. to Dissolve

NEW HAVEN, June 22.—The S. Z. Poli Corp., owner of the late magnate's theatre properties in Hartford and Worcester, has filed a certificate of preliminary dissolution.

Ask Multiple Use of Clear Air Channels

(Continued from page 1)

Coast, in the neighborhood of Salem, Ore.

While such multiple use of the channel would not reduce the primary service area of WABC, he admitted it might shorten its range somewhat, but pointed out that there were other stations carrying the same chain programs which would fill in adequately.

The regional group also asked the commission to frame its new rules so as to provide flexibility for the power of regional stations so that they might operate with five kilowatts at night where it could be shown such power would not increase interference. This is particularly important, it was declared by Paul D. Spearman, counsel for the group, in areas where it is necessary to overcome a high noise level of urban centers.

It was admitted by Mr. Godley, however, that there are several channels in the eastern part of the country on which interference from regional stations is such as to render service unsatisfactory in some areas. In such cases, it was said, the power limit would of necessity have to be such as to minimize interference, but in other sections of the country the stations are more widely separated and five-kilowatt operation at night would not necessarily cause any difficulty.

Rules Publication Asked

Promulgation of rules to govern the use of broadcasting stations by political candidates has been asked of the commission by WTAR, Norfolk, in a petition pointing out that the commission has never issued such rules, although required to do so by Section 315 of the Communications Act, which provides that, while a station need not allow the use of its facilities by candidates, if it gives such privilege to one it must accord similar privileges to others. The station pointed out that at present broadcasters themselves are required to interpret that section of the law and that they would be relieved of such responsibility under regulations issued by the commission.

Time Program Will Be Heard on Friday

Beginning July 8, the "March of Time" broadcasts will be heard on Fridays from 9:30 to 10 P.M., E.D.S.T., over the NBC-Blue network instead of on Thursdays. Current sponsorship by Servel, Inc., for Electrolux will terminate June 30.

The new series that will start on July 8 will be sponsored by the editors of *Life* magazine. The new time offers increased transmission facilities by the addition of a number of western stations.

WMCA Issuing Column

WMCA is now feeding a syndicated column to newspapers in cities within range of its signal. Currently 12 papers are taking the column which is written by Leon Goldstein under the name of Donald Lee.

Weber Will Carry Theatre Musicians Drive to Studios

(Continued from page 1)

before the close of the present executive session, which began yesterday, following the close of the annual A. F. of M. convention in Tampa, Fla.

Mr. Weber indicated that he was not so much concerned with the music problem as it is at present in Hollywood. The Federation's primary concern, he said, was to bring musicians back into the film theatre, particularly in those theatres which are now operated or controlled directly by the major producing companies. He said he would exert the utmost pressure upon those production companies controlling circuits of theatres to return orchestras to their houses.

This matter, he said, would be taken up separately, and not as part of the basic studio musicians' labor agreement. This pact, to which the major studios are signatories, still has some to run, and Mr. Weber said he probably would not negotiate on a renewal of it until some time in the fall.

A.F.M. Meets on Air Reemployment

(Continued from page 1)

transcription companies to bring about reemployment of musicians in those fields.

Joseph N. Weber, president of the federation, said yesterday that he would would meet again with the committee of broadcasters representing the unaffiliated stations within 10 days to resume negotiations for a pact for the independents similar to the one completed some months ago for the network affiliates. Mr. Weber said that 140 independent stations had already reported to the committee, giving their yearly grosses and other information necessary to determine the rate of allocation for the independents.

Reminded by newspapermen that several of the network stations which had signed the Independent Radio Network Affiliates contract had since withdrawn from the pact, Mr. Weber said grimly that he thought he would be able to make them live up to the agreement.

He said that within a few days he would resume conferences with the network and recording companies, and said that the license form for those interests would be completed shortly thereafter. He said one of the major subjects at the present meeting of the board would be to deal with the complaints of local bands throughout the country, who have been unable to obtain radio lines because of the "name" bands which travel about the country. Mr. Weber said a method must be devised to help the local bands get back on the air.

Weed Officials on Trip

Joseph J. Weed, president of Weed & Co., and C. C. Weed, manager of the firm's Chicago office, are en route to the Scripps-Howard station, WCPO, Cincinnati, which recently appointed the Weed company as national sales representative. The Weeds also will call at WMPS, Memphis.

Wrong Number

Hollywood, June 22. — A telephone number was needed in a script of the "Scattergood Baines" program, broadcast over KNX-CPN, and Dave Owen, who writes and produces the series, inserted his own number on the broadcast. Thereafter, for two whole days, his home telephone kept up a constant jingling night and day, until he had the number changed.

Mr. Owen will think twice now before using his own phone number again on the air.

Finds Children Like Action Air Programs

Contrary to educators' comment, children prefer blood and thunder, macabre and similar programs, it was asserted yesterday by Louis Wolfe, New York school teacher, who conducts "Let's Get Together," a children's program, over WMCA.

Wolfe circulated a poll which sounded out likes and dislikes among 6,000 youngsters and the results showed the general characteristics of juvenile dislikes to be condescending attitudes in programs, too much advertising, impossible achievements and love interest.

A total of 63 per cent of the participants in the query showed a dislike for child performers. Comedy drew a favorable majority of 81 per cent. Fairy tales were generally rejected with a showing of 82 per cent against and 18 per cent for. True stories received favorite acclaim with 96 per cent in favor, and opera was quite wholly placed on the rejected list with 98 per cent voicing their dissenting vote. However, two per cent found the classics to their liking.

To Air Phila. Concerts

Toronto, June 22.—The national network of the Canadian Broadcasting Corp., will carry the summer concert series of the Philadelphia Symphony Orchestra, starting Friday and followed by a second concert Saturday night, as an international exchange feature in conjunction with the Mutual Broadcasting System. The concerts will originate in Fairmont Park, Philadelphia.

Two Script Shows Added

Beginning June 27 two new script shows will be fed to Mutual from WLW, Cincinnati. "Midstream" will be heard Mondays through Fridays at 4:15 P. M. and "The Mad Hatterfields" will be heard Mondays, Tuesdays and Thursdays at 4:45 P. M., E.D.S.T.

NBC Plans New Series

NBC on July 7 will launch a new series of broadcasts called "Stepping Ahead With America" which will offer insights on activities to improve general conditions in this country. John B. Kennedy will be narrator and master of ceremonies.

Colonial, Mutual Gain

The Colonial and Mutual networks have added WHAI, Greenfield, Mass., and WCOU, Lewiston, Me.

Radio Personals

BOB HOPE and Rose Marie will be heard as guests on the "Magic Key" show over NBC next Sunday . . . Walter Cassel has returned to the CBS Chesterfield show as baritone soloist . . . Bill T[illegible]n will be heard from England ov[illegible] a CBS hookup describing the Wimbledon tennis matches on June 25 and July 1 and 2 . . . Estelle Taylor will be Radie Harris' guest tonight over WOR-Mutual at 6:45 P.M., E.D.S.T. . . . John Woodrow Loveton of the radio department of Ruthrauff & Ryan will be married to Virginia Farmer in Bannockburn, Ill., on July 18.

✚

Will Yolen of the Tom Fizdale office has flown to Montreal for a Benny Goodman broadcast and concert. . . . Phyllis Creore, radio actress and singer, was given a screen test by Paramount yesterday.

✚

Canadian Roundup

Winnipeg—CBC will air the going's on at the eighth triennial convention of the Canadian Women's Press Club to be held at the Royal Alexandra Hotel June 24. Ishbel Ross, formerly with the New York *Herald-Tribune* will talk on the Lindbergh case and presidential elections, etc. . . . Gladstone Murray, head of CBC, will talk—but not over the air.

Toronto—Throughout the summer CBC will stage a week-day airshow featuring "man-in-the-street" interviews. With the exception of Saturdays and Sundays, corporation commentators will each 1:30 P. M. park at busy intersections in cities from coast to coast quizzing passers-by on world affairs and questions of general interest.

Quebec—The National Eucharistic Congress here, the first ever held by Canadians, is being covered by CBC not only for Canadians but for Americans and Italians, too. Both NBC and Radio Italie are piped in.

Date Canada Air Probe

Toronto, June 22.—Official announcement has been made that the Dominion Government's probe into the radio industry of Canada will get under way before the Federal Board on Excise and Taxation on July 12 when the production, distribution and sale of receiving sets, tubes and parts will be investigated to ascertain whether or not a combine with respect to patents and imports exists.

WNEW, W. B. in Tieup

WNEW and Warners have arranged a tieup for the forthcoming release of "Boy Meets Girl." The tieup consists of national plugs for the film and a contest to select a boy and girl who will be given a screen test at the Warner studios. The contest is being run in conjunction with WNEW's "Soundtrack" program.

James Wallington Back

James Wallington, network announcer, is back in town on the lookout for a berth as a commentator. He stated he will not again become an announcer.

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Sees New Net Possible with Higher Power

ould Comprise Stronger Units, FCC Told

WASHINGTON, June 23.—The pos- bility that a new network comprised clusively of 500-kilowatt stations, king over the largest advertisers th the most money to spend, might superimposed upon the present oadcast structure if super-power ere adopted, was laid before the deral Communications Commission day by John Shepard, 3rd, president the Yankee Network.

Additional developments in radio yesterday on page 8.

Testifying on behalf of the National ssociation of Regional Broadcast ations, Mr. Shepard told the com- ttee that NBC and Columbia might t be willing to use the super-pow- stations if their time for commer- al programs was reduced one-third, previous witnesses had suggested ould be the case.

Abandoned by the existing net- orks, he said, it would be only log- al for the 500-watters to form a ain of their own, attracting the most portant advertising accounts, 10 of ich, he commented, could afford to

(Continued on page 8)

Television Lens Gets Death Leap

The fall of a woman from the 11th story of a building was seen on the television screen of a receiver in Radio City yesterday.

The new NBC television mobile unit was being tested in Rockefeller Plaza, and the camera atop the truck had just swung over to catch a view of the Time and Life Building when Marion Perloff, 28, a stenographer, leaped to her death. The details of the leap were clearly caught in the receiver on the third floor of the RCA Building, where an operator had been stationed to observe the reception of the outdoor scenes caught by the camera.

The studio observer heard the camera operator gasp "My God!" just before the scene was caught on the screen.

English Exhibitors Preparing Now for Possible Bombing Raids

By AUBREY FLANAGAN

Folkestone, England, June 23.—Exhibitors in England already are preparing for possible air raids on the country in the event of war, it was indicated during a discussion at the closing session of the annual summer conference of the Cinematograph Exhibitors' Association here today.

Two technical papers featured the final day, one on projection by K. Knopp, and the other on lighting by F. Watson Mann. It was Mr. Mann's paper on lighting and the related problems which were likely to arise for the theatre operator in the event of air raids that led to the subsequent discussion on air raid precautions. Then came the revelation that exhibitors are already preparing for any contingency.

With the serious side of the meeting disposed of, the exhibitor delegates to the convention devoted themselves to entertainment. A coach drive along the Kent coast this afternoon, and the annual Star's ball this evening concluded the conference.

Sweeping Powers Are Contained in Silverstone Pact

Sweeping powers have been given Maurice Silverstone in his new five-year contract as general manager of United Artists, the stockholders having voted him greater authority than has ever been held by any head of the company heretofore, it was learned yesterday.

Indicative of the authority, it is reported that Mr. Silverstone has been given the power to dismiss any employe of the company as he sees fit without further authorization or consultation with the directors or stockholders. Whether this will apply to executives who have employment contracts with United Artists is not known at the moment.

Mr. Silverstone will exercise the duties of chief executive officer of the company at least until the election of a president, scheduled for the next annual meeting of the stockholders

(Continued on page 7)

Will Not Repeal South Wales Law

By CLIFF HOLT

MELBOURNE, Australia, June 23.—The Government of New South Wales contemplates no action looking to repeal or amendment of the new Films Act passed by both houses of the legislature last January, it was indicated authoritatively here today.

The legislation as passed provided new, reduced quota terms, and was described at that time by Premier

(Continued on page 7)

Shearer and Gable Scarlett and Rhett; M-G-M to Release

HOLLYWOOD, June 23.—Ending what had grown to be a country-wide guessing game, it was stated authentically today that Norma Shearer has been signed by Selznick International for the part of Scarlett O'Hara in the filming of the Margaret Mitchell novel, "Gone with the Wind," and that Clark Gable has been engaged for the role of Rhett Butler. The picture will be released by M-G-M as part of the deal under which the stars are loaned to the Selznick organization. Miss Shearer is a stockholder in Selznick International.

The releasing deal with M-G-M is for this film only. Whether Selznick will shift permanently to M-G-M, stay with United Artists or arrange a new releasing affiliation is still undecided. Two pictures have still to be delivered under the U. A. releasing deal.

Announced some time ago for the cast of "Gone with the Wind" were Walter Connolly and Margaret Tallichet.

Officers of Para. Renamed by Board

All the present officers of Paramount yesterday were reelected for the coming year at the monthly meeting of the board of directors at the home office. The officers are: Barney Balaban, president; Adolph Zukor, chairman of the board; Neil F. Agnew, Y. Frank Freeman, George Bagnall, John W. Hicks, Jr., and Austin C. Keough, vice-presidents;

(Continued on page 7)

Delays Beset British Trade Treaty Talks

Kennedy Words Confirm Facts Known Here

The completion of a reciprocal trade agreement between the Governments of the United States and Great Britain, of which a motion picture arrangement would be an important part, is considered definitely remote at this time, it was indicated yesterday in informed quarters here.

Credence was given to the generally expressed belief that a long delay impends before a settlement of terms is reached by the remarks of Joseph P. Kennedy, American Ambassador to the Court of St. James's, on Wednesday in Boston. Mr. Kennedy, in New England to attend the graduation of his son from Harvard, declared at a press interview that, "The present is a difficult time to reach any agreement, because trade is at a low ebb."

He said that while the trade negotiations thus far had been conducted entirely in Washington and he had no share in them, he was certain "that no agreement will be reached, which will be a diplomatic success, that will violate the dictates of common sense."

Delegates from England are working continuously with representatives of the U. S. State Department on de-

(Continued on page 4)

Writers Registering For NLRB Election

HOLLYWOOD, June 23.—Film writers today began registering for the election, June 28, which will determine, according to the National Labor Relations Board, whether the Screen Writers Guild or Screen Playwrights, Inc., will be the collective bargaining agency or whether the majority of

(Continued on page 7)

Rush Fight Film

Films of the Louis-Schmeling prizefight Wednesday night were ready for screening at 8:30 A. M. yesterday morning. The Palace and Rialto on Broadway opened at 9 o'clock for the first showing of the pictures in that district. Houses in the RKO circuit in Manhattan, the Bronx, Brooklyn, Queens and Westchester were playing the films yesterday afternoon.

My Word!

By Irene Kuhn

◆ It's not true what Harry Brand says about Hepburn! "Holiday" the star's new vehicle, opened at the Music Hall yesterday and received a four-star rating. At 4 P. M. the box-office was ahead of "Adventures of Robin Hood" for the first day.

◆ Norris Wilcox, half brother of Douglas Fairbanks, and personnel director of United Artists, had a private showing yesterday of an amateur color film he has been making for years. Mr. Wilcox, a Southerner, has had a lifelong interest in amateur photography, Colonial architecture, and is, besides, fond of motoring. In order to have a definite objective for weekend motoring he began to chart a course which would take in all the historical houses which are associated with the life and career of George Washington.

◆ He covered 4,000 miles before he had satisfied himself that he had a complete record of the buildings Washington occupied as residences and headquarters. The film opens with a shot of the restored house on the original foundations which authorities are agreed was Washington's birthplace at Wakefield, near Pope's Creek, in Westmoreland County, Va.

◆ Quite by accident, Mr. Wilcox said, he found a marker near Fredericksburg, Va., directing him to a dilapidated farm which was proved to be the place where Washington spent his youth and where the legend of the cherry tree was born.

◆ The film is not only exceedingly entertaining but has great value for architects and historians for its views of buildings associated with Washington and Colonial history. No prints can be made of the film, unfortunately, so that it exists only for the pleasure of Mr. Wilcox, his family and friends.

◆ Something new in performing dogs, strictly amateur. Owner of a bull purp showing off his pet's accomplishments on West 49th St. yells "Hitler, Benny!" and the dog goes into a spasm of snarling, barking rage.

◆ Broderick Crawford ("Of Mice and Men") now back in California for picture work, is heaven's gift to booksellers. Brod always goes on a book buying jag when he suffers from insomnia. Can finish a book a night.

Steele, Western Star, Dropped by Hackel

Hollywood, June 23.—Following the failure to renew releasing arrangements between Republic and Supreme Pictures, A. W. Hackel, of the latter organization, has dropped Bob Steele, western star, from his roster. Mr. Hackel is now in New York to sign a new releasing deal. He had been producing the Steele series for Republic for the past two years.

The dropping of the Hackel-Republic deal is believed due to the addition of the new Roy Rogers western series to the Autry and Mesquiteer groups.

◂ Purely Personal ▸

FRANCES LANGFORD is due from the coast Monday. With her will be **Jon Hall**, whom she married recently. She will make a personal appearance at the Paramount beginning Wednesday, in conjunction with the showing of "Tropic Holiday."

•

Victor Cockle, head of the Gaumont British non-theatrical film division in England, has arrived from London to survey the possibilities for educational films in this country. He expects to return in about a week.

•

Irwin Zeltner, Loew's State publicity director, has returned from Maine and is recuperating from a recent illness at his home in Bronxville. **Gene Murphy** is pinch hitting.

•

E. L. Rutledge, 20th Century-Fox managing director in New Zealand, will return Monday from Pittsburgh and Buffalo where he is inspecting exchange operation methods.

•

Bob Mintz of *Stage & Screen* says that the fight industry has one-round **Joe Louis**, but the film industry has hole-in-one **Sid Weil**, the RKO tourney champ.

•

Jessie Busley, veteran stage player, is en route to New York from the coast following the completion of a role in "Unlawful" at the Warner studios.

•

Frank McCarthy of the George Abbott office left yesterday for the coast to act as technical adviser on "Brother Rat" at the Warner studios.

•

Carl Ritt, city editor of the *Evansville Press*, is in town to see the shows.

•

John Abbott, director of the Film Library of the Museum of Modern Art is scheduled to arrive Monday on the *Normandie*.

•

Earl Allvine has a novelty called "Along Broadway" in the current issue of Movietone News.

•

Al Margolies, G. B. advertising and publicity chief, will return Monday from his vacation.

•

James R. Grainger, Republic distribution head, will leave Monday for Chicago conferences.

Wright of Selznick Paramount Producer

Hollywood, June 23.—William H. Wright, assistant to David O. Selznick at Selznick International, today resigned from the company to join Paramount as associate producer.

Mr. Wright will report at Paramount July 11 to assume his first assignment on "Disbarred," featuring Gail Patrick and Randolph Scott.

Ritchey Closes Deal

Norton V. Ritchey, Monogram's foreign export manager, has closed a deal for release of Monogram product in Chile and Bolivia. The deal includes the company's Spanish productions,

Suds Help Score

A barrel of beer on third base proved a substantial lure for the Junior A. K's at the baseball game on the Warner outing. The final score was 16 to 12. The cold suds affected the score. The Senior A. K's on their circuit around the bases took advantage of the cots provided for them near the bases.

Suit Filed to Stop "Birth of a Nation"

Thomas Dixon, author of "The Clansman," and Epic Producing Corp. filed suit yesterday in the U. S. District Court against Stone Film Library, Inc., Marion T. Stone, the Trio Film Exchange of New York, Inc., Esquire Amusement Corp., Max A. Cohen, Major Film Exchange, Inc., David M. Sohmer and Skouras Theatres Corp., and asked the court to restrain the alleged exhibition by the defendants of "The Birth of a Nation." The plaintiffs charge the defendants with having secured copies and prints of the picture on April 1, 1938, and with exhibiting it without permission.

The complaint alleged that Mr. Dixon assigned the motion picture rights of the novel, "The Clansman," on Dec. 20, 1913, to Majestic Motion Picture Co. and that D. W. Griffith then produced the picture, "The Birth of a Nation." Subsequently. it was alleged, Epic secured the rights to the picture. In addition to an injunction, the plaintiffs asked for damages, an accounting of the profits and $250 for each exhibition of the picture.

Seek to Dissolve Meridian

N. Y. Supreme Court Justice Peter Schmuck yesterday appointed Edward J. McDonough of 51 Chambers St., this city, as referee and receiver of the assets of Meridian Pictures Corp., in response to a petition filed by Walter J. Hughes, president, and David Stewart Craven, director, for the dissolution of Meridian.

Justice Schmuck directed that Referee McDonough conduct a hearing Aug. 3, at which time stockholders and creditors would have an opportunity to show cause why the petition should not be granted.

Sues on Photograph Use

Suit was filed yesterday in the U. S. District Court against Paramount Productions, Inc., Paramount Pictures, Inc., Paramount Distribution Corp., Paramount Publix Corp., Publix Theatres Corp. and the Macon Amusement Corp., operators of the Criterion, by Edward Poland, charging infringement of an alleged copyrighted photograph entitled "Birdseye view of U. S, Capitol and Congressional Library." Poland claimed that Paramount produced and the Criterion exhibited in March of this year a picture called "Dangerous to Know," in which plaintiff's photograph was used.

Colbert for Miranda

Hollywood, June 23.—Isa Miranda has withdrawn voluntarily from the cast of Paramount's "Zaza" as a result of injuries received in a recent automobile accident. She will be placed by Claudette Colbert.

Wm. Rodgers Lauds Then Joins M.P.A.

William F. Rodgers, sales manager of M-G-M and guest of honor at yesterday's luncheon of Motion Picture Associates, paid tribute to the charitable work of the organization, submitted his application for membership and was officially added to the roster. Drawing a parallel between the local group and the Variety Clubs, Mr. Rodgers stated that if every indus would take care of its own in same manner as the film industry, business as a whole would be benefited and vast relief appropriations would be made unnecessary.

Mr. Rodgers was introduced by Jack Ellis, president of the organization, who also presented Jimmy Braddock and Tommy Farr during the course of the luncheon, the last of the current season.

U. A. Chicago Meet End

Chicago, June 23.—The wester sales meeting of United Artists ende here today following a series of individual conferences. Salesman delegates have been given an extra day a company expense before returning t their homes.

U. A. Men Back Today

United Artists' home office executives will return today from the Chicago regional sales convention held a the Drake Hotel. Among those i the returning group will be: Georg J. Schaefer, A. W. Smith, Jr., Harry Buckley, Arthur Kelly, Monro Greenthal, Jack Schlaifer, Seymou Poe, Lowell Calvert, J. A. Mulvey E. Silverstone, C. M. Steele, N. A Thompson, Paul Lazarus, Be Washer, Harry Kosiner and Car Krueger.

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THE EXHIBITOR AND THE DESERT

AN EXHIBITOR started to the Market to buy his next year's Product. He was warned by he Soothsayers that his Journey would take him over the blazing hot summer Desert in which grew no Good Pictures to give him sustenance. Some of his friends had been lured into the Desert by a Mirage of false promises and there they had sickened and died.

BROKEN PROMISES

But despite the Lamentations of the Soothsayers, he Exhibitor found his road across the Desert an easy one, and he was egularly refreshed at Oases made verdant and comforting by Big Pictures.

At last, full of Happiness, he entered the Market Place. There he learned hat a certain Merchant, in his Wisdom and esire to Please the Exhibitor, had set up these Oases to make his road easy.

"Why should there be Lamentations and tearing of Robes?" asked the Exhibitor. "Lo! here is the Merchant who hath saved my Life. He did not lure me into the Desert with the Mirage of false promises. Instead he provided me with Box-office Food and Comfort."

So the Exhibitor bought all of the merchant's Next Year's Product and eturned to his family rejoicing.

Moral: Let's look at the Record.

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

What Key City Critics Say . . .

Following are brief excerpts from the reviews of current pictures by the critics of the key cities:

"The Rage of Paris"

Washington Herald—We say again she (Miss Darrieux) is the most priceless find Hollywood has had in many moons.

Washington Times—If we cannot have an installment of the French debt, then let's take La Darrieux.

Washington Daily News—It's something rare and wonderful in comedy and fine sophistication.

Washington Post—. . . . Place "The Rage of Paris" among the top flight comedies of the season.

Chicago Tribune— . . . Sometimes amusing and always deftly manipulated.

Hollywood Citizen-News—Danielle Darrieux is definitely what you form lines to see.

Los Angeles Daily News—Miss Darrieux fully capable (the film) has been handsomely produced.

Los Angeles Examiner—Darrieux has talent. "Rage of Paris" offers many amusing situations.

Los Angeles Herald-Express—The French star's picture is going to win her a large and immediate following of American fans.

Los Angeles Times—. . . Is pleasurable . . . Miss Darrieux quite charming.

Boston Herald—Miss Darrieux has successfully hurdled the barriers. The film is lightweight, well made, amusing.

"Holiday"

Cleveland Plain Dealer—. . . Fresh, invigorating and penetrating . . . superb direction . . . a fine cast.

Cleveland Press—The stars are bright . . . crisp, intelligent dialogue . . . the best of the new crop of films.

Philadelphia Record—. . . Bright, new talkie version . . . script is timely, lively and sincere.

"Having Wonderful Time"

Los Angeles Examiner—Will give a wonderful time to audiences . . . swell entertainment.

Los Angeles Times—. . . Turns out to be an exceptionally bright comedy.

Hollywood Citizen-News—. . . You'll enjoy "Having Wonderful Time."

"Three Comrades"

Boston Globe—A gripping and heart-warming picture . . . Many a tear was shed.

Boston Transcript—. . . Is a masterpiece of cinema art . . . superbly directed, sympathetically acted.

Memphis Commercial Appeal—A picture of extreme moods . . . and forcefully presented in excellent characterizations.

Memphis Press-Scimitar—. . . A hauntingly lovely story . . . The mood is sad and reflective for the most part.

San Francisco Examiner—. . . A beautiful love story . . . an excellent cast.

San Francisco Chronicle—. . . Good romance . . . uncompromisingly tragic.

Minneapolis Journal—. . . Has a strong story . . . possesses almost everything that ordinarily goes into a superior picture.

The Newsreel Parade

Movietone News

Vol. 20, No. 82

(20th Century-Fox)

This was an off week for the cameramen. But there are three or four clips which hold interest and the Lew Lehr piece is one of the funniest. It's about a farmer in Asheville, N. C., who has a plane pull his plow and do other heavy chores. The commentary makes it funnier.

A shot of a daredevil auto stunt man trapped in a flaming enclosure provides thrills. Other stories are the new Japanese cabinet; a Philadelphia mass celebration on the 150th anniversary of the Constitution; a British freighter wrecked on a barrier reef; herring fishing in Maine; the return of Secretary Ickes and his bride; a steeplechase, a new water wheeling sport and test runs for the Alameda regatta. Vyvyan Donner's fashion show of jewelry is put over smoothly. A good novelty is a clip of an ice skating show at a New York night club. Running time, 9½ mins. F.

News of the Day

Vol. 9, No. 280

(M-G-M)

Joe Louis tells how he put Max Schmeling in the hospital by a deadly right to the kidneys, in a post-fight speech for this newsreel. He is shown interviewed by his managers and congratulated by Doc Bagley, who was Gene Tunney's trainer. A clip worthy of billing.

Up to the minute news on the spy scare is a collection of new clips and stock material developed into an interesting story of how Uncle Sam is taking measures to protect our defense secrets. More of this will probably be coming from the newsreels.

The balance of the reel is of varying interest: Mass dancing and drilling in Philadelphia in celebration of Constitution Day; an aerial tramway at Franconia Notch, N. H.; a Paris bathing beauty show with stunning models; Health Commissioner Bundensen of Chicago inoculating girls in their legs; the start of a 43-yacht race from Newport to Bermuda; an Italian knighthood festival, which is picturesque; Secretary Ickes and his bride. Running time, 9 mins. F.

RKO Pathe News

Vol. 9, No. 97

(RKO)

Generally interesting material is to be found in this reel, led by a clip of Joe Louis, flanked by two managers, prompted into a halting microphone explanation of how he disposed of Schmeling with a handful of punches.

In New Mexico the farmers rally for an attack on the grasshopper pest with poison spray. Dan Beard, the father of the Boy Scout movement in this country, is visited by 3,000 boys on the occasion of his 88th birthday. Beautiful scenic photography makes the pictures of the new aerial tramway in the New Hampshire mountains a notable clip. Secretary Ickes returns to this country with his bride, and delegates from various parts of the country assemble for the third annual Townsend convention in Los Angeles.

Two "exclusives" picture the crew of the *Europa* donning a new type of asbestos suit before venturing into a smoke-filled room in a realistic fire-drill, and a group of once wandering gypsies, barred from the open road, dancing in traditional fashion on the roof of a New York tenement. Strikingly effective is the clip picturing the start of the Newport-Bermuda yacht race, with 43 trim racing yachts exposing their full expanse of canvas to the sky. Running time, 8 mins. A.

Paramount News

Issue No. 93

(Paramount)

The pictorial highlight of this assemblage of shots is the start of a yacht race from Newport to Bermuda, with Bill Slater providing the running comment.

The remainder is varied, but not out of the ordinary. Miners at Mahanoy City, Pa., stop an express train in an effort to persuade the railroad to build a spur; Marshall Field, Jr., marries Joanne Bass at East Walpole, Mass.; 10,000 students drill at Praha, Czechoslovakia, and England's royal princesses prepare for their parents' state trip to France.

Nebraska's unicameral legislature adjourns with the state still free of debt, and Gene Marshall discusses it. Running time, 9 mins. J.

Universal Newsreel

Vol. 10, No. 678

(Universal)

Two clips, one unique in America, the other unique in today's world of snarling frontiers, distinguish this newsreel, with its healthy emphasis on Americanism. The reel opens with the Philadelphia celebration of the 150th birthday of the Constitution, with 18,000 children in exercises at Franklin Field, and 40,000 spectators. The President's arrival at Poughkeepsie to sign the big relief bill, and Uncle Dan Beard's 88th birthday celebration by thousands of Boy Scouts at Suffern, N. Y., follow.

Next is the spectacle of international amity between the United States and Canada. Thousands of uniformed Canadian soldiers march across the border to Niagara Falls for a parade with Americans to celebrate International Veterans' Magna Charta week. New York skyscrapers in miniature models for exhibit at the World's Fair are shown in the making, and there are closeups of the arrival of Secretary of Interior Ickes and his bride. Franconia, N. H., gets in with its aerial train over the White Mountains. This is the first in America.

New Orleans contributes a clip of its religious procession on the feast of Corpus Christi. Paris shows bathing beauties and the meeting between Max Schmeling and Joe Louis for the weighing-in before the now famous fight is recorded. Reenactment in Arazzo, Italy, of ancient jousting contests to celebrate a 14th century victory over the Turks is unusual, and the thrilling victory-by-a-nose of Derby winner Lawrin over Specify at the new Inglewood track in California provides a sensational finish. Good entertainment. Running time, 9 min. I. K.

Delays Beset British Trade Treaty Talks

(*Continued from page* 1)

tails of the agreement, it is known, but thus far it is understood comparatively little progress has been ma with films as well as other phases of the general agreement.

Indicative of the long delay ahead is the fact that the English group came to this country several months ago, fully intending to complete their business within six weeks, but at this date there is little indication of when their work might be concluded. The groups are understood to be meeting every day, and informed quarters in New York declared themselves not optimistic for an early settlement.

I. A. Theatre Control Limited, Says Vroom

Los Angeles, June 23.—Replying to the assertions of Charles Skouras, head of Fox West Coast, that the I.A.T.S.E. has been granted jurisdiction over theatre employes generally, Lodewick Vroom, president of the Theatrical Managers, Assistants and Treasurers, declares that this control, which he says was granted by the American Federation of Labor in 1935, is limited to doormen, ticket sellers, ticket takers and ushers. Theatre managers and assistants, he said, are being organized by the T.M.A.T.

Mr. Vroom stated that William Green, president of the A. F. of L., has assured him that in organizing the managers and assistants the T. M. A. T. is not encroaching on the territory of the I.A.T.S.E.

When the executive council of the A. F. of L. meets in August, said Mr. Vroom, he will ask that the T.M.A.T. be given jurisdiction over the entire field of theatre employes.

Paul Levi Taken Ill

Boston, June 23.—Paul Levi is ill with chicken pox. Levi, who was former publicity manager at the Paramount, is publicity head at the Metropolitan. Martin Glazer, who is examining his chest diligently at least once an hour, is handling advertising at the Met.

To Show Spanish Films

Denver, June 23.—Claude Graves will show Spanish films almost entirely in the Coronado, Albuquerque, N. M., which he is getting ready for an early opening. He was formerly manager of the State in Boulder, Col.

Builds at Miami Beach

Herman Weingarten, builder of a number of theatres on Long Island, has started a $100,000 house at Miami Beach at the corner of Espanola Way and Washington Ave. Robert Collins of Miami Beach is the architect.

Jaffe in "Gunga Din"

Hollywood, June 23.—Sam Jaffe has been signed by RKO to play the title role in "Gunga Din." The last time Jaffe was on the lot was in 1932 when he was an associate producer.

Short Subjects

Louis-Schmeling Fight

(*Globe Cinema Corp.*)

For the next few weeks this film record of the big fistic event should prove a strong magnet in attracting the multitude that avidly followed the bout over the radio and in newspapers. From the standpoint of photography it is superbly done. There is no narration to detract from the vivid reality of the presentation.

Although the entire affair was of the briefest nature, these pictures nevertheless are thrilling. The main assault in the first round is repeated in slow motion. Louis' punches and their effect leave nothing to the imagination. The dramatic moment when the towel was thrown is captured and the genuine atmosphere of the ring at the conclusion is something that audiences will remember for quite a while. Arthur Donovan and Jim Braddock speak briefly when the excitement is over. Running time, 16 mins. "G."

"The Juggling Fool"

(*Vitaphone*)

A number of intricate juggling stunts with balls, hats, cigars and Indian clubs are done by Bobbie May in this short. There is a semblance of a story to keep it knitted together and the film as a whole is satisfying entertainment. Good. Running time, 11 mins. "G."

"Going Places No. 51"

(*Universal*)

Lowell Thomas takes the audience on a tour of the scenic, architectural and industrial points of interest in New Brunswick, Canada. The material is particularly well filmed and the narration is all that can be desired. Good. Running time, 10½ mins. "G."

"Salt Shakers"

(*RKO*)

J. C. Flippen acts as master of ceremonies for this group of acts, including an eccentric dancer, a group of singers, a girl soloist and a dance chorus of boys and girls. Added together, they provide only passable short entertainment, and that includes Flippen. Running time, 11 mins. "G."

"Travel Squawks"

(*Columbia*)

Krazy Kat has a magic flying carpet in this black and white cartoon with which he visits a number of places that reveal the strange and elastic imagination of the cartoon scenarist. Comic variations, with gags, are introduced with sequences at the North Pole, Holland and Africa. It manages to entertain to a fair degree. Running time, 6½ mins. "G."

"Vitaphone Pictorial Revue No. 10"

(*Vitaphone*)

The utilization of beavers for preserving natural water supplies and in soil conservation in affected areas; a number of interesting scenes of polo technique, and the manufacture and dyeing of wool, the last in color, are offered in this reel. It is interesting and worth while. Running time, 10 mins. "G."

"The Photographer"

(*RKO*)

Lively comedy centering around the predicament of Jack Rice. He is sued by an irate subject he "shot" while hanging his red flannels to dry. Various complications, legal, romantic and business, enter the plot, providing humorous moments and, at length, Rice is hauled off to jail. The film has been well produced. Running time, 15 mins. "G."

"Happy Scouts"

(*Universal*)

Oswald, the Rabbitt, is the leader of a troop of "Duck" scouts and as they pursue their activities a number of clever cartoon stunts are worked into the narrative. The action is exciting and entirely satisfying. Running time, 7 mins. "G."

Hollywood Preview

"Speed to Burn"

(*20th Century-Fox*)

Hollywood, June 23.—Someone has had sufficient imagination and courage to introduce many new entertainment and exploitation features into the familiar racetrack-premised picture. The result is an auspicious start for the one time newspaper man, Jerry Hoffman, as an associate producer, and an exciting, mirthful picture that exhibitors should find easy to sell. Fast moving, yet brimful of action, fun and melodramatic thrill, with a logical romantic love story included, the story was intelligently adapted from Edwin D. Torgerson's original by Robert Ellis and Helen Logan and was directed with a showmanship flair by Otto Brower.

Race horse "War Paint," in which jockey Marvin Stephens has great faith, is a speed demon in workouts, but crooked gambler Sidney Blackmer's henchman, Chick Chandler, so doctors him up that he's always an also-ran in races. The horse is sold to the police department for mounted traffic duty. Chandler continues his devilment, which several times results in panic on crowded streets. Meanwhile, as officer Michael Whelan and Lynn Bari, one of Blackmer's tools, fall in love and opportunity is afforded Henry Armetta, Inez Palange and Johnnie Pirone to provide humor comedy, Stephens continues his plottings to get "War Paint" back on the track. He steals the horse and is saved from a criminal charge by Miss Bari, who has experienced a change of heart. He then buys him and enters him in a big stake race. When news is broadcast that Stephens is missing all the cops who have bought mutuel tickets on the horse go into frantic search for him. They find him just in time to permit him to ride "War Paint" to victory.

With the entire cast turning in high class performances, "Speed to Burn" should prove desirable on all but the most exclusive screens. Where a lot of action, fun and excitement is preferred, it should prove a popular attraction.

Running time, 60 minutes. "G."

Overseas Preview

"Convict 99"

(*Gainsborough-General Film Distributors*)

London, June 14.—There is more than a touch of the older brand ot Keystone comedy about this extravagant and hilarious British film, in which Will Hay, schoolmaster comedian of radio, stage and screen, postures as a freckled, bespectacled pedagogue pitchforked into the governorship of "Blackdown Prison."

The idea of a schoolmaster reforming prison life with the aid of Turkish baths, evening dress dances, and early morning coffee is a broad one, and Marcel Varnel's development of the theme is on lines even broader than the idea, with a multiplicity of custard pies and kicks, weaving a pattern of unsophisticated nonsense which tends to the undisciplined and exuberant.

Hay, with the aid of Graham Moffatt as a youthful and iconoclastic warder, and Moore Marriott as an octogenarian who has been burrowing out of jail for 40 years, and ultimately breaks through—in the governor's office—succeeds in registering a species of team element in the film, but the extravagance is rather too broad to have point and there are very slow movements in this slapstick piece.

Hay is gradually enlarging his appeal but pending direction of a more resourceful and polished nature such as "Convict 99" will have a predominant appeal on the home market, although there is comedy material here capable of exploitation with the appropriately unsophisticated audience.

Running time, 87 minutes. "G."

Flanagan

Canadian Contract Revision Hits Snag

Toronto, June 23.—The move to revise the Canadian license agreement for booking contracts has made little progress, according to officers of the Independent Theatres Association of Ontario, who claim that changes in the standard exhibition contract proposed by the Motion Picture Distributors' Association are either not sufficient in scope or work to the disadvantage of independent exhibitors.

One point has been offered as an example. This is in reference to the clause requiring efficient sound reproducing systems in theatres signing a contract for a season's product. The distributors have proposed an additional phrase to provide that a theatre must have a complete sound system of permanent nature to "reproduce recorded sound with adequate volume and high quality." In this instance the exhibitors demand the addition of a clause which provides that the distributors undertake "to furnish prints of an adequate quality to insure proper exhibition." Various other angles are also under dispute.

Fuel has been added to the fire by a resolution which has been received at the Toronto office of the distributor organization from the Quebec Allied Theatrical Industries, representing the independents of the Province of Quebec, in which strong disapproval of the present standard contract is expressed, including a protest against compulsory arbitration "unless the arbitrators are given more discretionary powers."

Georgia Decides to Test School Films

Atlanta, June 23.—A program of audio-visual education centering in the use of motion pictures seems assured for Georgia with the action this week of the State Board of Education in approving a plan for agricultural vocational training by films in schools throughout Georgia.

The board acted after viewing a sound film showing modern methods of hog raising. The picture, prepared by Dr. John T. Wheeler, director of vocational education in the state school department, is to be shown in schools throughout the rural sections of the state.

Enthusiasm for the new educational method was voiced by the board after viewing the picture and it was suggested other pictures be produced along similar lines.

Wilby-Kincey Houses To Resume Ad Films

Spartanburg, S. C., June 23.—Announcement has been made here that commercial advertising on the screens of the Carolina, State, Strand and Criterion theatres, all Wilby-Kincey houses, will be resumed under a new licensing arrangement of $12.50 per house annually.

List "Limberlost" Dates

Monogram has booked "Romance of the Limberlost" for first run engagements at the Garrick, Chicago, June 24; the Mayfair, Portland, June 25, and the Ritz, Albany, and Memorial, Boston, June 30. Proctor's at Troy will play the film June 28.

"Grove" Takes Seattle Lead In Dull Week

SEATTLE, June 23.—In a week in which the total of the city's grosses was under par, "Cocoanut Grove," dualled with "Nurse from Brooklyn," at the Paramount, scored the best comparative gross, with $6,250 against a house average of $6,000.

Close behind were "Holiday" at the Liberty, with $5,200 against a par of $5,000, in the third week, and the dual of "Three Comrades" and "Rascals" at the Fifth Avenue, with $7,150 against an average of $7,000. The bill is moving to the Blue Mouse. The Liberty program is holding over. The weather was fair.

Total first run business was $34,100. Average is $36,500.

Estimated takings for the week ending June 17:

"OVER THE WALL" (W.B.)
"THE BATTLE OF BROADWAY" (20th-Fox)
BLUE MOUSE—(950), 30c-40c-55c, 7 days, 2nd week, extended run from Orpheum. **Gross:** $2,900. (Average, $4,000)

"THREE COMRADES" (M-G-M)
"RASCALS" (20th-Fox)
FIFTH AVENUE—(2,500), 30c-40c-55c, 7 days. **Gross:** $7,150. (Average, $7,000)

"HOLIDAY" (Col.)
LIBERTY—(1,800), 20c-30c-40c-55c, 7 days. 3rd week. **Gross:** $5,200. (Average, $5,000)

"ROBIN HOOD" (F.N.)
MUSIC BOX—(950), 30c-40c-55c, 7 days, 3rd week, extended run from Fifth Avenue. **Gross:** $3,150. (Average, $4,000)

"YELLOW JACK" (M-G-M)
"SWISS MISS" (M-G-M)
ORPHEUM—(2,450), 30c-40c, 7 days. **Gross:** $5,100. (Average, $6,000)

"MYSTERY OF DIAMOND ROW"
"ROSE OF THE RIO GRANDE" (Mono.)
PALOMAR—(1,500), 15c-25c-35c, 7 days. Les Hite's Band on stage. **Gross:** $4,350. (Average, $4,500)

"COCOANUT GROVE" (Para.)
"NURSE FROM BROOKLYN" (Univ.)
PARAMOUNT—(3,050), 30c-40c, 7 days. **Gross:** $6,250. (Average, $6,000)

"Holiday" Garners $8,600 at Buffalo

BUFFALO, June 23 — "Holiday" stepped out in front as the best first run drawing card here in a week that saw a brisk revival of business in spite of midsummer heat. It turned over $8,600 at the Lafayette to better average at the house by $2,300.

"Three Comrades" had enough stuff to take $12,000 at the Buffalo. The Great Lakes showed a $100 margin over average with "Crime School," at $7,600.

Total first run business was approximately $38,800. Average is $38,600.

Estimated takings for the week ending June 18:

"THREE COMRADES" (M-G-M)
BUFFALO—(3,000), 30c-55c, 7 days. **Gross:** $12,000. (Average, $12,000)

"CRIME SCHOOL" (W. B.)
GREAT LAKES—(3,000), 30c-50c, 7 days. **Gross:** $7,600. (Average, $7,500)

"YELLOW JACK" (M-G-M)
"ONE WILD NIGHT" (20th-Fox)
HIPPODROME—(2,500), 25c-40c, 7 days. Gross: $5,300. (Average, $6,800)

"SON OF THE SHEIK" (Artcinema)
"NIGHT SPOT" (RKO)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,700. Average, $6,000)

"HOLIDAY" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. (Held over). **Gross:** $8,600. (Average, $6,300)

Out Hollywood Way

HOLLYWOOD, June 23. — BARBARA STANWYCK, settling her dispute with RKO over story material, returns to the lot to star in "The Mad Miss Manton," announced previously for KATHARINE HEPBURN and later for MIRIAM HOPKINS. LEIGH JASON will direct the P. J. WOLFSON production, from a script by JOHN MONKS, JR., and FRED FINKELHOFFE.

PAULETTE GODDARD will make her initial stage appearance in "French Without Tears" this summer at the Cape Playhouse, in Dennis, Mass., the week of August 8. . . . MITCHELL RAWSON, recently appointed Warner publicity manager at New York, who will work under the supervision of MORT BLUMENSTOCK, has returned to the east after conferences with ROBERT S. TAPLINGER and S. CHARLES EINFELD. . . . Warners has added 11 featured players to its contract roster during the last month. The new players are: RICHARD BOND, JANET KAY CHAPMAN, GABRIEL DELL, GLENDA FARRELL, JOHN GARFIELD, HUNTZ HALL, BILLY HALOP, TOM KENNEDY, BARTON MACLANE, BERNARD PUNSLEY and KAY WINTERS. . . . SIR ROBERT ERSKINE HOLLAND, authority on life in India, has been signed as technical director by RKO on "Gunga Din."

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Casting—LARAINE JOHNSON, feminine lead in the recently previewed RKO GEORGE O'BRIEN vehicle, "Border G-Man," draws a like position in the new O'BRIEN picture, "Painted Desert." . . . RITA JOHNSON has been borrowed from M-G-M for RKO's "Smashing the Rackets." CHESTER MORRIS heads the cast. . . . FAY BAINTER has been borrowed from Warners for the lead opposite BOB BURNS in Paramount's "The Arkansas Traveler." . . . RONNIE PAIGE has been signed by M-G-M to a term contract and goes into "Boystown." . . . After ADRIENNE AMES finishes her role in RKO's "Birthday of a Stooge," she will go to Progressive for the title role in "Desirable Woman."

Warners have loaned HENRY O'NEILL to M-G-M for "The Chaser." . . . GRANVILLE BATES in "The Sisters," Warners. . . . MABEL TODD, former stage and radio actress, has been signed by SAMUEL GOLDWYN for "The Lady and the Cowboy," in team with PATSY KELLY. . . . CLIFF DUNSTAN, stage actor, will do his Broadway role in RKO's adaptation of "Room Service." . . . EVELYN KEYES in "Artists and Models Abroad," Paramount.

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Writers—Paramount script assignments include: KEN ENGLUND on "Follow the Sun," BING CROSBY vehicle; MALCOLM STUART BOYLAN with JOHN C. MOFFITT on "St. Louis Blues"; and IRVING REIS on an original story to star ANNA MAY WONG. . . . CLARENCE MARKS is writing added scenes for the Lesser-Buell production of "The Terror of Tiny Town," midget musical western. . . . Warner placements: NIVEN BUSCH on "Memphis Belle," to star BETTE DAVIS; RING LARDNER, JR., on "The Broadway Cavalier"; EDDIE ANDERSON and CHARLES PERRY on "Bridge of Sighs"; KEN GAMET and DON RYAN on a new "Torchy Blane" story, as yet untitled, and ANTHONY COLDEWAY on "Third Degree."

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Directors—LES GOODWINS, who recently graduated from short subjects directing to feature pictures, has "Birthday of a Stooge," RKO, as his second feature assignment. His first was "Crime Ring," now in the cutting room. . . . LEW SEILER will guide Warners' "Heart of the North," in which GEORGE BRENT will be featured as a Northwest mounted policeman. . . . EDMUND GOULDING draws "Dark Victory," Warners.

"Gold Diggers" Is $7,800 Omaha Top

OMAHA, June 23.—"Gold Diggers in Paris" and "Rascals" pulled $7,800 in seven days at the Orpheum for the best gross of the week. It beat house average by $600.

Warm weather and strong competition from a racing meet kept patrons away from the box-office.

"Toy Wife" and "Island in the Sky" grossed $5,500 in seven days at the Omaha, exactly weekly par. "Adventures of Robin Hood," in a second week as single at the Brandeis, fell off badly for $4,600 in eight days.

Total first run business was $17,900. Average is $16,700.

Estimated takings:

Week Ending June 15:

"ADVENTURES OF ROBIN HOOD" (F.N.)
BRANDEIS—(1,200), 25c-35c-40c, 8 days, 2nd week. **Gross:** $4,600. (Average, $4,000)

"TOY WIFE" (M-G-M)
"ISLAND IN THE SKY" (20th-Fox)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $5,500. (Average, $5,500)

Week Ending June 16:

"GOLD DIGGERS IN PARIS" (W.B.)
"RASCALS" (20th-Fox)
ORPHEUM — (3,000), 25c-40c, 7 days. **Gross:** $7,800. (Average, $7,200)

'Comrades' $14,300 Pittsburgh Grosser

PITTSBURGH, June 23. — After a slow start, "Three Comrades" got going at the Penn and finished with $14,300, while "Adventures of Robin Hood," moving to the Warner after a fine week at the Penn, drew a great $8,750 and won another week downtown.

At the Alvin, "Holiday" took $7,250 and was held over.

Total first run business was $47,600. Average is $45,000.

Estimated takings for the week ending June 16:

"HOLIDAY" (Col.)
ALVIN—(2,000), 25c-50c, days. **Gross:** $7,250. (Average, $6,500)

"JOSETTE" (20th-Fox)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $4,300. (Average, $4,500)

"THREE COMRADES" (M-G-M)
PENN—(3,300), 25c-50c, 7 days. **Gross:** $14,300. (Average, $11,000)

"JUDGE HARDY'S CHILDREN" (M-G-M)
STANLEY—(3,600), 25c-60c, 7 days. Stage: Al Pearce's Gang. **Gross:** $13,000. (Average, $18,000)

"ADVENTURES OF ROBIN HOOD" (F.N.)
WARNER—(2,000), 25c-50c, 7 days, 2nd week. **Gross:** $8,750. (Average, $5,000)

"Yellow Jack" Gets $18,500 At Washington

WASHINGTON, June 23.—Although a take of $18,500 was below its average, Loew's Capitol, with "Yellow Jack" as the feature, headed the li[illegible] last week. All the major houses were far below the usual standard.

The Metropolitan, showing the second week of a return engagement of "The Adventures of Robin Hood," managed a take of $4,000, only $300 under par.

Total first run business was $55,000. Average is $73,700.

Estimated takings, exclusive of tax:

Week Ending June 16:

"YELLOW JACK" (M-G-M)
LOEW'S CAPITOL—(3,434), 25c-66c, 7 days. Stage: Shep Fields and his Orchestra. **Gross:** $18,500. (Average, $20,900)

"ADVENTURES OF ROBIN HOOD" (F.N.)
METROPOLITAN — (1,591), 25c-40c, 7 days, 2nd week, return engagement. **Gross:** $4,000. (Average, $4,300)

"KENTUCKY MOONSHINE" (20th)
LOEW'S COLUMBIA—(1,243), 25c-40c, 7 days, return engagement. **Gross:** $3,000. (Average, $3,600)

"THREE COMRADES" (M-G-M)
LOEW'S PALACE—(2,370), 25c-55c, 7 days. **Gross:** $11,500. (Average, $15,900)

"GOLDDIGGERS IN PARIS" (W.B.)
EARLE—(2,218), 25c-66c, 7 days. Stage: Lottie Mayer's Water Ballet, Art Frank and Dr. Hoffman. **Gross:** $13,000. (Average, $18,400)

"HAWAII CALLS" (RKO)
(5 days)
"RAGE OF PARIS" (U.)
(2 days)
RKO KEITH'S—(1,836), 25c-40c, 7 days. **Gross:** $5,000. (Average, $10,600)

"Moonshine" Best In Montreal Slump

MONTREAL, June 23. — "Kentucky Moonshine," with a second feature, brought $8,000 to the Capitol to secure leading position among first runs, but even this was well under par in a week that was weak all around.

"The Adventures of Robin Hood" registered $8,000 for its second and final week at the Palace after a first week of $12,500 while a double bill at the Princess headed by "Storm in a Tea Cup" accounted for $6,000 as compared with average of $7,000.

Total first run business was $26,000. Average is $32,500.

Estimated takings for the week ending June 18:

"KENTUCKY MOONSHINE" (20th-Fox)
"ISLAND IN THE SKY" (20th-Fox)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,000. (Average, $9,500)

"COUNT OF MONTE CRISTO" (U. A.)
ORPHEUM—(919), 25c-35c-50c, 7 days. **Gross:** $4,000. (Average, $5,000)

"ADVENTURES OF ROBIN HOOD" (F. N.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $8,000. (Average, $11,000)

"STORM IN A TEACUP" (G. B.)
"MURDER ON DIAMOND ROW" (U. A.)
PRINCESS—(2,272), 25c-30c-35c-50c-65c, 7 days. **Gross:** $6,000. (Average, $7,000)

Install Simplex Units

National Theatre Supply Co. has installed two units of the new Simplex sound system in the metropolitan area. One was placed in the Meserole, Brooklyn, and the other in the Algonquin at Manasquan, N. J.

"Robin Hood" Second Week Boston Lead

BOSTON, June 23.—"Adventures of Robin Hood" and "Little Miss Thoroughbred," in their second week at the Metropolitan vied with "Three Comrades" and "Lone Wolf in Paris" at Loew's State and Loew's Orpheum for top honors of the week.

The Metropolitan, holding over for the first time, collected $10,500 to fall only slightly below average for the week. The bill, because of the present production situation, might have been held again if the Paramount and Fenway, also M. & P., had not been clamoring for it.

Loew's State and Orpheum garnered $11,000 and $12,000, respectively, to get average.

Total first-run business was $49,500. Average is $59,500.

Estimated takings for the week ending June 18:

"KIDNAPPED" (20th-Fox)
"TRIP TO PARIS" (20th-Fox)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $2,500. (Average, $4,500)
"THREE COMRADES" (M-G-M)
"LONE WOLF IN PARIS" (Col.)
LOEW'S ORPHEUM—(2,970), 25c-30c-40c-55c, 7 days. **Gross:** $12,000. (Average, $12,000)
"THREE COMRADES" (M-G-M)
"LONE WOLF IN PARIS" (Col.)
LOEW'S STATE—(3,537), 25c-30c-40c-55c, 7 days. **Gross:** $11,000. (Average, $11,000)
"ADVENTURES OF ROBIN HOOD" (F. N.)
"LITTLE MISS THOROUGHBRED" (W. B.)
METROPOLITAN—(4,332), 25c-35c-55c, 7 days, 3nd week. **Gross:** $10,500. (Average-$11,000)
"KIDNAPPED" (20th-Fox)
"TRIP TO PARIS" (20th-Fox)
PARAMOUNT—(1,793), 30c-40c-55c, 7 days. **Gross:** $3,500. (Average, $8,000)
"THREE BLIND MICE" (20th-Fox)
"SAINT IN NEW YORK" (RKO)
RKO MEMORIAL—(2,907), 30c-50c-65c, 7 days. **Gross:** $10,000. (Average, $13,000)

"Thoroughbred" Is Indianapolis Hit

INDIANAPOLIS, June 23. — "Little Miss Thoroughbred," helped by Henry Busse's orchestra on the stage, gave the Lyric whopping business of $11,400, deep into the black by $3,400. 'Kidnapped" did well at the Circle, where $1,000 over the line was taken for a gross of $5,500. "Blind Alibi" was dualed with it.

Total first-run business was $23,700. Average is $22,500.

Estimated takings for the week ending June 17:

"KENTUCKY MOONSHINE" (20th-Fox)
"ONE WILD NIGHT" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days, 2d week. **Gross:** $1,800. (Average, $3,000)
"KIDNAPPED" (20th-Fox)
"BLIND ALIBI" (RKO)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $5,500. (Average, $4,500)
"THE TOY WIFE" (M-G-M)
"LONE WOLF IN PARIS" (Col.)
LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $5,000. (Average, $7,000)
"LITTLE MISS THOROUGHBRED" (W. B.)
LYRIC—(2,000), 25c-40c, 7 days. Stage: Henry Busse and his orchestra, with John & Edna Torrence, Three Trojans and Val Seltz. **Gross:** $11,400. (Average, $8,000)

John Ford's Father Dead

PORTLAND, Me., June 23.—John A. Feeney, father of John Ford, the director, and Francis Ford, film actor, is dead here at the age of 84.

Will Not Repeal South Wales Law

(*Continued from page 1*)

Stevens as "purely experimental." The new law covered exhibitor rejection privileges, the quota and restrictions on theatre licensing.

Under the new quota regulations the distributor quota is three per cent each for the first and second year of the act, and 2½ per cent for each of the first two years under the exhibitor quota. During the following years the quota percentages will be subject to inquiry by the Film Advisory Committee as to the extent of the production of Australian quota films.

Writers Registering For NLRB Election

(*Continued from page 1*)

writers classed as employes under the N.L.R.B. findings want representation.

In addition to three places in Hollywood, the San Fernando Valley and Culver City, where writers made affidavits that they were on studio payrolls or contracts June 4 and that their work did not fall into the classifications declared ineligible to vote as the Board ruled, the office of Dr. Towne Nylander, regional director, was open to writers who swore they would be out of town June 28 and were permitted to cast ballots. About 10 took advantage of this. Robert Ardrey, a writer for Samuel Goldwyn, was the first to vote.

Registration was made necessary by the producers' refusal to make lists of writers at work June 4 and the Playwrights' refusal to make their membership public.

Ampa Awards on July 7

The Ampa has set July 7 as the date for its annual advertising awards presentation luncheon. The committee has not yet selected the place, but it will be either the Rainbow Room or the Waldorf-Astoria. The deadline for the returns from the exhibitors who are judging the entries has been extended in order to permit wider representation.

Open Drive-In House

HOLLYWOOD, June 22. — San-Val Drive-In, second outdoor theatre in the Los Angeles-Hollywood area, has opened. Located on San Fernando Road in Burbank, the Sun-Val is equipped with the most modern sound and projection features.

"Alexander" Opens Aug. 5

"Alexander's Ragtime Band" is scheduled to start an extended run at the Roxy Aug. 5. Twentieth Century-Fox has taken over the Hollywood for the night of July 19 and will invite the press and radio people for a screening.

Plan Dinner for Shirley

CHICAGO, June 23.—Sam Shirley, retiring executive of M-G-M, will be honored by the industry in this area with a testimonial dinner at the Blackstone Hotel next Thursday, June 30.

Cinecolor Pays Dividend

Cinecolor, Inc., has declared a dividend of three cents a share payable July 1 to stockholders of record June 30.

They Stand Outside

Milwaukee, June 23.—Bank Night is reported doing a fadeout in various neighborhood spots. The reason is that there are more standing outside the theatre for announcement of the winning number than there are inside who have bought ducats to see the show.

Conciliation Topic Of Carolina Meet

MYRTLE BEACH, S. C., June 23.—Conciliation and what he thinks the chances are for getting action from distributors while Congress is not in session are expected to be the highlights of Ed Kuykendall's speech at the three-day convention of the M. P. T. O. of North and South Carolina which will start here Sunday.

Mr. Kuykendall's talk is scheduled for the Monday morning session and his topic will be "What's It All About?" Other speakers at the Monday session will be President S. S. Stevenson, Gov. Ollin D. Johnston of South Carolina, Lieut. Gov. W. P. Horton, and Speaker of the House R. G. Cherry of North Carolina. There will be a closed afternoon session for exhibitors.

"Lord Jeff" will be shown Sunday evening at the Gloria Theatre through an arrangement with M-G-M. Roy Rogers, Republic star, will be a guest.

New Oil Wells Spur Louisiana Building

NEW ORLEANS, June 23.—Two new theatres in this vicinity are under construction and a third has just been opened in what some theatrical folk say is a minor boom caused by development of new oil fields. Half a dozen fields of moderately large capacity have been developed in South Louisiana since Jan. 1.

J. A. Barcelona is constructing his second theatre in Baton Rouge, brightest spot in an economic way in this section. He is building in Istrouma, Baton Rouge suburb. He will operate this and his Istrouma theatre, in downtown Baton Rouge himself.

Joseph Pizzuto, whose building at Lutcher, La., about 40 miles above New Orleans on the Mississippi River, burned recently, is constructing a new theatre building estimated to cost nearly $30,000.

A third theatre costing $15,000 has just been opened at Gramercy, La., a few miles north of Lutcher, also on the river between New Orleans and Baton Rouge, by J. N. Houck, operator of the Strand in New Orleans and other theatres in the state, and L. J. Moran.

Kupper, Ballance Leave

NEW ORLEANS, June 23.—W. J. Kupper, western division manager for 20th Century-Fox, and H. G. Ballance, southern district manager, have left after conferences here with E. V. Landaiche, exchange manager, and with executives of Gulf Coast Theatres.

While here Kupper and Ballance also inspected the new $58,000 exchange building under construction.

Sweeping Powers Are Contained in Silverstone Pact

(*Continued from page 1*)

and directors to be held in New York Nov. 8.

He is regarded as the probable choice of the majority of directors for the presidential post. Before leaving for England recently, Mr. Silverstone carefully explained that his contract with U. A. is an employment agreement and does not preclude his becoming president of the corporation or holding any other elective office. He already holds one elective position, executive committee chairman.

Officers of Para. Renamed by Board

(*Continued from page 1*)

Walter B. Cokell, treasurer; Mr. Bagnall, assistant treasurer; Mr. Keough, secretary; Norman Collyer, Jacob H. Karp and Frank Meyer, assistant secretaries; Fred Mohrhart, comptroller.

Elected to the executive committee of the company were: Stanton Griffis, chairman; Mr. Agnew, Mr. Balaban, Stephen Callaghan, Mr. Freeman, Harvey D. Gibson, John D. Hertz, Maurice Newton and Mr. Zukor. Alternates are Mr. Hicks and Mr. Keough. No other business was transacted by the board.

Tampa Theatres Get Stay

TAMPA, June 23.—Temporary relief from a Circuit Court order banning Bank Night in the Tampa and Victory Theatres was given the two theatres by the State Supreme Court yesterday.

County Solicitor Joe E. Williams, however, warned the theatre managers against conducting the drawings.

Wall Street

Board Holds to Gain Trend

	Open	High	Low	Close	Net Change
Col.	13	13	12⅞	13	.....
Cons. pfd...	6½	6½	6½	6½	+ ¼
E. K.	162½	168	162	166	+6
E. K. pfd...	162	162	162	162	+2
G. T. E....	12	12¼	12	12¼	+ ¼
Loew	46⅜	48¾	45¾	47⅝	+1¼
Para.	9¼	9½	8⅞	9¼	+ ⅛
Para. 1.....	81	81½	80½	80½	+ ½
Para. 2.....	9⅝	9⅞	9½	9⅞	+ ¼
Pathe	5⅛	5½	5	5½	+ ⅜
RKO	2⅛	2¼	2⅛	2¼	+ ⅛
20th Fox ..	23	23⅞	23	23½	+ ⅝
20th pfd. ..	30	30½	30	30¼	+ ¼
Univ. pfd.	31	31	31	31	+ ¼
W. B.	5⅜	5⅝	5⅜	5⅝	+ ¼

Curb Increases Fractionally

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	+1/16
Monogram .	1¾	1⅞	1¾	1⅞	+ ⅛
Sentry	⅜	⅜	⅜	⅜	+3/16
Sonotone ..	1½	1½	1½	1½	— ⅛
Tech.	23¾	24½	23¾	24⅜	+ ⅝
Trans-Lux	2	2⅛	2	2⅛	+ ⅛
Univ. Corp.	1⅞	1⅞	1⅝	1⅝	— ¼

Warners Leads Bond Rise

	High	Low	Close	Net Change
Para. B'way 3s '55	58¾	58¾	58¾	.....
Para. Pict. 6s '55	93¼	93¼	93¼	+1
RKO 6s '41......	67	67	67	— ½
W. B. 6s '39......	70⅝	70	70⅝	+1⅛

(Quotations at close of June 23)

Banner LINES

MAX SCHMELING wasn't the only one who took it on the chin in the Yankee Stadium Wednesday night. The early finish of Hitler's invincible Aryan cost NBC a pretty nickel. Buick purchased an hour's air time in 15-minute blocks at $12,000 for each quarter-hour. Thus NBC collected the minimum, instead of the $60,000 it would have collected had the fight gone the limit, or the sums in between, had the fight terminated somewhere in the middle rounds.

▼

Clem McCarthy, as stunned apparently as was Der Maxie, erred badly when he said that it was the "shortest fight on record wherein a title changed hands." Under the circumstances Clem's mistake was pardonable, and all in all his handling of the mike was one of the best jobs ever turned in by this veteran sports broadcaster.

▼

When programs such as "March of Time" and "Five Star Final" dramatized news happenings from Germany, local Nazis would call the stations protesting vehemently that Germany was purposely being placed in a bad light by the broadcasters. Since the Nazi spy exposé, however, the telephone calls have ceased to come in.

▼

Some light on a friendly act. The news release merely states that Paul Barron is to be the orchestra conductor in the "Music By" series over Mutual, July 3, and that Jane Froman and Don Ross are to be the guests on the program. Behind the news release, however, is another story.

Paul Barron is the regular piano accompanist for Jane and Don, who are, incidentally, man and wife. The July 3 broadcast is to be Paul's debut as an orchestra leader, and to help him get over, the Ross's are voluntarily giving up their July 4 weekend to appear in the show . . . without compensation, it is needless to add.

▼

Mutual's promotional book, "A Day in the Life of Ray D. O'Dollar," from the pen of the network's promotion director, Bob Schmid, is one of the most effective such volumes ever to reach this desk. The book studiously and in our estimation, wisely, avoids the deadly seriousness with which promotional tomes are usually prepared, and instead gets over its messages via a series of humorous cartoons, humorously captioned. The flexibility of the Mutual station setup is stressed, as is its policy of adjusting hookups to advertisers rather than vice-versa.

—JACK BANNER

To Change Program Time

"Grand Central Station," heard Sundays at 10 P. M. over 25 CBS stations, will move to Tuesday evening, effective July 5. Sponsored by the Lambert Co., the program will be broadcast at 9 P. M. throughout the summer. On Sept. 30 and thereafter it will be heard on Friday at 10 P. M. The agency handling the account is Lambert & Feasley.

General Shift In Offing for Air Channels

WASHINGTON, June 23.—Application of the North American regional broadcasting agreement, following its ratification by the governments involved, will require the shifting of stations on all but 17 frequencies, it is indicated by a tabulation made available today by the Federal Communications Commission.

Unaffected by the agreement will be only those stations now operating on frequencies between 550 and 680 kilocycles and between 700 and 720 kilocycles. Shifts of other stations will run from 10 to 40 kilocycles.

Fourteen frequencies not now used by the United States will be made available to stations of this country under the agreement, including the 690, 730, 840, 910, 960, 1,030, 1,510, 1,520, 1,540 and 1,560 to 1,600, inclusive, kilocycle channels, it was shown.

Rules for Politics On Air Ready Soon

WASHINGTON, June 23.—Spurred by complaints that it has failed to carry out the duty imposed upon it by the Communications Act on issuing regulations regarding the use of stations by political candidates, the F.C.C. within the next few days will turn its attention to that subject, it was learned here today.

The matter will be laid before the commission next week by Chairman Frank R. McNinch and it is probable rules will be issued before the Congressional campaigns get under way.

A petition yesterday by WTAR, Norfolk, for political broadcast rules is said to have climaxed a growing agitation on the subject. The petition was made public by the station itself, but it is understood that a number of communications of like tenor have been received by the commission.

Broadcasters willing to assign time of politicians ask the issuance of regulations for their own protection, so that they may know just how they must handle such programs. At present, the broadcaster must interpret the law for himself, with possible penalty if he guesses wrong.

Congressman's Blast Brings Payne Retort

WASHINGTON, June 23.—Representative E. E. Cox of Georgia has demanded in the *Congressional Record* that George Henry Payne resign as a member of the Federal Communications Commission. The Congressman declared that Mr. Payne's resignation is necessary to the proper discharge of the commission's functions.

In a sharp retort to the Congressman, Commissioner Payne declared his attack "is so obvious an attempt to befog the issue of radio reform that it deserves little notice."

Congressman Cox, the commissioner said, "Has built his whole case upon misinterpreting what I said; he is trying to make out a case for monopoly and abuse in radio."

Radio Personals

GEORGE LIVINGSTONE, head of the Ferris-Livingstone publicity office in Chicago, returns to that city today following a brief honeymoon in New York . . . And Gladys Oakley is back in the New York office of the Ferris organization after a stay in Hollywood . . . David Golden has completed a radio dramaization of Paul Gallico's recent *Cosmopolitan* story, "He Saved an Empire." NBC recently presented Golden's adaptation of Ellis St. Joseph's "Passenger to Bali" . . . Irving Caeser, composer, and his collaborator Gerald Marks have been booked into Loew's State next week. The act will feature the pair's "Safety Song" presented on the Vallee program . . . Del Casino, the CBS tenor, has been booked into Loew's in New York during August . . . Tim and Irene have written a new song, "My Heart Saw Through Your Words."

+

J. V. McConnell, assistant to NBC sales manager Roy Witmer, is the father of a baby boy, born yesterday. The child has been named J. V., Jr.

Approve Nominees of Communications Unit

Nominees for national offices in the American Communications' Association have been qualified for the elections which will start July 1. Mervyn Rathbone, incumbent president of the union was renominated and will be the only candidate for that office on the official ballot.

The nominees for the vice-presidencies are: broadcast division, Louis Goyette and Ernest V. Roberts; marine division, C. H. Jordan and Roy A. Pyle; cable division, Michael Mignon and Harold Taylor; telegraph division, Willard Bliss, Joseph Kehoe, Edward H. Plitt, Joseph P. Selly, and Douglas Ward.

Frisco Publishers Oppose Central Log

SAN FRANCISCO, June 23.—The San Francisco-Oakland Publishers' Association has decided against a central radio log bureau to service all local dailies as a result of recent cutting down of radio publicity. The publishers sent a man south to study central logging practices in Los Angeles, before reaching a decision. A central log would result in inaccuracies and save them no money, the publishers declared.

Ferguson Asks Court Aid

Ferguson Radio & Television Co., Inc., manufacturers of and sellers of radios and electrical appliances, yesterday filed a petition under section 77B of the Bankruptcy Act in the U. S. District Court, asking for a reorganization on the grounds that the company was "unable to meet its debts as they mature."

The petition listed assets as of June 20 aggregating $96,000, and liabilities of $95,000. Eric Hauser, vice-president and secretary, who signed the petition, stated the company wished to retain its license from RCA.

Sees New Net Possible with Higher Power

(*Continued from page 1*)

buy practically all of the time of the group.

Such a step, he contended, wo seriously damage the regional and local stations, financially and with regard to their public service. At the same time, the super-power stations would be without competition, since it would be impossible to establish two such networks.

"To maintain the present competitive situation," he asserted, "it is necessary that all of the highest ranking programs should not be on one affiliated station in any particular locality."

"It is the unqualified contention of our association that if the commission were to grant 500 kilowatts power to Class 1-A stations, the result would be a curtailment of service to millions as an offset to improvement in service to a few thousands," he concluded.

WOR Earns Tribute For Education Aid

Tribute to WOR for its "constructive service to adult education" was voiced yesterday in New Brunswick, N. J., by Prof. H. J. Baker, extension service director of Rutgers University, in announcing that three weekly broadcasts from Rutgers will henceforth be presented on a guaranteed time basis.

The programs involved are "Radio Garden Club," heard Mondays and Fridays; and the "Homemaker's Forum," which is heard Wednesdays, and is being returned to the air next week.

Prof. Rogers said WOR's offer to guarantee the Rutgers time, which totals nearly $38,000 in air time, "will obviate any difficulties that might arise from commercially sponsored programs asking for the period assigned for our educational broadcasts."

WHB Asks Extension To Unlimited Time

WASHINGTON, June 23.—Extension of time from day to unlimited and increase of power from 1,000 to 10,000 watts was asked today of the Federal Communications Commission in an application filed by WHB, Kansas City.

Other applications received by the commission included requests from KRIC, Beaumont, Tex., for increase of day power from 100 to 250 watts; and WGRM, Grenada, Miss., for a similar increase of day power. The Civic Broadcasting Corp., holder of a construction permit for a 1,420-kilocycle, 100-watt station at Syracuse, petitioned for a change of frequency to 1,500 kilocycles.

Ethyl Takes Program

LOS ANGELES, June 23.—Ethyl Gasoline Corp., through Batten, Barton, Durstine & Osborn, has signed "Curtain Calls" over KFWB. The program may be extended nationally over CBS after the first 13 weeks.

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Few Closings Over Country, Circuits Say

20th-Fox Reports More Open this Year

Theatres in the field are holding their own and no wholesale closings are anticipated, despite the larger than usual number of closings in New York this summer, it was said by national circuit heads and distribution home offices which have received reports from branches.

A tabulation by 20th Century-Fox shows that on June 18 there were 385 more theatres operating in the country than on the same date a year ago.

While the situation in New York is aggravated by large overhead, this is not the case in the field, circuit executives say, and in other cities no more than the usual summer closings are planned.

Harry Brandt, president of the I.T.O.A., said that the organization has asked operators' Local 306 for wage reductions to tide the independent theatres over the summer. The

(*Continued on page* 14)

AGRAP Sets New Pact with WMCA

A new contract for the announcers and producers at WMCA has been procured by the American Guild of Radio Announcers and Producers. The pact provides for salary increases ranging roughly 16 or 17 per cent over the terms of last year's A. G. R. A. P. contract with the station.

The pact is for one year, and among its provisions are a minimum salary of $40, two weeks vacation with pay,

(*Continued on page* 15)

Plans Completed for Airing Tercentenary

WILMINGTON, June 26.—Broadcasts tomorrow of the Delaware Swedish Tercentenary by NBC, CBS and Mutual will be handled by a crew of 40 men in accordance with the plans of J. Gorman Walsh, manager of Wilmington's WDEL and chairman of the radio arrangements for the celebration.

CBS will have a crew of 14 headed by Bob Trout, presidential announcer, NBC will have 10 under the super-

(*Continued on page* 15)

More Radio—P. 15

Cooperative Spirit Gains By Talk at White House

Monopoly Moves of U. S. Understood One of Topics Discussed

WASHINGTON, June 26.—Indications of an enhanced spirit of cooperation between the motion picture industry and the Government were seen as resulting from the conference held yesterday at the White House by President Roosevelt with Will H. Hays, president of the Motion Picture Producers and Distributors Association, and executives of eight major film companies.

Will H. Hays

The film leaders were closeted with the President at the executive mansion for a half-hour discussion of conditions and problems of the industry. The group consisted of Barney Balaban, Paramount; N. J. Blumberg, Universal; Harry Cohn, Columbia; Sidney R. Kent, 20th Century-Fox; George J. Schaefer, United Artists; Nicholas M. Schenck, Loew's; Leo

(*Continued on page* 12)

Key City Grosses Running 15% Below June a Year Ago

Estimates of how much grosses are running below last year's at this time have run all the way from 10 to 40 per cent in recent weeks, depending upon who has made them and why. Actual box-office reports made by MOTION PICTURE DAILY correspondents in 23 key cities show that the drop is actually about 15 per cent and that the number of first run theatres in operation in these cities is the same as last year at this time—135.

For the week ending June 16-17 this year the total for 135 theatres in 23 key spots was $1,077,798. This was $55,300 below the previous week and was the lowest point of the current exhibition year which started in September.

Last year for the same week the total was $1,227,175 for the same theatres in the same cities. The difference between the two totals is $149,377. Last year's total of $1,227,175 also was the lowest figure for that season up to that time.

The cities reporting are scattered from Boston to the Pacific Coast and from Chicago to Oklahoma City. They represent practically all the varied types of exhibition territories and have in the past been found to be representative of general conditions.

(*Tabulation of Grosses on Page* 12)

Progress for Conciliation Is Faltering

While the major distributors are represented as working "with speed" to formulate a program of trade practice conciliation, no great progress has been made to date in shaping up definite proposals and no formal program is expected to be completed before September.

The heads of virtually all companies have declared informally that they will support conciliation, but many ramifications and company interests have to be taken into account before they will announce the extent to which

(*Continued on page* 14)

Theatre Building Falls During May

The progress of theatre building in the 37 states east of the Rockies was retarded in May. Contract values slid more than $500,000 from the April level.

This is revealed by the Dodge Reports Division of F. W. Dodge Corp. in its monthly summary, with the

(*Continued on page* 14)

New Setup for G. N. Is Placed Before Court

A proposal has been submitted to the Federal court in Los Angeles whereby an eastern financial group will take control of Grand National and reorganize it with its present structure as a base, it was said yesterday by Herman B. Freedman, who formerly was a film executive. The group expects to have control of the company by the end of this week, he said.

The plan has received the tentative approval of Loyd Wright and

(*Continued on page* 11)

Republic-Interstate Close Product Deal

Republic's selling activity has taken a decided spurt this month, according to company officials. James R. Grainger, president, said that the number of 1938-'39 deals are ahead of last year at this time, particularly circuit deals, which Mr. Grainger is personally supervising.

The latest 1938-'39 contract to be signed is with the Interstate circuit of Texas, for Republic's complete

(*Continued on page* 11)

Silverstone Quits U.A. British Post

LONDON, June 26.—Murray Silverstone, executive head of United Artists Corp., has announced his resignation as managing director of the United Artists British company, a post he has held for some years.

At the same time Mr. Silverstone disclosed the appointment of E. T. Carr and George Archibald as joint

(*Continued on page* 12)

B.P. Schulberg Gets Post with Selznick

HOLLYWOOD, June 26.—B. P. Schulberg, lately an independent contributor to the Paramount release schedule, joined the producing staff of David O. Selznick over the weekend.

The exact nature of his first assignment could not be learned, but it was generally understood that he was given a responsible post with relation to the future operations of the studio.

My Word!

By Irene Kuhn

◆ Because they are foreigners, guests in our city, and because they were probably inhibited by a strict Continental code of hospitality which prevented their exercising male prerogatives of slugging an insulting crasher with a press card, they shall be unnamed. But it can be pointed out to them, for future guidance at pleasant cocktail parties they may give, that other guests would be most pleased if they'd take a few healthy wallops at that objectionable former vaudevillian who now writes a column and who does not seem to know the gutter from his elbow. It is no offense against hospitality in this country to throw out on an ear, coattails or handiest spot, anyone who so grossly abuses the privileges of a guest. The thrower-outer would be cheered.

◆ Don Ameche, film and radio star, and his wife, the former Honore Prendergast, left Saturday for a long-deferred honeymoon in the shape of a first trip to Europe. When they were married more than five years ago they hadn't the money for the trip; when they got the money they hadn't the time. Meanwhile, they have acquired offspring so that when they could afford both time and money they couldn't leave the children. Now they've parked the young ones here while they visit Italy, the home of Mr. Ameche's grandparents, and Ireland, where the Prendergast clan resides.

◆ Out of a publishing mixup in which *Collier's* and *Life* found themselves in possession of similar material, Universal's Praise Agent Leo Pillot has managed to extract one of the biggest picture publicity spreads ever—14 pages in the current issue of *Life* of the Armand Denis-Leila Roosevelt Belgian Congo expedition to film the Universal picture "Dark Rapture" set for July 15 release.

◆ Armand Denis some time ago sold *Collier's* an article on his African expedition and furnished photos to illustrate it. The story was set for the July 16 issue. Meanwhile, *Life* was offered stills including prints of those in *Collier's* possession. They accepted the pictures, without payment, and made layouts.

◆ Collier's heard about it and protested. After hours of negotiation in which Pillot says *Life* offered to pull out those pictures which were dupes of the ones in *Collier's* layout, and to give *Collier's* a free ad in their captions, notifying readers of the date of publication of the article the situation reached an impasse.

◆ Thomas Beck, president of *Collier's*, took over the matter himself and handled all details from there on as a gentle reminder to his staff to be meticulous about arrangements hereafter. As a matter of principle, Mr. Beck requested return of the money paid Denis for the article which was pulled from the magazine. Denis acceded to his request and returned the check. Meantime, other picture mags are making bids for the African stills which are said to be unusually interesting.

Purely Personal

SPYROS SKOURAS, head of National Theatres, may leave about Aug. 1 for a vacation in Greece. He is expected back today or tomorrow from Los Angeles where he attended the wedding on Saturday of his niece, EDITH, daughter of CHARLES P., to JACK JUNGMEYER, JR. SPYROS was accompanied west by his brother, GEORGE; DEMETRIOS SICILIANOS, Greek Ambassador, and the Greek Archbishop of New York.

•

PHIL REISMAN, RKO foreign distribution head, will arrive today on the SANTA LUCIA with BEN CAMMACK, Latin American general manager, following a seven-week tour of South American offices.

•

DAVID NIVIN, English actor, will arrive on the *Normandie* today en route to Hollywood for a part in SAMUEL GOLDWYN'S "The Lady and the Cowboy." CLIFFORD FISCHER, night club producer, is another passenger.

•

HARRY BRAND, 20th Century-Fox studio publicity head, spent the weekend in Washington. He is due to leave for the coast this week.

•

MARGARET WAITE, Republic's eastern story scout, left by plane over the weekend to join the studio story department.

•

CHARLES ROBERTS of Columbia's foreign department has returned from a tour of the Central American exchanges.

•

JACK SKIRBALL, Educational sales manager, is reading plays for possible fall production.

•

CHARLES MACDONALD is here completing a film for the U. S. Forestry Department.

JOHN E. ABBOTT, director of the Museum of Modern Art Film Library, and MRS. ABBOTT, curator, will arrive Monday on the *Normandie* after a trip to Paris, Berlin and London. They supervised the installation of a motion picture section in an exhibition of American art at the Jeu de Paume Museum, Paris.

•

GEORGE LANDIS, Indianapolis branch manager for 20th Century-Fox; District Manager Edgar Moss, Philadelphia, and Sydney Samson, Buffalo manager, have returned to their offices after home office conferences.

•

GENE AUTRY will start a series of personal appearances at the Earle, Philadelphia, in July. *Lou Irwin* handled the deal.

•

S. R. KENT, 20th Century-Fox president, plans to start on his vacation late this week.

•

FRED DOLLE, Louisville circuit head, has been a New York visitor.

Claims Combine Ready

CLEVELAND, June 26.—Milton A. Mooney declares he has completed all details of his newly organized Co-operative Theatres of Ohio and will open offices shortly.

McGrady a V.P. of RCA

Edward F. McGrady yesterday was elected a vice-president of RCA at the regular meeting of the board of directors.

Portable Shows in Maine

BOSTON, June 26.—Portable motion picture shows are being screened in and around the Belgrade Lakes section of Maine by Clyde Tilton.

Florida Visits New Marine Studio Near St. Augustine

MARINELAND, FLA., June 26.—Prominent Floridians, just plain tourists and interested parties spent a large part of the weekend visiting the new Marine Studios here in this development 18 miles south of St. Augustine, which had a formal opening late last week.

The visitors were treated to an interesting view of the unique aquaria which the producers have built to provide realistic settings for underwater film material. Cornelius Vanderbilt Whitney, chairman of the directorate of the studios, who is also chairman of the board of Pan American Airways and associated in Selznick International Pictures, was unable to be present at the opening ceremonies.

There are two of these aquaria, one rectangular, the other circular in shape. It is pointed out by the powers that be here that all kinds of salt water fish are thrown together, without regard to natural fondness for one another—if any—which presents a substantial advantage over other aquaria for film purposes. Surface levels can be reduced from 18 feet in the rectangular tank and 11 feet in the circular, to as low as two feet, and any kind of underwater setting will be provided on request.

Among those participating in the opening celebration were: W. Douglas Burden, company president, and Mrs. Burden; Mayor Frank Couch of Daytona Beach, Mayor Walter Frazer, St. Augustine, and Charles Francis Coe, the author.

A half-hour statewide broadcast was staged in connection with the opening ceremonies.

It was emphasized by the executives of the company that the studios are far from complete, as far as actual construction and the number of species of fish in the tanks are concerned. The fish are being added each day from the daily catch of a trio of specially designed boats which represent approximately 20 per cent of the total $500,000 invested in this studio site. The studios, aquaria and the entire layout are immediately adjacent to ocean and inland waterways, making simple the collection of tropical and semi-tropical fish. It is said that 5,000,000 gallons of water course through the tanks each day.

First of Kent Drive Meetings on July 14

The first of a series of branch meetings in the sixth annual S. R. Kent Drive will start in Los Angeles July 14, with J. P. O'Loghlin, Canadian district manager and drive leader, presiding.

Mr. O'Loghlin has returned to Toronto following home office conferences with Herman Wobber, general sales manager. He will leave July [illegible] for Chicago where he will meet Rog[illegible] Ferri of the home office, and the two will proceed to the coast.

Mr. O'Loghlin's itinerary will include 31 branches in the United States and two in Canada. The sessions will be completed with a meeting at the New York branch Aug. 8.

Mr. Wobber plans a tour of branches with Mr. O'Loghlin in connection with the drive starting early in September.

Robert Kreier, assistant European manager, now in New York, will lead the Kent drive on the Continent.

Edith Skouras Married

HOLLYWOOD, June 26. — Edith Skouras, daughter of the president of Fox West Coast Theatres, and Jack Jungmeyer, Jr., were married here Saturday at the home of the bride's parents, Charles P. and Mrs. Skouras. Archbishop Atenagoras officiated. Miss Skouras is a writer connected with 20th Century-Fox whose most recent work is the screenplay of "Always Goodbye." Mr. Jungmeyer is an assistant producer, also with 20th Century-Fox.

In attendance at the wedding were Spyros Skouras, Greek Ambassador Sicilianos, Arch Bowles, F. W. C. division manager; Mike Naify, F. W. C. partner, and other out-of-town guests.

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DAILY
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Bella & Samuel Spewack's
"BOY MEETS GIRL"
Stage Play Produced by
George Abbott — starring
James CAGNEY
and Pat O'BRIEN
with
MARIE WILSON
RALPH BELLAMY
FRANK McHUGH
DICK FORAN
Directed by Lloyd Bacon
Screen Play by Bella
and Samuel Spewack

CAGNEY *meets* O'BRIEN *again* in "BOY MEETS GIRL"

For Your Labor Day Screen! After 2 Whole Summers and 2 Whole Winters on Broadway!

From Fannie Hurst's Story
"SISTER ACT"
with
CLAUDE RAINS · JEFFREY
LYNN · JOHN GARFIELD
FRANK McHUGH · MAY
ROBSON · GALE PAGE
and THE LANE SISTERS
Priscilla, Rosemary and Lola
Directed by Michael Curtiz
Screen Play by Julius J.
Epstein and Lenore Coffee
From the Cosmopolitan
Magazine Story
Music by Max Steiner
A First National Picture

**NO STORY EVER LIKE IT!
AN ABSOLUTE SENSATION!**

"WOMEN COURAGEOUS"

with

**CLAUDE RAINS · THE LANE SISTERS
PRISCILLA, ROSEMARY and LOLA
AND A GREAT CAST**

US YOU EVER SAW!

A Great Case of Murder!

EDWARD G. ROBINSON

in

"THE AMAZING Dr. CLITTERHOUSE"

Labeled a *smash* by every Hollywood previewer! From the most unique stage play in 10 years!

EDW. G.
ROBINSON
in
"THE
AMAZING DR.
CLITTERHOUSE"
with CLAIRE TREVOR
HUMPHREY BOGART
ALLEN JENKINS
DONALD CRISP • GALE
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Play by John Wexley
and John Huston • From
the Play by Barre Lyndon
A First National Picture

Only *WARNER BROS.* Do It!

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See if you, too, can't take this revolutionary step and join

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Only *Part* of your June-to-Labor Day Program!

Bella and Samuel Spewack's
'BOY MEETS GIRL'
Stage Play Produced by George Abbott—Starring
JAMES CAGNEY and PAT O'BRIE
(Marie Wilson, Ralph Bellamy, Frank McHugh, Dick Fora

EDW. G. ROBINSON in
'The AMAZING Dr. CLITTERHOUSE'
(Claire Trevor, Humphrey Bogart, Allen Jenkins, Donald Crisp, Gale Page. An Anatole Litvak Prod'n)

'RACKET BUSTERS'
(Humphrey Bogart, Geo. Brent, Gloria Dickson, Allen Jenkins, Walter Abel)

Lloyd C. Douglas'
'WHITE BANNERS'
(Claude Rains, Fay Bainter, Jackie Cooper, Bonita Granville, Henry O'Neill, Kay Johnson, James Stephenson)

'MY BILL'
(Kay Francis, Bonita Granville, Anita Louise, Bobby Jordan, John Litel, Dickie Moore)

'CRIME SCHOOL'
(The 'Dead End' Kids, Humphrey Bogart, Gale Page)

'COWBOY FROM BROOKLYN'
(Dick Powell, Pat O'Brien, Priscilla Lane, Dick Fora
Ann Sheridan, Johnnie Davis, Ronald Reagan)

Errol FLYNN · Olivia de HAVILLAND
Rosalind RUSSELL · Patric KNOWLES
in 'FOUR'S A CROWD'
(Walter Connolly, Hugh Herbert, Melville Cooper)

Fannie Hurst's Greatest Story
'WOMEN COURAGEOUS'
(Claude Rains, The Lane Sisters—Priscilla, Rosema
and Lola—Jeffrey Lynn, John Garfield, Frank McHug

New Setup for G. N. Is Placed Before Court

(Continued from page 1)

Edward Alperson, G. N. trustees, according to Mr. Freedman. He arrived here from Hollywood about 10 days ago to obtain financiers' consent to certain changes in the plan, he said, and will leave tomorrow night for Hollywood to ask the court for ratification.

The group is making available $600,000 in cash for the reorganization, and $1,000,000 will be forthcoming later if needed, Mr. Freedman said. What makes the company attractive to the investors is that it has an exchange system in operation and that it was able to obtain profitable grosses for some pictures, he stated. Mr. Freedman said he spent eight weeks investigating G. N.'s books and possibilities on the coast.

The same group has organized Film Corp. of America to produce 26 low-budget films for G. N. Officers of the company are Frank K. Hale and Harold Goldman, representing the eastern investors, and Mr. Freedman, in addition to another New Yorker, who, Mr. Freedman says, is well known.

He said the court has approved the production program, which calls for 24 westerns at a cost of $17,500 each and two outdoor films to cost a maximum of $75,000 each. Options have been taken on playing talent, and cameras are scheduled to start Aug. 15, either at the G. N. studio or another if it can be obtained at a lower rate, Mr. Freedman said.

Stockholders Must Approve

Two-thirds of the company's 5,800 stockholders must approve a reorganization plan, but Mr. Freedman said the court has tentatively indicated it likes the proposal. The stockholders, who hold 685,000 shares representing a total investment of $1,600,000, will be adequately protected, and the physical structure of the corporation will not be changed, with no new stock issued, he said.

Under the plan, the company will not engage in production, but a certain amount of assistance will be given to outside producers, Mr. Freedman declared.

E. W. Hammons, president of Educational, who owns the G. N. studio, will not figure in the reorganization except that an arrangement may be worked out for release of Educational shorts, Mr. Freedman said. Mr. Hammons is also working on a plan with Nat Levine and others. Phil Goldstone is also interested in the company's reorganization.

Republic-Interstate Close Product Deal

(Continued from page 1)

product lineup. The deal was closed with R. J. O'Donnell, vice-president and general manager of Interstate, who is in New York. William G. Underwood, partner with Claude Ezell in the Republic franchise in Texas, sat in on the negotiations.

Reviewers Like "Banners;" "Holiday" Wins High Praise

General approval marked the criticisms directed by the reviewers of New York's daily papers toward "White Banners," while considerable and unanimous praise greeted "Holiday." Excerpts from the reviews of both films follow:

"White Banners"

Herald-Tribune—Fay Bainter carves out a memorable performance.

Journal-American—Tender and heart-warming . . . translated to the screen with rare skill and understanding.

Mirror— . . . Superbly acted, an inspirational drama. It has a persuasive charm, a powerful emotional pull.

News— . . . An emotion-arousing drama. . . . Fay Bainter especially fine . . . splendidly acted by all.

Post— . . . Does justice to its original. . . . Stands on its own feet both as entertainment and as a story.

Sun— . . . Will probably please those who like Lloyd C. Douglas's other dramatized sermons.

Times— . . . The mood of the piece is quiet, restful and sincere. "White Banners" is practically a sedative.

World-Telegram— . . . Emerges a frequently touching and moving and always engrossing photoplay. Fay Bainter best.

"Holiday"

Herald-Tribune— . . . The stage success has been turned into a smart and entertaining film.

Journal-American— . . . Has been amusingly translated to the screen again. . . . Excellently acted by a well chosen cast.

Mirror— . . . A film to which Miss Hepburn is entirely suited . . . her most pleasing picture of the season.

News— . . . Remade for the screen into a smooth-as-silk production . . . brilliantly modernized . . . Katharine Hepburn inspired.

Post—"Holiday" is what some of us have been waiting for. . . . No one in the cast lets the picture down from its remarkably high level.

Sun— . . . An amusing picture. . . . Producer, director and cast have done well by Philip Barry's play.

Times— . . . A smooth, workmanlike and thoroughly entertaining film.

World-Telegram— . . . Miss Hepburn at her brilliant best . . . acted and directed as well as any film you are likely to see this year.

Alarm Clock

E. W. Hammons, president of Educational, the other night was awakened by a long distance call from Los Angeles. Someone at the other end had something important to discuss about the Grand National reorganization. The hour was 12:30 A. M., New York daylight time. The caller forgot there is a four-hour difference in time between the coasts. Mr. Hammons reminded him of it.

Samuels Arrives Today

Leo Samuels will arrive from the coast today to take up his duties as assistant to Hal Horne, eastern representative for Walt Disney. Mr. Samuels will be in charge of foreign deals. He was executive assistant to Dr. A. H. Giannini until the latter's resignation as United Artists president.

New York Preview

"Always Goodbye"

(20th Century-Fox)

There is a strong human quality in "Always Goodbye," that of a mother's love for the son she cannot acknowledge as her own. Despite the fact that the theme scarcely can be described as new, the admirable assistance of a handsomely mounted production, a high degree of production value, and expertly turned performances serve to offer a potentially wide appeal in the finished product.

The exhibitor may offer his prospective customers Barbara Stanwyck, as the mother, in a sincere and earnest portrayal; Herbert Marshall, as her friend and adviser, who is willing to sacrifice his love for her happiness, his usual highly competent self; Cesar Romero, in the role of a comedy count, and who is really comic; Johnnie Russell, as the little son, who is an appealing and attractive youngster. In adequate support are Ian Hunter, Lynn Bari and Binnie Barnes, chiefly.

Sidney Lanfield, director, has succeeded in pacing the screenplay by Kathryn Scola and Edith Skouras with admirable skill, saving it at once from being too heavily sentimental or too tearful. He has lightened the touch, and Marshall is of real assistance. The original story by Gilbert Emery and Douglas Doty recounts how Marshall dissuades Miss Stanwyck from suicide when her husband-to-be is killed, how he arranges the adoption of her child, and befriends her to dress-making success. She finds her boy again, saves him from the woman who would marry the boy's legal father, Hunter, and marries him herself, while Marshall is content to give her up that she and the boy may be happy.

Running time, 75 minutes. "G." CHARLES S. AARONSON

(Additional Reviews on page 14)

Baynes Again Sues Over Atlantic Pact

George McLeod Baynes Friday filed a second suit against Atlantic Film Products, Ltd., asking for damages of $30,000 and at the same time applied for a warrant of attachment against the sum of $30,000 belonging to Atlantic, and allegedly held by Columbia Pictures Corp. Services of the summons and a writ of attachment in a previous suit was vacated on technical grounds April 29.

The plaintiff claimed that Atlantic breached a contract whereby Baynes was made the agent for the distribution and exhibition of Atlantic Film's "Thunder in the City" in the United States and Canada, at an alleged compensation of 10 per cent of the gross receipts. Baynes contended that he secured Columbia to distribute the picture, which later grossed $300,000, but that he had received no compensation for his services.

Loew's Asks Stay on Suit

Application will be made to the N. Y. Supreme Court today by Loew's Inc., to stay Edward M. Grossman from proceeding with his stockholder's suit against Loew's and 32 of its directors until final determination of eight similar suits against Loew's which have been previously consolidated. Grossman's suit was started May 31 and, according to the affidavit of J. Alvin Van Bergh, a member of the firm of Proskauer, Rose & Pascus, attorneys for Loew's, it seeks an accounting and a cancellation of certain personal service contracts made by Loew's with 12 of its executives.

Burgess Sues Knickerbocker

C. F. Burgess Laboratories, Inc., filed suit Friday in the U. S. District Court against Knickerbocker Broadcasting Co., Inc., and Jacobson & Co., Inc., charging patent infringement of a sound deadening construction device. The plaintiff claimed that it is the owner of the patent and that Jacobson & Co. sold the device to Knickerbocker without authority. Knickerbocker, it is alleged, has been using the device for the past six years. An injunction, accounting of profits and damages are asked.

Ann Rosenthal to Quit

Ann Rosenthal, Grand National home office attorney, will sever her connection with the company July 1, when she will leave for the coast by car with Dorothy Hechtlinger, assistant to Darryl F. Zanuck, who was here on a vacation.

Miss Rosenthal will engage in private practice and will continue to handle G. N's legal affairs on an independent basis, in addition to representing independent producers and talent in the east on a general management basis. She will have temporary offices at 1518-1519 Paramount Building. She expects to return Aug. 15.

RKO Boston Off 1st Run

BOSTON, June 26.—Owing to the disappointing film value of the Louis-Schmeling fight, the RKO Boston has failed to return to a first run policy. The house opened Friday on the first split week booking in years with the fight pictures scheduled throughout the week as a part of both double feature shows.

Major Heads Talk Film at White House

(Continued from page 1)

Spitz, RKO, and Albert Warner, Warner Bros.

A variety of subjects was discussed by the President with the group, it being understood that the talk turned upon the Government's monopoly moves against the industry, the foreign situation, the reciprocal trade agreement and industry cooperation with the Administration in its recovery program.

Following the conference the members of the group refused to discuss their conversation, leaving to Mr. Hays the task of explaining the trip to Washington.

"The motion picture industry, with its world distribution," Mr. Hays said, "is a particularly sensitive barometer of business conditions everywhere. We were called to discuss with the President the general conditions, industrial activity and the steps to be taken by producers and distributors.

"We were particularly struck by the President's close knowledge of our industry's problems and I believe the President, in turn, received an encouraging picture of production activities and the continued progress in self-regulation by the motion picture industry.

"These are times that call for increased cooperative endeavor, not only within the industry but between industry and government."

Silverstone Quits U.A. British Post

(Continued from page 1)

managing directors of the United Artists British company. Mr. Carr will head the sales organization, and Mr. Archibald will be in charge of administration and finance. Both will share the post hitherto held by Mr. Silverstone.

The resignation of the directing head of the American company is not unexpected. Mr. Silverstone arrived here early last week to clear up personal and business affairs connected with his tenure of office as managing director of United Artists here, before returning to the United States, where he will make his permanent headquarters in New York in his new capacity as executive head of the American company.

Premier Opening Offices

Premier Trading Corp., American distributors of Irish and Polish films, will shortly open offices on the ninth floor of 723 Seventh Ave. N. Pomeranz, president of the firm, stated recently that "The Rose of Tralee," from Dublin Films, will be released by the company.

Enid to Get New House

OKLAHOMA CITY, June 26.—A contract has been let for construction of a downtown 1,000-seat theatre at Enid by the Griffith circuit. Estimated cost of the building will be $30,000 with another $20,000 for furnishings and equipment.

Key City Grosses Running 15% Below June a Year Ago

Totals for the latest available periods:

	Week Ending June 9-10		Week Ending June 16-17	
	No. Theatres	Gross	No. Theatres	Gross
Boston	6	$34,600	6	$49,500
Buffalo	5	39,600	5	38,800
Chicago	7	93,300	7	82,400
Cincinnati	8	56,700	8	53,500
Cleveland	5	53,200	5	37,000
Denver	7	36,700	7	34,000
Detroit	5	56,600	5	58,900
Indianapolis	4	24,400	4	23,700
Kansas City	5	30,000	5	38,000
Los Angeles	10	76,298	10	86,098
Milwaukee	5	29,200	5	23,000
Minneapolis	5	21,700	5	16,900
Montreal	4	32,500	4	26,000
New Haven	4	18,500	4	17,400
New York	7	202,000	7	181,000
Oklahoma City	5	16,900	5	15,700
Omaha	3	21,200	3	17,900
Philadelphia	9	80,900	8	65,900
Pittsburgh	5	51,450	5	47,600
San Francisco	9	60,400	9	66,700
St. Paul	5	9,200	5	8,700
Seattle	7	34,750	7	34,100
Washington	6	53,000	6	55,000
	136	$1,133,098	135	$1,077,798

Key city grosses up to the week ending June 16:

Week Ending	No. Theatres	Gross
Sept. 3- 4, 1937	142	$1,447,016
Sept. 10-11	149	1,887,424
Sept. 17-18	150	1,625,170
Sept. 24-25	144	1,558,698
Oct. 1- 2	148	1,528,286
Oct. 8- 9	147	1,500,826
Oct. 15-16	147	1,587,879
Oct. 22-23	149	1,546,112
Oct. 29-30	146	1,555,682
Nov. 5- 6	147	1,510,291
Nov. 12-13	151	1,519,420
Nov. 19-20	152	1,544,974
Nov. 26-27	138	1,419,301
Dec. 3- 4	136	1,612,773
Dec. 10-11	137	1,300,818
Dec. 17-18	137	1,193,642
Dec. 24-25	136	1,076,657
Dec. 31-Jan. 1, 1938	136	1,597,409
Jan. 7- 8	150	1,852,759
Jan. 14-15	145	1,482,955
Jan. 21-22	149	1,535,087
Jan. 28-29	147	1,528,720
Feb. 4- 5	147	1,593,065
Feb. 11-12	149	1,519,866
Feb. 18-19	149	1,520,357
Feb. 25-26	145	1,582,285
Mar. 4- 5	144	1,521,797
Mar. 11-12	144	1,485,345
Mar. 18-19	145	1,443,398
Mar. 25-26	144	1,418,494
April 1- 2	144	1,416,745
April 8- 9	143	1,347,244
April 15-16	143	1,158,856
April 22-23	145	1,516,557
April 29-30	143	1,365,866
May 6- 7	143	1,300,772
May 13-14	140	1,212,731
May 20-21	142	1,319,641
May 27-28	140	1,227,080
June 2- 3	137	1,237,740
June 9-10	136	1,133,098
June 16-17	135	1,077,798

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Oklahoma House Cuts

OKLAHOMA CITY, June 26.—The downtown State has cut its price to 25 cents from 40 cents and has begun a double bill policy for the summer. Only two downtown first runs now play single features.

Schulman Buys Theatre

NEW ORLEANS, June 26. — Alex Schulman, former operator of the Silver Slipper night club and owner of the Arcade Theatre, has purchased the Avenue theatre and has let a contract for remodeling.

"Mice" Take at Roxy Is $34,500 for Week

"Three Blind Mice" grossed $34,500 at the Roxy last week. Business generally was off, the start of the vacation season beginning to be felt, and the broadcast of the Louis-Schmeling fight credited with cutting Wednesday night's grosses deeply.

"The Sheik" garnered $28,000 in a four-week run at the Gaiety. Successive weekly grosses were $12,000, $7,200, $5,800 and $4,000. A French film, "Club de Femmes," started at the Gaiety Saturday.

"Arson Racket Squad" did a fair $8,000 at the Criterion. The Globe netted $4,500 with "The Main Event" and a similar figure was reported as the gross for the "King Kong" reissue at the Rialto.

The Louis-Schmeling fight films were reported to be doing less than expected at RKO theatres. The film was built up to 16 minutes of running time, with slow motion action, an explanation by Referee Donovan and other material to increase its pulling power.

Theatre Shifts Gain In Denver Territory

DENVER, June 24.—Theatre changes are numerous in the territory. Fay Gardner has taken over the Star, Curtis, Neb., from Star Enterprises; William Bernes now has the Esseness, Rushville, Neb., having taken it over from John C. Gates (the name has been changed to the Plains); H. S. Statler has bought the Avalon, Venango, Neb., from Rodney Davis, and W. J. Sturgess has bought the Real in Roy, N. M., from H. H. Butler.

Several theatre names have been changed: the Walden at Walden, Col., is now the Star; the Victory, Kremmling, Col., is now the Ramona; Rio, Mt. Harris, Col., now the Liberty, and the Crystal, Carrizozo, N. M., now the Lyric.

Wall Street

Stock Prices Generally Increase

	Open	High	Low	Close	Net Change
Col.	13½	13½	13	13	.....
Col. pfd.	33½	33½	33½	33½	+2
Cons.	1⅜	1½	1⅜	1⅜	.....
Cons. pfd.	6⅝	6⅝	6½	6½	.....
E. K.	166¼	167½	165	166	.....
E. K. pfd.	162	162	161	161	—1
G. T. E.	12¼	12½	12¼	12¼	.....
Loew	48⅝	49⅛	47¾	48⅛	+ ½
Loew, pfd.	106⅜	106⅜	106⅜	106⅜	.....
Para.	9⅜	9⅞	9⅜	9½	+ ¼
Para. 1	81	81⅞	80½	81⅞	+1⅜
Para. 2	10	10¼	9⅞	10	+ ⅛
Pathe	5¼	5½	5⅛	5⅜	— ⅛
RKO	2¼	2½	2¼	2⅜	+ ⅛
20th Fox	24	24¼	23	23½	.....
20th pfd.	31¼	31¼	31	31	+ ¼
Univ. pfd.	31¼	31¼	31¼	31¼	+ ¼
W. B.	5¾	5⅞	5½	5⅝	.....

Curb Continues Climb

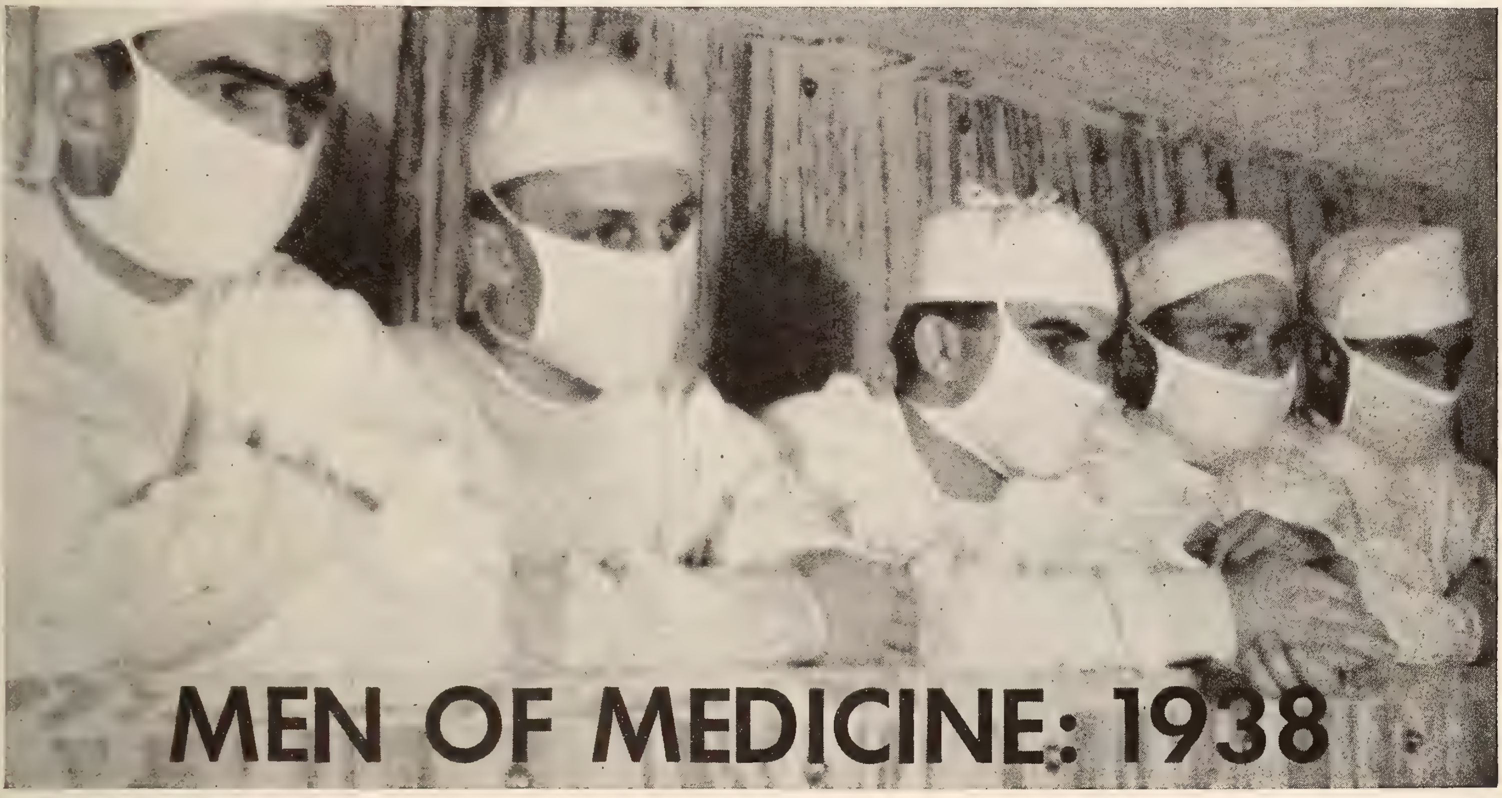
	Open	High	Low	Close	Net Change
G. N.	⅜	½	⅜	½	+1/16
Monogram	2	2⅛	1⅞	2⅛	+ ⅛
Sonotone	1¾	1¾	1¾	1¾	+ ¼
Tech.	23½	23⅞	23⅛	23½	— ⅜
Trans-Lux	2¼	2⅜	2¼	2⅜	+ ¼
Univ. Corp.	2	2	2	2	+ ¼

Bond Levels Rise

	High	Low	Close	Net Change
Loew 3½s '46	99	99	99	+ ½
Para. Pict. 6s '55	93⅞	92⅞	93½	+ ¼
Para. Pict. '47	72	72	72	+ ½
RKO 6s '41	67	66¼	66⅞	— ⅛
W. B. 6s '39	71¼	70½	71	+ ¾

(Quotations at close of June 24)

ALREADY THE SUMMER'S MOST WIDELY DISCUSSED MOTION PICTURE



MEN OF MEDICINE: 1938

TODAY the U. S. medical profession is engaged in a thought-provoking debate: how can all the nation receive adequate medical care, doctors adequate pay?

As doctors split sharply on how best to solve this problem, headlined in the nation's press are the phrases: "cooperative medicine," "group practice," "socialized medicine."

So important is this controversy to every U. S. citizen that the March of Time this month has devoted its entire issue to one newsworthy feature—*MEN OF MEDICINE: 1938.*

Because it presents the first authoritative, behind-the-scene story of *your* doctor and *his* problems, *MEN OF MEDICINE: 1938* has become overnight the summer's most widely-discussed motion picture.

TRUE DRAMATIC REALITY—*A New Kind of Boxoffice*

MEN OF MEDICINE: 1938 has for its leading character a real-life doctor. It portrays authentically and accurately the crucial moments in a young doctor's life. And it gives to U. S. citizens a true and understandable picture of modern medicine—its practice, its triumphs and the crisis it is facing today.

MEN OF MEDICINE: 1938 is not only an important film document,—it is exciting entertainment.

ACCLAIMED BY THE PRESS . . .

Unanimous is the trade and U. S. press in its praise for *MEN OF MEDICINE: 1938.*

". . . most intensely interesting March of Time ever released." —*Showman's Trade*
". . . its appeal is wide, finely informative." —*Film Daily*
". . . exemplary in its straight-line adherence to its theme." —*Motion Picture Herald*
". . . absorbing film fare to every picturegoer." —*Film Curb*
". . . it ranks among their most intelligent best." —*Boxoffice*
". . . excellent, engrossing—tie-up opportunities enormous." —*Exhibitor*
". . . forthright and absorbing, alone worth the price of admission." —*Washington, D. C. Herald*

ACCLAIMED BY THE PROFESSION . . .

MEN OF MEDICINE: 1938, made with the full cooperation of the entire medical profession, is the *only* motion picture to be endorsed by the Board of Trustees of the American Medical Association. It is acclaimed by the association of American life insurance companies as "an accurate and splendid interpretation of current medical and health problems," and by all the medical profession as "authentic and impartial."

AND THROUGHOUT THE NATION . . .

Twenty million U. S. citizens have already been notified by bulletins from insurance companies and medical groups, and through pharmaceutical and medical journals to watch for this new issue of the March of Time. This is one of the greatest cooperative publicity campaigns ever completed. Now they are waiting for YOU to tell them when you play *MEN OF MEDICINE: 1938* at your theatre.

THE MARCH OF TIME

PRODUCED BY THE EDITORS OF LIFE AND TIME

RELEASED BY
RKO
RADIO
PICTURES

Few Closings Over Country, Circuits Say

(Continued from page 1)

general view is, however, that the union wage situation is only one factor, and that concessions must also be obtained from landlords, film companies and on light and power bills. Mr. Brandt said that the exhibitors are negotiating individually for such adjustments.

Local 306 officials have conferred with I.T.O.A. spokesmen but have no intention of granting a reduced wage scale, it was said. Stagehands' unions have also been approached, but one official said that such requests come from exhibitors at intervals regardless of grosses.

General conditions rather than any particular factor are blamed by exhibitors, and a general feeling that an upturn will be visible by September is expressed.

In addition to Loew's, which will close seven theatres, July 2, RKO will darken 12 in the metropolitan area and one in Columbus and the Brandt circuit will close 11 this week.

RKO intends to reopen all theatres in September. An official said that the closings in the circuit are less than in previous summers.

National Theatres stated the only reports it has received of closings are one in Seattle and one in Denver.

Skouras Theatres in the metropolitan area will close 13 early in July. It is planned to reopen all in the fall.

Theatre Building Falls During May

(Continued from page 1)

comment that "theatre building followed the May trend of non-residential work." An average drop of three per cent was recorded for non-residential construction during May.

Seventy-one theatre projects involving 164,000 sq. ft. were reported by the Dodge news staff of 75 reporters during last month. Contract value totaled $1,514,000. The April report covered 82 projects with 256,000 sq. ft. and contracts amounted to $2,071,000.

To this point, theatre building contracts, as reported by Dodge, are approximately $1,750,000 behind the five-month period of 1937. The 1938 figure is $9,205,000, compared with $10,974,000 for the same 1937 period.

Actors Urge Ban on Mexican Film Houses

By JAMES LOCKHART

MEXICO CITY, June 26.—The national association of actors here and allied professions and trades have urged upon the Municipal Government a law prohibiting any new film theatres in the city.

They contend that if any more theatres are turned into film houses that many more union show people will be starving. The conversion of houses in the past five years has reduced the number of legitimate theatres from 20 to five. The survivors are in a very bad way, the groups contend, and only one is functioning regularly.

Hollywood Previews

"My Bill"

(First National)

HOLLYWOOD, June 26.—Plainly told drama of a mother's devotion to her children through crises domestic and financial, Warners' "My Bill" presents Kay Francis, Bonita Granville, Anita Louise, Bobby Jordan, John Litel and Dickie Moore in a vehicle aimed primarily at the distaff side. Applause during the preview at Warners' Hollywood Theatre and at its conclusion indicated that its appeal is not limited to the feminine contingent.

With situations created by unhappy family affairs, gossip of relatives and neighbors, the faithfulness of the youngest of four children despite the misunderstandings of the other youngsters, and the difficulties of raising a family with a half empty larder, the story finds probable counterpart in true incidents in towns big and small. The play, "Courage," by Tom Barry formed the basis for the screenplay by Vincent Sherman and Robertson White. John Farrow directed the Bryan Foy production, which mingles pathos, irony and humor.

Supporting the principals are Maurice Murphy, Elisabeth Risdon, Helen Phillips Evans, John Ridgely, Jan Holm, Sidney Bracy and Bernice Pilot.

Dickie Moore, 12-year-old screen veteran, carries the major share of the story as the boy who sticks to his mother, Kay Francis, when the other children, Anita Louise, Bobby Jordan and Bonita Granville, are influenced by their wealthy aunt to live with her. The aunt despises the little boy because she erroneously thinks her brother, Miss Francis' late husband, is not the child's father. Aiding Miss Francis in her difficulties is John Litel, the town's banker and her childhood sweetheart. By an inheritance, little Dickie patches matters up for the entire family.

Running time, 60 minutes. "G."

"Woman Against Woman"

(M-G-M)

HOLLYWOOD, June 26.—Names like Herbert Marshall, Virginia Bruce, Mary Astor, Marjorie Rambeau, Zeffie Tilbury and Janet Beecher are, on most American marquees, ample inducement for the citizens to drop in and see what their bearers are doing this time. Those who do will find them doing the things expected of them in precisely the type of picture the title suggests. Few pictures are so accurately described by their surface billing.

"Woman Against Woman" is not, in cold fact, the play that oldsters will half remember, favorably, as a staple item of 10-20-30 stock repertoire three or four decades back. It is a screenplay by Edward Chodrov, who also produced the film, from "Enemy Territory," by Margaret Culkin Banning. Yet it is, although contemporary in setting and genteel in manner, almost precisely the kind of entertainment reminiscing adults will recall the dependable old melodrama as having been. An odd and commercially advantageous coincidence.

In the story, Marshall divorces Miss Astor to escape wifely domination. She is given custody of their infant daughter. He marries Miss Bruce and brings his bride to the small town where Miss Astor has enlisted her social associates in a kind of sympathy strike against the newcomer. Her persistence in such direction makes life pretty miserable for the newlyweds, but Marshall finally learns, by discovering that his daughter's represented illness is unreal, that Miss Astor's intent is to wreck his marriage. He and Miss Bruce denounce her and she promises to desist.

Robert D. Sinclair directed. Miss Rambeau furnishes most of the slight comedy relief. Washington and a small American city are represented. Appeal is to the family type audience.

Running time, 60 minutes. "G."

Plan 3 Houses in One

BOSTON, June 26.—A three-in-one policy has been announced for Boston by the F. E. Lieberman circuit. Lieberman is planning to open three film theatres in the old B. F. Keith Theatre. The circuit plans a subsequent-run upstairs house, a newsreeler and a vaudeville theatre.

Mitchley Joins Poster

PORTLAND, June 26.—George Mitchley, states rights distributor in the northwest, has been appointed sales manager for the Poster Service Corp. Foster Blake, Portland, is general manager.

Three Frisco Firms Move

SAN FRANCISCO, June 26.—Three theatrical equipment houses here have moved to new and larger quarters. National Theater Supply is now at 255 Golden Gate Ave., Western Theatrical Equipment Co. is installed at 222 Golden Gate. United Theatre Equipment's new showrooms are at 121 Golden Gate.

Plans Seattle Theatre

SEATTLE, June 26.—W. T. Campbell plans a new 1,100-seat house in the west Seattle business section. The theatre will be leased to John Danz's Sterling Theatres circuit.

Progress for Conciliation Is Faltering

(Continued from page 1)

they will support conciliation machinery.

The sales managers and legal co[illegible]sel are to be reckoned with importa[illegible]ly, and in some instances their opinions run counter to those of the heads of the companies. While support of conciliation has been given "in principle," there is no agreement so far on what should be done and the method of putting a program into effect.

Conditions laid down by the M.P.T.O.A. and Allied are being considered individually by the companies. The summer will be taken up with informal discussions on the procedure which is to form the framework on which the conciliation machinery will be built.

Some of the sales heads are said to feel that the assent of all companies must be obtained before a program can go forward, and they contend that the opposition of one company would be sufficient to block the entire program. So far the attitude of Warners has not been clearly defined, though in the past this company has pursued a policy of non-cooperation.

No company would be willing to give up economic advantages demanded by the exhibitor groups without the knowledge that all other distributors would conform, it is pointed out.

The shaping of a definite program will, it is conceded, be a difficult and long drawn out task. After specific proposals have been submitted, there may be the hurdle of negotiations with exhibitor committees representing the M.P.T.O.A. and Allied. The executive committee of the former is authorized to confer with the distributors. Allied's directors were empowered by the Pittsburgh national convention to appoint a committee to meet with the distributors "at the opportune time."

Fight 'Birth' Conviction

BOSTON, June 26.—The appeal of a Cambridge newsdealer from a conviction and $500 fine in Municipal Court for selling copies of *Life* containing stills from the film "The Birth of a Baby," has been taken under advisement by Judge John P. Higgins of Suffolk Superior Court.

Time, Inc., is defending the charge. Judge Higgins declined to hear a number of nationally known professional and civic leaders, holding their testimony "irrelevant." If the conviction is upheld, Time, Inc., plans an appeal to the Supreme Court.

"Birth" Banned in Omaha

OMAHA, June 26.—Mayor Dan B. Butler, now nationally-known for his censorship ideas, overruled a City Welfare Board order authorizing showing here of "Birth of a Baby" and banned the picture.

In the five-member board of private citizens, two voted for the picture and one against, the other two passing votes. Butler then said he refused to recognize the board's action.

AGRAP Sets New Pact with WMCA

(Continued from page 1)

ick leaves and arbitration of dispute. Gerald Dickler, A. G. R. A. P. attorney, represented the guild in the negotiations, with Donald Flamm, president of WMCA, acting for the station.

A. G. R. A. P. obtained its first [illegible] with WMCA last year, but following the discharge of several employes the contract was invalidated. Several weeks ago the case was brought before the National Labor Relations Board, and after a hearing the employes were reinstated and the negotiations leading to the present contract were started.

Plans Completed for Airing Tercentenary

(Continued from page 1)

vision of Carleton Smith and the Mutual men will be six in number.

In a special broadcast at 11 P. M. tonight, WDEL placed a microphone at "the rocks," historic landing place of the Swedes who came to America 300 years ago. The splashing of the waters of Christian River was broadcast.

CBS will air a preview broadcast from 9 to 9:30 tomorrow morning, conducting a three-way program with microphones on "the rocks," on the Swedish luxury liner *Kungsholm* and on an airliner cruising over Wilmington.

A special booth has been built at "the rocks" for a Swedish announcer who will intersperse explanatory comments which will be broadcast by short wave to Sweden.

Gray and Band Join Burns & Allen Show

Glen Gray's Casa Loma orchestra will join the Burns and Allen General Foods Show on NBC on July 4, and will remain on the program until it leaves the air in August.

Although nothing has been said about it, there is a likelihood that the Casa Loma band will remain with Burns and Allen when the comedians start a new commercial series over CBS in the fall.

Jessel Final July 3

"Thirty Minutes in Hollywood," cooperatively sponsored Mutual network show with George Jessel, will present one more broadcast before discontinuing for the summer. The final program will be heard July 3. The program will return to the Mutual network early in September.

Elliott Now Time Buyer

E. A. Elliott, formerly space buyer and head of the schedule department of the Campbell-Ewald Co., has been appointed director of media and will assume charge of radio time buying for the agency.

Start WHN Show Today

Emerson's Mountaineers, who have been featured in shorts for Universal and Warners, will inaugurate a thrice weekly program over WHN today at 12:30 P.M.

Good News Only

Birmingham, June 26.—A news broadcast with only good news is planned by WSGN. The average news broadcast runs about 95 per cent to crime, war, catastrophe and the like, but this newscast will be only of constructive occurrences with a few feature shorts to add interest.

Celebrities' Voices Are Put Into Series

A series of transcribed programs containing the voices of celebrities such as P. T. Barnum, Garrett A. Hobart, John Wanamaker, Andrew Carnegie, William McKinley, Sarah Bernhardt, Theodore Roosevelt, Presidents Taft and Wilson, William Jennings Bryan and others will shortly be offered for sale to radio stations by Robert Vincent of New York, who has accumulated a large collection of re-recorded voices. The series is to be titled "Voice of Yesterday," and may be sponsored by local merchants.

The plays will be of 12-minutes duration with three minutes of music following, which will enable the sponsor to fade in and inject the commercial announcement. Mr. Vincent, who recently produced the transcribed series "Wings Over the World," will direct the plays and the cast will include Don McLaughlin, Ken Delmar, Ray Bramley, Louis Krugman, Charlotte Chain and others.

Crosley Plans Trial Home Facsimile Sets

CINCINNATI, June 26.—"Some home facsimile receiving sets will be manufactured this year to help carry on experiments, but whether additional sets will be manufactured for the market in the future is uncertain," declared Powel Crosley, III, vice-president of Crosley Radio Corp., in commenting on the experimental license granted WLW by the Federal Communications Commission to transmit facsimile signals with 50 kilowatts power until Aug. 1. Signals will be transmitted from midnight to 6 A.M., during which hours regular broadcasting is discontinued.

It is understood that the system to be used by WLW calls for use or sale of a certain number of facsimile receiving sets during the initial year of the contract, with an increase each additional year the contract remains in effect.

New Offices of WGY Will Open on July 9

SCHENECTADY, June 26.—The new five-story broadcasting headquarters of General Electric's WGY, local outlet of the NBC-Red, will be opened officially July 9.

The construction of the new WGY studios is part of the recent building activity by NBC in Philadelphia, Cleveland and Washington. Last week construction crews completed the iron work for the new NBC radio center to be opened in Hollywood.

Fels Renews Contract

Spot announcements for the Fels Co. on WBNX have been renewed through Young & Rubicam.

KNX Coast's Leader In Crossley Survey

LOS ANGELES, June 26.—The Crossley radio and market research organization has completed a survey of the Los Angeles radio market, the largest ever made in this area. A summary of the report, showing the number of quarter-hours during a typical week in which each station has the largest audience, shows KNX, the CBS station here, leading the list with 216 firsts. KFI is second with 165 and KHJ has 18. The other stations, in order, are: KECA, seven; KFWB, six, and KFAC, four.

The survey was based on a total of more than 130,000 attempted telephone interviews. The questions asked were: "To what radio program are you listening?" and "To what radio station are you listening?"

The Crossley researchers completed an average of 285 interviews every quarter-hour, for seven days, 14 hours each day.

KOMA Testing Sites For Big Transmitter

OKLAHOMA CITY, June 26.—Tests to discover the best site for a new 50,000-watt transmitter are being conducted by KOMA, Neal Barrett, general manager, said this week.

The station has an application before the Federal Communications Commission for permission to increase its power from 5,000 to 50,000 watts.

Barrett said that $20,000 has been spent by the station in improvements and new equipment at the studios in the Biltmore Hotel during the last two months.

If permission is granted to increase its power, a $160,000 transmitter and tower will be built near the city. The station would be one of the most powerful in the southwest.

Facsimile Plant Set

The new facsimile transmitter of the Finch Telecommunications Laboratories has been completed and the plant will now undergo a series of tests of the efficiency of duplex transmission and reception of regular broadcast and facsimile programs on a single channel. The transmitter is the first to be licensed by the F.C.C. for transmission of two such services. Its call letters are W2XBF, and it is expected to be installed for operation by the early fall. It will use a power of one kilowatt and is designed to operate in the ultra-high frequency band 31 to 41 megacycles.

Plan Federal Program

The Radio Division of the Federal Theatre, with CBS, will present a new dramatic series based on the writing of Paul de Kruif, to be titled "Men Against Death," Thursdays from 8 to 8:30 P.M., beginning June 30. The scripts will be by Leon Fontaine of the Federal Theatre. George Zachery of the CBS program department will direct.

Dragonette Tops Poll

Jessica Dragonette has been declared the radio "star of stars" by the readers of *Radio Guide* magazine in a popularity poll. It marks the first time that a performer other than a comedian has won that title in the *Radio Guide* contest.

Women's Press Unit To Make Air Awards

The National Federation of Press Women, believing women's contributions to radio have never been properly appreciated while men get credit for what they do, henceforth will make nine annual awards to outstanding women in radio. The Federation of Press Women represents local women's press clubs, newspaperwomen and writers generally.

Winners will be announced annually at the Federation's convention in June.

The awards will be as follows: Best interpretation of the news, greatest contributions to radio programs by a woman, good taste and restraint in advertising announcements, most original program idea developed during the year, short wave program or series most effectively promoting international peace and good will, best program designed for rural listeners, children's programs best designed to aid the development of children and youths, best performance or series of plays written or adapted for radio, most effective presentation of American ideals. Awards will also be made to special programs which are endorsed by women writers of the United States.

The federation decision to make annual radio awards follows the step taken last month by the New York chapter, which instituted similar radio awards with some success.

Prepare for Canada Actuality Programs

TORONTO, June 26.—Roy Cahoon, chief special events engineer, and Percy Field, assistant engineer, in charge of the new mobile broadcasting unit of the Canadian Broadcasting Corp., have gone to Banff to arrange the first of a series of "actuality programs" every two weeks in different parts of the Dominion. The initial program, which will be aired July 13 over the Canadian network will consist of campfire and fishing presentations as they actually take place, bird songs, interviews with game wardens and other activities in the Canadian National Park.

The unit is equipped with two ultra short wave portable pack sets, a short wave receiver and a portable 40-watt transmitter which is capable of radiating up to 50 miles.

Mutual to Air Concerts

Nineteen Grant Park concerts will be carried over Mutual, beginning July 1 and ending Sept. 3. The schedule for the broadcasts will be staggered and they are to be offered approximately twice weekly from 9 to 9:30 P.M.

Book Dorsey in Chicago

Jimmy Dorsey's orchestra will open at the Bon-Air Country Club, Chicago, Aug. 5, for an indefinite engagement with a Mutual wire. The booking is through Rockwell-O'Keefe, Inc.

Pratt Joins Agency

Benson K. Pratt, formerly night manager of the NBC press department in New York, has been named executive associate with Harris & Steele, Inc., New York talent managers.

YES, WE ARE HOARDING!

If delivery of a picture every week, as we promised, is hoarding—we are guilty!

If delivering two or more A pictures every month through the heat of May, June, July and August is hoarding—we are guilty!

If delivering to Exhibitors in July three of our most expensive A pictures—Shirley Temple in LITTLE MISS BROADWAY, ALWAYS GOODBYE, and I'LL GIVE A MILLION—is hoarding—we are guilty.

Since April 1 our release schedule shows the following class A pictures:

April 15—IN OLD CHICAGO
April 29—FOUR MEN AND A PRAYER
May 13—KENTUCKY MOONSHINE
May 20—RASCALS
May 27—KIDNAPPED
June 3—JOSETTE
June 17—THREE BLIND MICE
July 1—ALWAYS GOODBYE
July 22—I'LL GIVE A MILLION
July 29—LITTLE MISS BROADWAY

With the exception of the Jane Withers picture, not one of these cost less than $600,000. Every one of them had been promised. Every one of our promises has been kept.

If this is hoarding, we are guilty.

Twentieth Century-Fox is not only guilty but proud of this kind of hoarding. Last year, this year, next year—always—we consider commitments for delivery of pictures our most serious responsibility. This responsibility runs through the summer, for it knows no season—knows no break.

We have kept faith with our customers, and they know it. We are not interested in the opinion of any competitor.

Our policy remains the same:

To produce the best possible pictures to get the public into theatres, not to produce statements to keep them out.

SRKent

President, 20th Century-Fox Film Corp.

20th CENTURY FOX

THE KEYSTONE OF YOUR FUTURE

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News
Brief, Accurate and Impartial

VOL. 43. NO. 145 NEW YORK, TUESDAY, JUNE 28, 1938 TEN CENTS

Report 65.5% Of Radio Time Is Sustaining

Big Stations Devote 53% To Commercial Use

WASHINGTON, June 27.—Sustaining programs account for 65.5 per cent of the playing time of the average broadcasting station and only slightly more than one-third of the time is devoted to commercial features, was disclosed today by charts prepared by accountants of the Federal Communications Commission.

Introduced as the commission started on the last lap of its hearings on proposed new rules for broadcasting stations, which it hopes to close by tomorrow night, the charts showed that while unlimited time 50-kilowatt stations (including WLW) devoted a fraction over 53 per cent of their time to commercial programs, the proportion dropped rapidly as power diminished, with local day stations re-

(*Continued on page* 4)

Predicts Spread of British Television

Large scale installation of television in British theatres is to be undertaken soon by Gaumont British, which controls Baird Television, it was said here yesterday by Victor Cockle, G. B. export manager.

G. B. has been planning theatrical television for a long time and recently announced that a number of installations would shortly be made. The recent televising of the Epsom Downs Derby and the King's Birthday ceremonies have given the medium

(*Continued on page* 4)

Talent Arranged for Teatro Al Dia Show

Speakers and talent lined up for the special broadcast to South America tonight under the auspices of *Teatro Al Dia* and the CBS international short wave station, W2XE, will include Major Frederick Herron of the Hays office; Terry Ramsaye, editor of *Motion Picture Herald;* Conrado Traverso, consul general of Argentina, and H. Alban-Mestanza, editor of *Teatro Al Dia.* A message from

(*Continued on page* 4)

More Radio—P. 4

France, Reich Renew Picture Pact for Year

French Protest Lack of German Cooperation

By PIERRE AUTRE

PARIS, June 20.—France and Germany have renewed their existing film agreement for one year from the expiration date, June 15. Either party has the privilege of withdrawing from the agreement Dec. 31, 1938.

The agreement originally went into effect June 1, 1936, and was renewed for a year on June 15, 1937. At the latter date, the arrangement included a provision that the German authorities would assist in the importation of French films into Germany, and the sale and distribution of them, as a means of increasing the circulation of French films in the Reich, which was extremely poor during the previous year.

Despite these promises, however, the importation and exhibition of French product in the Reich showed no improvement during the past year. Not more than a dozen French films were shown in Germany during the

(*Continued on page* 3)

Rolls Here Seeking Australian Players

Ernest C. Rolls, a director of Australian and New Zealand Theatres, Ltd., arrived here yesterday to secure talent and stage material for presentation in his company's recently acquired circuit of 20 houses in conjunction with films. The company will operate J. C. Williamson Theatres.

Mr. Rolls is seeking condensed versions of stage musicals which will offer lively entertainment when presented with screen fare for a three-

(*Continued on page* 3)

Stockholder Assent Needed for GN Plan

The difficulty of obtaining a two-thirds assent from Grand National's 5,800 stockholders, who are spread throughout the country, is seen by Herman B. Freedman as the only major hurdle in his plan to reorganize the company with fresh capital.

Mr. Freedman plans to leave for Hollywood tonight to lay the plan before the Federal Court. Frank J. Hale, president of the National Grain

(*Continued on page* 4)

Hoover Is Honored

Washington, June 27.—J. Edgar Hoover, director of Federal Bureau of Investigation, was made honorary life member of Variety Clubs of America at a special luncheon of the Washington Club in the Willard Hotel today. The presentation was made by the president of the club, A. Julian Brylawski

Shirley Temple, a surprise guest, presented Mr. Hoover a gold badge and silver plaque for his work in combatting crime.

Writers Vote Today For Representation

HOLLYWOOD, June 27.—With officers of the Screen Writers Guild conducting last-minute drives for votes, film writers today awaited the opening tomorrow of polling places at which they will determine by ballot whether the S.W.G. or Screen Playwrights, Inc., shall represent them or whether no representation by either organization is wanted. The balloting will be done in three places and by ballots taken to the Roosevelt Hotel for counting about 11:30 P. M. (P. S. T.), tomorrow night. Only those screen writers who registered and made affidavits of eligibility will be able to vote. The polls will be closed at 11 P. M.

RKO's S.A. Business Improving—Reisman

RKO'S business is on the upgrade in South America and the future for American companies generally looks bright, reported Phil Reisman, RKO foreign head, on his return yesterday on the *Santa Lucia* from an extended survey in that territory. Ben Y. Cammack, Latin American manager, accompanied him.

This was Mr. Reisman's first trip to South America. He visited 12 countries, including Brazil, Argentina,

(*Continued on page* 3)

File Final Briefs in RKO Reorganizing

Final filing of all briefs with Special Master George W. Alger in reference to the plan of reorganization of RKO was completed yesterday. The special master reserved decision upon his report on the proposed plan.

Federal Judge William Bondy, later in the day, adjourned the RKO hearings before him to July 14 at 2:30 P. M., to allow sufficient time for Mr. Alger to submit his report on the proposed plan of reorganization.

Industry May Use $250,000 On World Fair

Feature Film and Studio Exhibit Discussed

An expenditure of $250,000 or more may be made by the organized industry in connection with its proposed participation in the World's Fair next year.

Of three proposals being discussed by Hays office directors, a feature-length film to be called "A Cavalcade of America" appears to have the best chance. This would depict the development of the country to the present.

It has also been proposed that the industry sponsor a studio where actual production will be demonstrated to the fair visitors. A large theatre to be built on the fair grounds is also under discussion.

The plan for an historical film was submitted by Grover A. Whalen, president of the fair, and it is understood that considerable pressure is being brought to bear to have the major companies, through the Hays office, participate in this or in some other manner.

The proposals are described as in an indecisive state at the moment, but it is said that industry participation has virtually been agreed upon.

Small Unit Plan May Affect Films

WASHINGTON, June 27.—Suggestions that large corporations should be broken into smaller companies, arising during recent conversations between representatives of "big business" and Administration economists, were seen in Washington tonight as having possible application to the motion picture industry.

Discussions now being held in anticipation of the Administration's monopoly investigation between Prentis L. Coonley, aide to the Business

(*Continued on page* 4)

New Haven Puts Ban On All Chance Games

NEW HAVEN, June 27.—Local authorities have placed an unconditional ban on Bingo, Lucky, Honey, Screeno and all other money games as operated by churches, organizations and other groups as well as theatres, ruling that even card parties where cash

(*Continued on page* 4)

My Word!

By Irene Kuhn

◆ Len Gaynor (20th Century-Fox publicist) and wife, Bland (*Mirror* critic) Johaneson, combining fun with weekend farming at Glen Gardner, N. J., have built the best dressed scarecrow in Hunterdon County. They call him "Lucius Boobe." But the morning coat and top hat and other gaudy raiment affected by their Mr. Boobe have attracted curious crows who have come to gape and remained to eat.

◆ The amateur farmers, loath to expel "Mr. Boobe," yet eager to save their corn, stuck pinwheels on posts throughout the field. But instead of repelling marauders, the pinwheels attracted a new pest, hawks, which assume they are small birds and make swooping attacks. Not finding nourishment in the pinwheels they stay for corn dinners, too. Crop prospects are pretty discouraging at the moment.

◆ Script writers on Shirley Temple pictures have a set of rules worked out in the interests of showmanship and Shirley. The star must appear in every scene possible, and if she isn't in a scene the dialogue must mention her. Adults' opinions when important must be voiced through Shirley. The little girl must never be naughty for it would set a bad example. She must never quarrel with her parents or be spoiled. She can no longer associate with gangsters or uncertain characters. She must be American. She must have big problems to solve. Summed up in the words of one of the producers, "the little girl's hands must be on the wheel (of the story) all the way."

◆ Robert Montgomery, M-G-M actor, banner-carrier among the actor-unionists, is the only representative of the film industry to hold membership in the exclusive Grolier Club. Bob's been in this high-toned company since 1934. The Grolier Club is one of the most exclusive organizations in the world, composed as it is entirely of top register connoisseurs of art and rare book collectors. The actor is a fellow club member of J. P. Morgan, President Franklin D. Roosevelt (honorary), Floyd B. Odlum, Albert H. Wiggin and Owen D. Young.

◆ Kurt Weill, composer, is doing the music for an opera with Maxwell Anderson. . .

◆ The National League is under way with its 10-reel picture glorifying baseball from Abner Doubleday's time in the '60's to the present. This is the first time the National League has gone in for promotion-of-baseball-through-pictures, although the American League has often done it. Charles Geis, Chicago cameraman, has just arrived in town for New York material. He'll cover every city in the circuit. The picture will have the support of several boys' organizations, including the scouts, and will be shown in schools and in big theatres at special free performances which will be held during morning hours.

Purely Personal

Morris Goodman, Republic foreign head, will sail July 6 on the *Queen Mary* for conferences with European representatives. Fellow passengers will be Eddie Cantor and his family and Don and Mrs. Ameche, headed for a five-week vacation.

•

Shirley Temple, who is on tour of the country with her mother, is expected in New York next week. Harry Brand, 20th Century-Fox studio publicity head, was in Washington over the weekend in connection with her White House visit.

•

Frank Z. Clemente, producer of Spanish language films, who arrived in New York several days ago, flew to the coast yesterday to engage technicians for his Buenos Aires studio.

•

Spyros Skouras arrived yesterday from Los Angeles, where he attended the wedding of his niece, Edith Skouras. George P. Skouras is expected back next week.

•

Milton Lewis, Paramount talent scout who has been vacationing in New York, will train back to the coast today accompanied by I. Robert Broder, attorney.

•

Leonard Spigelglass, John Stahl's writer at Universal, will arrive from a European vacation tomorrow and will leave for the coast Thursday.

•

Will H. Hays left Washington over the weekend with Mrs. Hays for his annual Hollywood survey. He plans to remain on the coast two months.

•

James R. Grainger, Republic head, left yesterday on the Broadway Limited for Chicago conferences. He plans to return Thursday.

•

Nat Fellman of Warners theatre department is handing out cigars. His first born, a boy, arrived Sunday at Medical Arts Hospital.

•

Katharine Brush's story, "Our Modern Daughters," has been purchased for production during the coming season by M-G-M.

•

Lester S. Tobias is sales manager of a new theatrical premium distributing organization called the U. S. Premium Corp.

•

Lorenz Hart and George Balanchine returned yesterday from a cruise to South America on the *Santa Paula*.

•

Tom Hogan, cameraman, sailed on the *Oriente* Saturday to become first cameraman for Peliculas Cubana.

•

Rutgers Neilson, RKO publicity manager, went up to Poughkeepsie yesterday for the regatta.

•

David Niven and Clifford Fischer were among the arrivals yesterday on the *Normandie*.

•

Jon Hall and Mrs. Hall (Frances Langford) are at the Hotel Astor.

Carl Laemmle Will Study French Films

Carl Laemmle, Sr., plans to view some French pictures while abroad with a view to setting up an independent organization here for foreign film distribution. He will sail on the *Normandie* tomorrow with his secretary, Jack Ross.

His trip is chiefly for pleasure, however, and he plans to stay three or four weeks at the Vichy baths and also visit Switzerland, returning here late in August. The refugee situation in Germany and Austria has occupied much of Mr. Laemmle's time lately.

He says that Carl Laemmle, Jr., is still reading scripts and preparing for production, but that no definite plans have shaped up as yet.

While here he conferred with Paul Maerker Branden on an original script which will be finished on his return.

Discontinue Metro Suit

The $100,000 damage suit of Harry Delf in the U. S. District Court against M-G-M, General Foods Corp., Maxwell House Products, Ltd., Benton & Bowles, Inc., NBC and others was discontinued yesterday as against Maxwell House without costs. The discontinuance was allegedly due to the fact that Maxwell House is a Canadian corporation not subject to the jurisdiction of the court. Mr. Delf brought suit claiming the plagiarism of his sketch, "The Joker," by the defendants in a broadcast on Feb. 27, 1938, on M-G-M's "Good News of 1938" over WEAF, and asked for $100,000 damages, an accounting of profits and an injunction.

To Ask Suit Dismissal

Application will be made today to Supreme Court Justice Peter Schmuck by Warners to dismiss two stockholders' suits for failure to prosecute. The first suit, brought in July, 1935, by Joseph Weintraub, alleged stockholder, named Renraw, Inc., Warner Bros. Pictures, and eleven of its directors as defendants. The second, brought in August, 1935, by Adolph Greenberg, in addition to the defendants named in the Weintraub suit, also named the firms of Goldman, Sachs & Co. and McClure, Jones & Co. as defendants. Both suits charged the defendants and its directors with "mismanagement and waste."

Allows Appeal of Verdict

Federal Judge Murray Hulbert yesterday allowed the appeal of Yermi Stern and Casino Productions, Inc., to the Circuit Court of Appeals from a jury verdict, which awarded six cents damages to Mr. Stern and Casino against Warners. The plaintiffs had sought $500,000 damages and an injunction against the exhibition of the defendants' picture, "Go Into Your Dance." They claimed that the picture libeled them in that Casino de Paree, operated by the plaintiffs, was depicted as a hideout for gangsters.

Extend Irving Trusteeship

Federal Judge William Bondy on Saturday approved the petition of Irving Trust Co. and trustee of RKO, granting it an additional six months from July 1, 1938, in which to continue as trustee of RKO for the purpose of affirming or disaffirming leases, contracts and agreements, subject to the supervision of the court.

Republic Closes New Franchise Contracts

New franchise agreements for the Dallas, Oklahoma City and Little Rock territories have been closed by Republic on more advantageous terms to the film company than heretofore. H. J. Yates is negotiating with other franchise holders for new deals on a reduction of the percentage to the territorial distributor.

James R. Grainger, Republic p[illegible]dent, yesterday said that the new distribution deal being offered franchise owners is for five years and goes into effect July 1. He also made known that "agreements have been reached with practically all other important franchise owners with whom Republic had decided to continue to do business."

It is understood that some of the franchise holders have balked at accepting the new terms offered by Republic, which would mean a reduction from the present arrangement. However, Mr. Yates is insisting on a new deal in view of the higher production budgets instituted for the new season.

William G. Underwood and Claude C. Ezell of Dallas signed the new agreement for Republic Pictures Corp. of Texas. Sol Davis and Morris Loewenstein of Oklahoma City closed for that territory and B. F. Busby of Little Rock for the Arkansas area.

Film Men Sailing

Among passengers scheduled to sail on the *Normandie* tomorrow are David Bernstein, vice-president and treasurer of Loew's, who is going over for business and pleasure; Joseph H. Moskowitz, 20th Century-Fox; Sonja Henie and her mother; Grace Moore and her husband, Valentin Parrera; Louise Henry, and Eric and Mrs. Charel.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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France, Reich Renew Picture Pact for Year

(*Continued from page 1*)

or, and some of the best French res, such as "The Grand Illusion," were banned by the German censor board.

The French press has instituted a movement of protest, pointing out that whereas the spirit of the Franco-German agreement was one of reciprocity, actually the result always has been to the advantage of Germany.

The newspapers declare emphatically that while France is an excellent customer for Germany's screen product, the Reich buys practically nothing from France. Not only do French interests buy German equipment, but the German producers make films in French versions which are distributed by their French subsidiaries.

French players benefit from that system, since they have the privilege of exporting the money they earn, or, more often, they are paid in Paris in French money by the subisidiary of the German firm for which they have been working. The money realized from the exhibition of these films in France, of course, goes back to Germany.

French technicians likewise complain that French language films produced in Germany give work only to French players and writers, but take work from French studio technicians who would gain if the films were produced in France.

Gets Foreign Rights

Guaranteed Pictures Co. has purchased "Revolt of the Zombies" and "I Conquer the Sea" for foreign distribution in all territories except the United Kingdom, Egypt and Continental Europe.

Wall Street

Board Closings Uneven

	Open	High	Low	Close	Net Change
Col.	13⅛	13¼	12⅜	12⅜	— ¾
Cons.	1⅜	1⅜	1⅜	1⅜	.....
Cons. pfd.	6¾	6¾	6⅝	6⅝	+ ⅛
E. K.	166½	168	166½	168	+1
E. K. pfd.	162	162	162	162	+1
G. T. E.	12¼	12½	12	12	— ⅜
Loew	48¾	48⅞	48	48¼	—1
Loew, pfd.	106½	106½	106½	106½	+ ⅛
Para.	9⅞	10	9⅝	9¾	— ⅛
Para. 1	91	92	90⅝	91	+4¾
Para. 2	10½	10½	10¼	10½	+ ⅜
Pathe	5⅜	5⅜	5	5	— ⅜
RKO	2½	2½	2⅜	2½	.....
20th Fox	23⅞	23⅞	22⅞	22⅞	—1
20th pfd.	31	31	30½	30¾	— ¼
Univ. pfd.	31½	35	31½	34	+2½
W. B.	5⅞	5⅞	5⅝	5⅝	.....

Curb in Small Decline

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	.....
Monogram	2¼	2⅜	2¼	2¼	— ⅛
Tech.	23	23¼	22¾	23⅛	— ⅝
Trans-Lux	2⅜	2⅜	2⅜	2⅜	.....
Univ. Corp.	2⅛	2⅛	2⅛	2⅛	+ ⅛

Bonds Close Higher

	High	Low	Close	Net Change
Loew 3½s '46	99¼	99	99¼	+ ¼
Para. Pict. 6s '55	94	93½	94	+1
Para. Pict. '47	72½	72½	72½	+ ½
RKO 6s '41	66½	66	66⅛	— ⅛
W. B. 6s '39	73	71	73	+2

(Quotations at close of June 27)

Rolls Here Seeking Australian Players

(*Continued from page 1*)

hour show. The emphasis must be on action and interesting music.

"Audiences have become careful, discriminating shoppers for entertainment," he stated. "Producers kill promising talent by delivering great quantities. The star that adheres to a one or two pictures a year contract will be the saviour of the industry."

Mr. Rolls will be here for about two weeks then he will go to London. He will return the end of next month en route home.

Twelve New Pictures Approved by Legion

Of 13 new pictures reviewed and classified by the National Legion of Decency for the current week, 12 were approved, eight for general patronage and four for adults, and one was classified as objectionable in part. The new films and their classifications follow.

Class A-1, Unobjectionable for General Patronage—"Cowboy from Brooklyn," "Keep Smiling," "Lord Jeff," "My Bill," "Pride of the West," "Riders of the Black Hills," "Romance of the Limberlost," "Speed to Burn." Class A-2, Unobjectionable for Adults—"Having Wonderful Time," "Das Maedchen von Gestern Nacht," "Men Are Such Fools," "We're Going to Be Rich." Class B, Objectionable in Part—"The Rage of Paris."

Dickinson a Manager

Kansas City, June 27.—Carlton Dickinson, son of Glen W. Dickinson, has been appointed manager of Dickinson's Varsity and Dickinson at Lawrence, Kan., for the summer. His experience includes management of the Varsity, Lawrence, two years ago during the summer, and supervision of the Booth, Independence, Kan., last summer.

Newton Burchett, Lawrence manager, goes to Hiawatha, Kan., for the circuit.

I.T.O.A. Outing July 26

The I.T.O.A. will have its annual outing July 26 at Indian Point, making the boat trip on the *Alexander Hamilton*. An all-day affair will be arranged by a committee headed by David Weinstock.

Allied to Meet July 6

The next meeting of Allied of New Jersey will be held July 6 at the Berkeley-Carteret, Asbury Park. Additional meetings at Jersey shore resorts are planned during the summer.

Start Shooting "Yankel"

Collective Film Producers, Inc., has begun shooting David Pinski's "Yankel the Shmid" under the direction of Edgar G. Ulmer, with the assistance of Ben Zvi Baratov and Ossip Dimov.

Set Creditor Meeting

A meeting of creditors of Theatre Trailer Corp., bankrupt, will be held July 6 at 3 P. M. in Room 237, U. S. Court House, Foley Square.

Weather Control

John J. O'Connor, head of RKO theatres, hopes for the day when scientists will be able to control temperature and the weather. The hope is occasioned by the sultriness over the weekend which sent the crowds to the beaches and parks instead of theatres, and the rain which finally arrived Sunday night and yesterday, which was two days late in exhibitors' reckoning.

RKO's S.A. Business Improving—Reisman

(*Continued from page 1*)

Uruguay, Chile, Peru, Ecuador, Panama, Cuba, Colombia and others. Mr. Cammack installed Max Gomez as Mexico manager, the latter being succeeded by George Kallman as manager in Chile. No changes in the distribution personnel were made.

Mexican House Collapses

Mexico City, June 27.—Five patrons were killed, three were mortally injured and 24 were hurt when the theatre in Maguariachic, in the state of Chihuahua, a gold mining camp near the American border, collapsed as a result of torrential rains. It was the worst tragedy of its kind in Mexican history.

"Tropic" Big in Mexico

"Tropic Holiday," playing at the Alameda Theatre in Mexico City, in which spot it had its world premiere last Friday, rolled up the biggest weekend gross of any picture in that city, the Paramount home office has been advised.

NEA Sees "Robin Hood"

Delegates to the National Educational Association, now meeting in New York, last night were guests of Warners at the Hollywood where they viewed a special showing of "The Adventures of Robin Hood."

Carolina Unit Hears Kuykendall Address

Myrtle Beach, S. C., June 27.—The largest group of delegates in the history of the organization today attended the first session of the summer convention of the Theatre Owners of North and South Carolina and heard addresses by a group of speakers which included Ed Kuykendall, president of the M. P. T. O. A., and Hon. W. P. Horton, Lieutenant Governor of North Carolina. The address of welcome was delivered by Col. Holmes B. Springs of Myrtle Beach. The convention will last for four days. A meeting of the directorate was held last night.

At a special meeting this afternoon which was limited to exhibitors, opposition to the Neely bill was expressed, the delegates holding that had the measure become law it would undoubtedly have failed to achieve its purpose.

A banquet and ball was held tonight. Roy Rogers, Republic singing star, was a guest.

Receive Charity Awards

Atlanta, June 27.—Lionel H. Keene, regional manager for Loew's circuit, and Edward Pentecost, manager of Loew's Theatre here, received awards for their services in connection with the annual Kiddie Revue at the theatre, the proceeds of which went to the Scottish Rite Hospital for Crippled Children.

Balcon Deal Reported

London, June 27.—It is reported here that Michael Balcon, former producer for M-G-M British, whose contract has been terminated by mutual agreement, may engage in independent production. It is said that there is a possibility that his product will be released by United Artists.

Warners Sign M. & P.

Gradwell L. Sears, Warner vice-president in charge of distribution, has signed the Publix Circuit of Martin Mullin and Sam Pinanski for the showing of 1938-'39 product.

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Report 65.5% Of Radio Time Is Sustaining

(*Continued from page* 1)

porting only 24.9 per cent of their time so used.

An analysis of all programs of 633 stations, by types, showed that 52.45 per cent of all time is devoted to music, followed by 11.4 per cent for talks and dialogues and 9.1 per cent for dramatics.

With most of the scheduled witnesses not yet heard agreeing to forego oral testimony and to present briefs, the commission tonight was hopeful of closing the hearings within 24 hours. Practically everything has been said that can be, and the agreement to shorten the hearings was made to avoid undue testimony duplication.

Will Report in Writing

Commission witnesses are yet to be heard in explanation of the many exhibits which they have introduced from time to time, but it is not expected that their examination will be lengthy.

The committee in charge of the hearings, consisting of Commissioners Norman S. Case, chairman; T. A. M. Craven and George H. Payne, plan to make a written report to the full commission, on the basis of which interested parties will be given an opportunity to submit briefs. Whether oral arguments will be heard before the commission settles down to make a decision has not yet been decided, but, if so, it will not be before September.

Busy Hearing Week Scheduled by F. C. C.

WASHINGTON, June 27.—The Federal Communications Commission has announced its schedule of broadcast hearings for the current week, as follows:

June 29, before an examiner: Application of WMFD, Wilmington, N. C., for extension of time from day to unlimited with 100 watts power night, 250 watts day.

June 30, before the commission: Applications of Joe L. Smith, Jr., for a 1,210-kilocycle station at Beckley, W. Va., with 100 watts night, 250 watts day; Pacific Radio Corp. for a 1,320-kilocycle, 500-watt daytime station at Grants Pass, Ore.; WDNC, Durham, N. C., for change of frequency from 1,500 to 600 kilocycles and increase of power from 100 to 1,000 watts, and WLBL, Stevens Point, Wis., for extension of time from day to specified hours with 1,000 watts night, 5,000 watts day.

WABC Leads

According to Crossley, Inc., which recently completed a survey here involving 90,000 telephone calls, WABC, with 25.5 per cent, leads in popularity among New York radio listeners. WEAF was second with 23.1 per cent, WOR third with 15.2 per cent, and WJZ next with 13.2 per cent.

Predicts Spread of British Television

(*Continued from page* 1)

such a strong impetus that it was decided to speed up theatrical installations and to make them on a larger scale than originally planned, according to Mr. Cockle.

Installations on a permanent basis in London theatres will begin "almost immediately," he said, in G. B. circuit houses at first but not limited to the circuit. G. B. has no intention of monopolizing the medium, he said.

While the cost of the installations has not been decided, Mr. Cockle estimates that it may be in the neighborhood of $4,000 or a maximum of $5,000, and the equipments will be installed on a leasing basis. G. B. does not consider it fair to the exhibitor to have him purchase expensive equipment which may become obsolete as a result of constant improvement in technique, he said.

The purpose of his trip is to survey the United States and Canada for television and educational film possibilities. G. B. Instructional Films plans to enter the American market, Mr. Cockle said. The company makes 50 films a year that are added to its catalogue of instructional films, a total of 250 being now available.

Talent Arranged for Teatro Al Dia Show

(*Continued from page* 1)

Dr. L. S. Rowe, director of the Pan-American Union in Washington, will be read. Roberto Socas, correspondent of *La Nacion,* Buenos Aires, will be master of ceremonies.

Musical and vocal talent includes Eliseo Grenet, well known Cuban composer of "The Peanut Vendor," who will sing "Mama Ines"; Eduardo Le Baron and his Rainbow Room Orchestra; Miguel Caceres and his trio; Adelita Varela, soprano; Maria Bruni, soprano, and Chela and Freddy, Argentine radio stars who are visiting here. The program will start at 9:30 P. M., E. D. S. T.

Television Company To Offer Securities

American Television Corp. of New York will offer 99,500 shares of stock of the corporation, at $1 a share, to the public beginning Thursday. The company has a capitalization of 1,000,000 shares.

American Television Corp. has acquired all of the outstanding common capital stock of the C. S. I. Development Corp., which owns all of the stock of Communicating Systems, Inc., which company has been engaged in the manufacture of television receiving sets for home reception.

Plug "Dark Rapture"

"Dark Rapture," the picture produced by Armand Dennis and Leila Roosevelt, will be plugged on the Al Jolson program over CBS tonight.

Louis Mayer on Program

Louis B. Mayer, vice-president in charge of production of M-G-M, will be a special "Good News of 1938" guest Thursday evening.

Several Broadcast Requests Approved

WASHINGTON, June 27.—Approval of a number of broadcasting applications has been recommended to the Federal Communications Commission in examiners' report suggesting the granting of requests of WSBT, South Bend, Ind., for change of frequency from 1,350 to 1,010 kilocycles and increase of power from 500 to 1,000 watts; WHBL, Sheboygan, Wis., for increase of day power from 250 to 1,000 watts; WEMP, Milwaukee, for extension of time from day to unlimited; and KTBC, Austin, for increased hours of operation.

Other reports recommended denial of applications of King-Trendle Broadcasting Corp., Grand Rapids, Mich.; Pawtucket Broadcasting Co., Pawtucket, R. I.; Martin Anderson, Orlando, Fla.; Florida West Coast Broadcasting Co., Inc., Clearwater, Fla., and Colonial Broadcasting Corporation, Newport News, Va., for new stations, and WLAP, Lexington, Ky., for change of frequency from 1,520 to 1,270 kilocycles and increase of power from 100 watts night, 250 watts day to 1,000 watts; WTAW, College Station, Tex., for facilities of KTBC, Austin, and WMBO, Auburn, N. Y., for renewal of license.

The commission set for hearing, at dates to be announced later, the applications of WEBQ, Harrisburg, Ill., for change of frequency from 1,210 to 1,310 kilocycles, and KVOX, Moorhead, Minn., for increase of night power from 100 to 250 watts.

Ben Bernie Is Sued Over Radio Program

A $50,000 damage suit against Ben Bernie was revealed Saturday in the N. Y. Supreme Court when Justice Ernest E. L. Hammer denied the application of George Picker, the plaintiff, to examine Mr. Bernie, to frame a complaint.

Picker charged Mr. Bernie with "burlesquing" his marital relations in a broadcast over WABC on March 30 of this year, in a skit which portrayed a husband as jailing his wife for failure to pay alimony. The plaintiff had asked to examine Mr. Bernie to obtain a transcript of the broadcast and the names of the writers and sponsor. Mr. Bernie, in successfully opposing the application, stated that he knew nothing of the plaintiff, and that the name of the husband in the skit was Q. Bernie Bicker.

To Display Ad of WOR

WOR's prize winning ad, "It Has Happened Here," will be one of the exhibits at the 19th annual convention of Printing House Craftsmen to be held under the auspices of the Boston Club in that city, Aug. 14 to 17. "It Has Happened Here" was written and designed by Joseph Creamer, promotion director for WOR, and is one of the series of ads selected by *Advertising and Selling* magazine for the annual advertising awards.

Miss Monroe on Program

Lucy Monroe, currently starred by the Shuberts in "Three Waltzes," will give a concert with the Philadelphia Orchestra in Robin Hood Dell, July 9. The program will be broadcast over Mutual from 8:30 to 10:30 P. M.

Small Unit Plan May Affect Films

(*Continued from page* 1)

Advisory Council of the Commerce Department, and a number of industrial executives, the former said, have developed that size is not always synonomous with efficiency and that consolidated businesses often do not earn as much money as the diff[illegible] units previously earned.

The matter, it is expected, will be further explored during the inquiries by the joint legislative-executive committee, and application of the principle would, it is believed, call for divorce of exhibition from other branches of the film industry, although it is not believed any effort would be considered to deprive the producers of maintaining their own distribution facilities.

New Haven Puts Ban On All Chance Games

(*Continued from page* 1)

prizes are offered to induce playing will be considered illegal gambling. Since the state ruling against Bank Night two months ago, only Bank Night and Cash Night have been stopped, but some 10 neighborhood theatres have substituted Lucky, Honey and other games, while the so-called "charitable" Bingo games continued unmolested.

Reports have it that an unnamed State Supreme Court Justice lodged a complaint at the request of a city resident, citing the Bank Night decision in which the Supreme Court interpreted the Connecticut law as against all risk or chance for money. Dish and other gift giveaways in theatres have been declared permissible.

Stockholder Assent Needed for G.N. Plan

(*Continued from page* 1)

Yeast Corp., who heads the interests providing the capital, will accompany him. The third principal in the plan is George Brown, described by Mr. Freedman as a wealthy and socially prominent New Yorker.

The proposal will be submitted to the court immediately after the arrival of the principals on the coast, Mr. Freedman said. Edward Alperson, president of G. N. and a trustee in reorganization, will remain with the company if the plan is accepted, Mr. Freedman said.

Finish "Return to Life"

"Return to Life," a film describing the rehabilitation of wounded soldiers and civilians in Spain, is nearly completed by Frontier Films and will be ready for release July 15.

Story of Swing

Benny Goodman and John Erskine will give a joint lecture and recital at Town Hall Dec. 14. The lecture will be delivered by Mr. Erskine, former president of the Julliard Music Foundation. The subject will be the "Rise of Swing," and Mr. Goodman will demonstrate the lecture with music.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

OL. 43. NO. 146 NEW YORK, WEDNESDAY, JUNE 29, 1938. TEN CENTS

rench Import ecree Favors S Companies

ew Rules Affect Year From Next July 1

By PIERRE AUTRE

PARIS, June 28.—An effort on the rt of the French Government to re- ve the serious situation which faced e American companies distributing France during the past year rela- e to dubbing regulations, has been ade in the law for the next year, blished today in the French *Official urnal.*

The new decree, regulating the im- rtation and exhibition of foreign ms in France during the year be- nning July 1, 1938, extends for an- her year the regulations in force nce 1932, but several new provisions ve been added. Chief among them, far as American importing inter- ts are concerned is that which pro- bits the dubbing of films more than o years old. This was done to revent a blockade of the market ith cheaply bought foreign product, happened this year. The provision as made to aid the American com- nies which found themselves un- le to bring in their better films be- use the 94 foreign films permitted

(*Continued on page 7*)

uper-Power Study Scheduled in July

WASHINGTON, June 28.—Problems super-power operation will be ex- ored anew by the Federal Com- unications Commission next month hearings on the application of LW, Cincinnati, for extension of s 500 kilowatt permit and the ap- ications of a dozen other stations

(*Continued on page 8*)

EA Delegates Hear pecial NBC Program

The Center Theatre was opened esterday to thousands of delegates the National Education Associa- on for a special program, "Radio— Civilizing Force," presented by BC. The delegates witnessed a aried program of radio, film and age presentations demonstrating how adio brings the world together. They

(*Continued on page 8*)

More Radio—P. 8

Kent Heads New Move to Solve Industry Problems

S. R. Kent

Joins with Nicholas Schenck, Leo Spitz, W. F. Rodgers, Ned E. Depinet, Abe Montague to Formulate Program

S. R. Kent has agreed to act as chairman of a committee to develop a program for solution of industry problems. In a statement expressing his willingness to act he said he and other members of the committee were "determined to make an honest effort to seek a solution of our trade problems."

Nicholas M. Schenck, president of Loew's, Inc., and Leo Spitz, president of RKO, will act as alternates with Mr. Kent. Other members of the committee are: William F. Rodgers, general sales manager of Loew's; Ned E. Depinet, vice-president of RKO, and Abe Montague, general sales manager of Columbia.

The committee, Mr. Kent said, "is charged with developing a program for the solution of such trade problems in the industry as are still matters of contention. This, when completed, will be the basis of renewed efforts with representatives of both organized and individual exhibitor interests throughout the country for new steps in the self-regulation required for the further progress of the industry."

In explaining his position further Mr. Kent said: "I have agreed to head the committee for the purposes outlined above with the understanding that I will give to it as much time as I can, but without undertaking a load that I cannot physically carry. The gentlemen who have been appointed with me know the problems as well as I do and are as determined as myself to make an honest effort to seek a solution of our trade problems. All branches of the industry recognize the necessity of an industry program, but finding a method to work it out is not easy. The committee has no arbitrary method or plan in mind. Whatever we do will be done in cooperation with all exhibitor groups. Our first task, naturally, is to canvass the situation and then determine with the exhibitors which steps can be taken best.

"Will Require Patience"

"The work ahead will require patience and moderation. There are tremendous obstacles to be met and these cannot be adjusted overnight. The committee will ask the help and consideration of all. We are determined to do everything possible once and for all to find a solution for our trade problems. If we fail it will not be because we have not tried.

"I am conscious of the fact that many exhibitor organizations have been urging for some time that such a program be undertaken, but there have been many difficulties in the way. However, we wish to assure various exhibitor groups that the moment we

(*Continued on page 7*)

Name Hyman, MGM, To Executive Staff

HOLLYWOOD, June 28. — Bernard Hyman has been named to the executive staff of M-G-M, it was stated today by Louis B. Mayer. Mr. Hyman joins the administrative group consisting of Mr. Mayer, E. J. Mannix, Sam Katz, Ben Thau and J. J. Cohn. He will drop his production activities upon completion of "The Great Waltz."

The studio also stated that Al Lichtman in the future will spend most of his time at the studio acting in a general advisory capacity instead of dividing his time between New York and Hollywood.

Hunt Stromberg will continue as an independent producer, the studio said.

Ascap Washington Case Is Dismissed

TACOMA, June 28.—A three-judge Federal court here today denied Ascap permission to give testimony in an effort to show that the society's attack on the constitutionality of this state's royalty law was jurisdictional in that it involved more than $3,000. Judge Bert E. Haney of the Circuit Court of Appeals read the decision, which was concurred in by Judges E. E. Cushman and John C. Bowen. The case previously had been dismissed for lack of jurisdiction. The final order

(*Continued on page 5*)

No British Unit Planned by Para.

LONDON, June 28.—There will be no Paramount production unit in England, J. C. Graham, managing director of the company in this country, declared here today.

Instead, Paramount will cooperate with leading British producers, the executive said, under a budget of £500,000. Three films already are available or are in preparation. They include "Stolen Life," starring Elisabeth Bergner; "Royal Divorce," produced by Herbert Wilcox, and "This Man Is News," produced at Pinebrook. Others already have been scheduled. It was emphasized by Mr. Graham that the Paramount British program is essentially elastic in character.

Counting Started on Screen Writers Vote

HOLLYWOOD, June 28.—Voting by screen writers took place today in the National Labor Relations Board election which seeks to determine whether the Screen Writers' Guild, Screen Playwrights, Inc.; or neither, shall be established under the terms of the Wagner Act as the collective bargaining agency for writers generally. Only those writers who had previously registered and made affidavits of elegibility were allowed to vote.

The polls were closed at 11 P. M. At midnight the tallying was still in progress.

Purely Personal

HERBERT COOPER will sail on the *Ile de France* July 7 to establish Indian distribution headquarters for Alexander Film Co. in Calcutta. Last night he was given a farewell party by friends. He is a brother-in-law of BEN COHEN, formerly of New Haven, now manager of the Metro Cinema in Calcutta.

•

JOSEPH P. KENNEDY, ambassador to Great Britain, will return to London aboard the *Normandie*, which will sail today. He will be accompanied by two of his sons.

•

HARRY COHN, Columbia president, who came east to attend the film executives' conference with President Roosevelt last Friday, is en route to the coast by train.

•

JOSEPH M. SCHENCK has again cancelled sailing plans and is now due from the coast late this week. He plans to sail on the *Queen Mary* next Wednesday.

•

CARL ELMER OLSON, Alexander Film production manager, left last night via United Airlines for Colorado Springs following a two-week stay here.

•

ARCHIE MAYER, sales manager of World Pictures, returned yesterday from a day's trip, setting first runs on the company's next season product.

•

LYA LYS, Hungarian film actress who appeared in "The Great Gambini," will sail today for Europe on the *Aquitania*.

•

HARRY BRANDT, 20th Century-Fox studio publicity head, will leave for the coast today.

•

MRS. FERNAND GRAVET, wife of the actor, will sail on the *Normandie* today.

•

RUTH GILLIS of M-G-M's contract department celebrates a birthday today.

•

SHIRLEY TEMPLE is due in New York on Monday.

THE MERCURY

AIR-COOLED SKYSLEEPERS

OVERNIGHT TO LOS ANGELES

Fly the COOL Southern ALL-YEAR route overnight to Los Angeles. Through service. No change of planes. Giant SKYSLEEPERS. Complimentary meals served by stewardesses.

Mercury Lv. 5:10 p. m. *(only 3 stops)*

Southerner Lv. 9:00 p. m. *(only 5 stops)*

FOR RESERVATIONS: Call Your Travel Agent or VANderbilt 3-2580. Ticket Offices: 45 Vanderbilt Ave., and Rockefeller Center, 18 W. 49th St.

AMERICAN AIRLINES *Inc.*

Disney Has New Process to Eliminate "Bugs," He Says

By IRENE KUHN

Walt Disney, wearing his Harvard and Yale honors modestly, and a dark green carnation to set off his emerald-hued polka dot tie, announced publicly yesterday, as reported here last week exclusively, that his program of 18 shorts, including six specials, is ready for release and will get special exploitation.

Proud of his ahead-of-schedule efficiency, which permits wider planning for distribution, as well as a new kind of exploitation of his pictures to tie in with special seasonal events, merchandising promotion, etc., all of benefit to the exhibitor, he added he was about ready to go home.

When he gets there, he said, he expects to start work on the new Disney million dollar studio. The site has been chosen but is a secret yet, since the title to the property is now being searched for clearance.

Interview Illuminating

A Disney interview is as good as a trip through the studio, for the dean of animated cartoons has no apparent secrets from the press, and discusses all phases of his work with clarity and intelligence.

Sample: He wasn't entirely satisfied with Prince Charming, the Princess and the Queen in "Snow White." "While we were working on the picture we evolved a new process to take the 'bugs' out and eliminate that slight wavering of outline. We'll get it the next time. There are so many drawings required, the lines must be so fine between intermediate drawings that you almost need a jeweler's glass to work on them. The artists spent half their time sharpening their pencils, for the points must be needle sharp to get those lines. We've worked out a new process."

He discussed the new technical process with ease. It all sounded very complicated to lay ears, but Disney rattled it off as if it were a recital of the numbers one to ten.

Labor Peace at Studio

There's no union trouble on the Disney lot. He made no bones about the fact that Disney employes are one big happy family and like it. There are 800 persons drawing Disney pay checks now, only 50 of them in New York. Five years ago he employed only 250, which is one way of demonstrating that there's no depression in Disney enterprises.

Some notion of how good one has to be to work for Mr. Disney is found in the fact that three years ago 6,000 artists entered a contest offering employment and training with him. Fifteen hundred were considered; 600 were hired. There are 10 left. One artist in 600, therefore, can make the Disney grade.

"It takes a smart fellow three or four years to learn this business," he said. "That's why I wonder where the other studios who are getting in on this feature cartoon are going to find the material."

He is going to confine himself to one-reelers and features, and hopes eventually to be able to release one feature a year.

He hopes to have "Pinocchio," the second feature, ready for spring, 1939, but no promises. RKO will release under the three-year agreement which is still in force.

Radio City Music Hall tendered Mr. Disney a reception from 4 to 7 P. M. yesterday and showed four of his shorts, and a new one, "The Practical Pig," in penciled animation form, something new for the guests.

A Fair House

Mansfield, O., June 28.—When Wayne Williams, manager of the Majestic, was married in an open church service Saturday, he peered from the room immediately back of the church auditorium just prior to the ceremony, and remarked: "Not a bad house for Saturday."

Writer Working on Laemmle Story Idea

A series of articles on gold mines based on an idea by Carl Laemmle, Sr., is being written by Paul Maerker Branden. It is planned to obtain newspaper syndication of the series and after their publication disposition of the film rights will be considered, according to Mr. Laemmle.

He added that he has no plans to re-enter the industry on an extensive scale and no intention to resume production. He will sail today for Europe.

Goldwyn, Wyler at Peace

HOLLYWOOD, June 28.—Differences between Samuel Goldwyn and William Wyler, who was removed as director of "The Lady and the Cowboy," were ironed out today as the producer announced a reassignment of the director to "Wuthering Heights," which starts Sept. 1. Mr. Wyler will return to the studio Aug. 1 after spending July in Europe on a leave of absence.

Omaha Approves "Birth"

OMAHA, June 28.—City welfare board approved "Birth of a Baby" on a revote, provided the birth scene is dimmed and no person under 18 years old be permitted to see the film.

First approval of the board was rejected by Mayor Dan Butler, who banned the film. Later he told MOTION PICTURE DAILY he would accept the board's latest decision.

Akron Liberty Cuts Scale

AKRON, June 28.—The Liberty, de luxe neighborhood house, is the first to reduce evening admission prices for the summer months. The cut is from 25 to 15 cents. Adult admission has been reduced from 25 to 15 cents.

Monogram Buys Two

HOLLYWOOD, June 28.—Monogram has acquired two original stories, according to Scott R. Dunlap, production head. They are: "Skipper McCoy, Gent," by Branda Weisberg, and "First Assignment," by Jack K. Leonard and Monte Collins.

Farewell Party Is Tendered to Duff

Albert Duffy, Columbia exploita tion man who will leave for the coa tomorrow to start on his studio wri ing contract, was given a party b the home office staff at the Rour Room restaurant yesterday.

Those attending the luncheon i cluded Maurice Bergman, adverti ing and publicity head; Frank M Grann, exploitation manager; Ho tense Schorr, D. J. O'Malley, Kossack, W. J. McHale, Jose Schor Al Sherman, Al Seligman, Georg Robinson, Miriam Teichner, Willia Clemence, M. J. Meyer, Frank Rosenberg, H. N. Carnow, Willia Bentley, Barye Phillips, Frank Beg Gertrude Podolsky, Shevie Chaso Ralph Martin, Florence Palme Libby Fleitell, Miriam Hirschhor Jerry O'Neill, Celia Schnabel an Al Tompkins.

Bernhard to Chicago

Joseph Bernhard, general manag of Warner Theatres, left last nig with Harry Goldberg, circuit publici head, to attend a meeting in Chica of managers in the Chicago-Milwa kee zone supervised by James Costo New season plans will be discussed

"Grove" Take $24,000

"Cocoanut Grove" ended a seco week at the Paramount last night wi $24,000, compared with the fir stanza's $32,500. "White Banner sent the Strand's take up to $21,0 and is held for a second week.

Grainger in Chicago

CHICAGO, June 28.—James R. Grai ger, president of Republic, is here f conferences with B. & K. and Gre States.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Subscription rates per year $6 in the Americ and foreign $12. Single copies 10 cents.

The LION'S ROAR

That wasn't an earthquake in New York last week. It was Bob Taylor's arrival in person. THE CROWD ROARS when Bob appears.

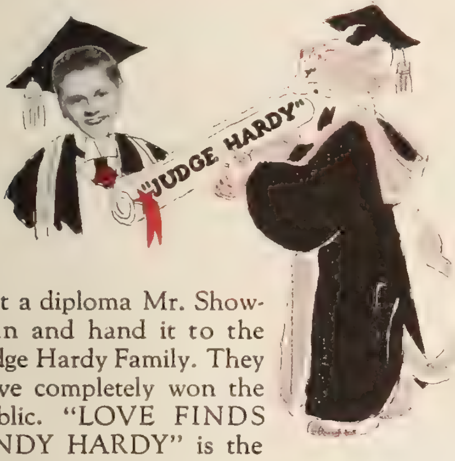
A summer release and better than "The Yank." This isn't hoarding.

"YELLOW JACK" gets editorial praise. (Yellow journals included.) We've got stacks of editorials. Things like that help the whole industry.

A big hand for Bob Montgomery too. All our Bobs are swell actors. Bob Taylor, Bob Donat, Bob Young, Bob Benchley. S'help me, Bob.

★ ★ ★ ★ ★

DIPLOMA FOR ANDY HARDY



Get a diploma Mr. Showman and hand it to the Judge Hardy Family. They have completely won the public. "LOVE FINDS ANDY HARDY" is the hardiest of them all. In addition to popular Mickey Rooney, Lewis Stone, Cecilia Parker and all the other folks there's Judy Garland for the songs. It's a sweet attraction for the good old summertime. Give it "A" time. Enjoy pay-time.

★ ★ ★ ★ ★

"BUSINESS IS GOOD THANK YOU!"

If you don't like to read box-office reports, skip this. But for the statistical-minded: Hold-Overs on "Three Comrades" continue: 3rd Week, Capitol, N. Y.; Chicago; 2nd Week at Louisville, Los Angeles (day and date State and Grauman's), Portland, Salt Lake City, Seattle, San Francisco, Cleveland, Hartford, New Haven, Washington, D. C., Worcester, Philadelphia, Buffalo. "Yellow Jack" played two weeks in 'Frisco, New York, Hartford, Cleveland, Philadelphia, Cincinnati, and elsewhere. "Woman Against Woman" opening nicely in first engagements.

"Sweetheart of the day"

AMERICA IS WAITING FOR MARGARET SULLAVAN IN "SHOPWORN ANGEL"

No underground rumors this time. This is above-ground news. We get it straight and you'll get it straight at the box-office. "THE SHOPWORN ANGEL" is a wow. Predictions about Margaret Sullavan's boom at the box-office come true. (And Jimmy Stewart's the perfect choice opposite her.) Remember what the critics said about Miss S. in "Three Comrades". "One of our greatest actresses"—*Herald-Trib.*, "Brilliantly effective"—*Mirror;* "Performance of real and poignant power"—*Telegraph;* "Best of her career"—*News.* Building star assets is an uncommon talent in film industry but Leo knows how. He gives you Margaret Sullavan.

★ ★ ★ ★ ★

RELEASES FOR JULY

July 1st

"PORT OF SEVEN SEAS"

"Brimstone" Beery Repeats!

starring WALLACE BEERY

featuring

Frank Morgan • Maureen O'Sullivan

John Beal and Jessie Ralph

July 1st

"FAST COMPANY"

(from the popular novel)

with Melvyn Douglas • Florence Rice

Claire Dodd • Shepperd Strudwick • Louis Calhern • Nat Pendleton • Douglas Dumbrille

July 8th

MARGARET SULLAVAN

JAMES STEWART *in*

"THE SHOPWORN ANGEL"

with Walter Pidgeon

(One of M-G-M's top flight)

July 15th

ROBERT TAYLOR *in*

"THE CROWD ROARS"

with Edward Arnold • Frank Morgan

Maureen O'Sullivan • William Gargan

Lionel Stander • Jane Wyman

(An absolute knockout)

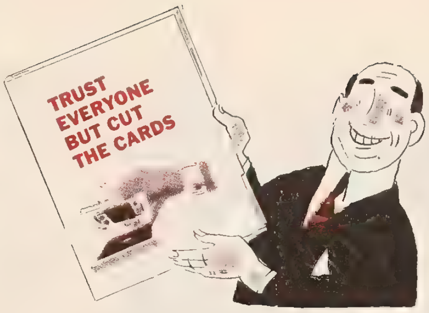
July 22nd

"LOVE FINDS ANDY HARDY"

(The best Judge Hardy story to date)

with Lewis Stone • Mickey Rooney

Judy Garland • Cecilia Parker • Fay Holden


TRUST EVERYONE BUT CUT THE CARDS

WHAT THE TRADE IS SAYING ABOUT M-G-M'S ANNUAL ANNOUNCEMENT

(clipped from the mail)

"Was particularly interested in discovering that out of 55 properties listed in M-G-M library of available material 26 are best-selling books and 18 are well-known stage plays."

"Your star list looks great."

"Most impressive array of material and experts ever lined up by one company. It's like an industry all by itself."

"The only product that spells continued success for me."

"How swift and easy the years roll around when you are protected by Leo."

"Looks like there'll be at least 30 with big star names which is sweet music to my box-office."

"And Metro puts two or more stars in the same picture."

★ ★ ★ ★ ★

CLARK GABLE
TOO HOT TO HANDLE
MYRNA LOY

Fan ad in August magazines in addition to big national billboard campaign

"It's HOT!"
"Not for M-G-M exhibitors"

"THAT REMINDS ME OF A STORY!"

The one about Heifetz' sensational premiere. Godowsky, the pianist, and Elman, the violinist, watch from a box. "It's a hot night," says Elman, mopping his brow. "Not for pianists", says Godowsky. Leo has a happy talent for coming through with Big Ones. When you need them, Winter, Fall, Spring or Summer. For instance, in addition to the four great attractions listed in the first column on this page for July, there's CLARK GABLE, MYRNA LOY in "TOO HOT TO HANDLE" (bigger than "Test Pilot") and "LISTEN DARLING" a grand show with Freddie Bartholomew, Judy Garland and others.

★ ★ ★ ★ ★

Well, so long.

★ ★ ★ ★ ★

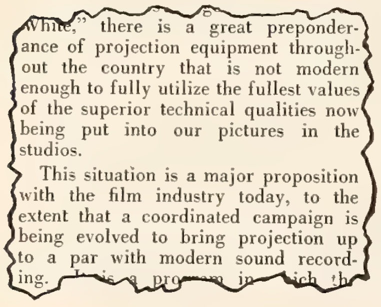
See you in the movies. —Leo

MODERNIZE
with
Simplex
TRADE MARK REG'D
★ ★ ★ ★
SOUND
SYSTEM

FOR BETTER SOUND
REPRODUCTION

All branches of the motion picture industry are making an increasing demand for better sound reproduction. In some small theatres audiences get only 20% of true tone value.

International PHOTOGRAPHER
A JOURNAL OF MOTION PICTURE ARTS and CRAFTS



White," there is a great preponderance of projection equipment throughout the country that is not modern enough to fully utilize the fullest values of the superior technical qualities now being put into our pictures in the studios.

This situation is a major proposition with the film industry today, to the extent that a coordinated campaign is being evolved to bring projection up to a par with modern sound recording. It is a program in which th

★ ★ THE PERFECT BLENDING OF SIGHT AND SOUND ★ ★
Simplex SOUND System

Provides highest quality of sound for all theatres regardless of size. Reasonably priced and maintenance cost is very moderate. Improved sound means pleased patrons and Simplex Four Star Sound System will pay for itself through increased patronage.

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NATIONAL THEATRE SUPPLY COMPANY
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88-96 GOLD STREET, NEW YORK, N. Y.

Hollywood Preview

"Algiers"

(Wanger-U.A.)

HOLLYWOOD, June 28.—"Algiers" is endowed with a wierdly haunting quality that sets it entirely apart from anything that recently has been or currently is occupying the screens. Without introducing any new fundamentals, this soundly prepared, produced, acted and directed item of showmanship entertainment merchandise gathers itself up into one compact wad of punchy and suspense laden entertainment.

The basic plot is simple. But, shrewdly, it has been embellished with a wealth of sustaining detail. Charles Boyer, in the role of a master thief, a part which he plays with consummate skill, has self-sentenced himself to Casbah. Casbah is a criminal sanctuary in Algiers which the French police will not enter and from which the only escape is death. There is a native police inspector, Joseph Calleia, a friendly enemy, who hopes one day to lure Boyer beyond the deadline. There is, too, a native girl, Sigrid Gurie, whose subdued devotion to Boyer is treated lightly or ignored. Also present is Alan Hale, a suave, self-saving fence; blustering but cowardly henchman Stanley Fields; Johnny Downs, young but daring member of Boyer's gang who becomes a sacrifice to treachery, and Gene Lockhart, an informer, who pays the penalty which by the code of every underworld rule must be paid by every "squealer." To this strange locale comes Hedy Lamarr, an alluring Parisienne to inflame in Boyer's being every passion and aspiration and to be, herself, inflamed. A caged animal, knowing what he wants, yet, humanly realizing he cannot possess it, Boyer is lured to his doom not by a woman, but by the love which he has for a woman. Ecstacy is in the heart of Boyer, seeking a fascinating happiness, as he crosses the deadline; a fatal bullet from the hands of his nemesis, Calleia, is his fate.

Here there is a capable group of actors, writers, technical specialists, a director and producer who had a definite objective in mind functioning and knowing how to attain their aim. John Cromwell directed, from John Howard Lawson's screenplay.

"Algiers" is different. In its melodrama men should find much to whet their interest. In its detailing of one love that was denied and another that was not to be, it has an appeal to women. Adults who believe they have an appreciation of screen art, either histrionically, from photographic values or for the comparative worths of quality staging, should find this production one to engage their attention. Exhibitors who find a satisfaction in offering their patronage an engrossing picture, finely done, should find ample opportunity to display all their exploiting talents as they endeavor to create a market for "Algiers."

Running time, 95 minutes. "A." McCARTHY

Zeidman to Produce Malcolm Browne List

Benjamin F. Seidman has been appointed executive vice-president in charge of production of Malcolm Browne Pictures. He will have headquarters in Hollywood. Mr. Zeidman at present is preparing scripts and casting the first production. Title will be announced shortly.

John E. Browne, president of the company, recently returned from the middle west where he set distribution deals for western Ohio, Kentucky and Indiana with Big Feature Rights Exchange, Cincinnati and with Monarch Pictures of Detroit for Michigan.

Freed in Games Case

MILWAUKEE, June 28.—Walter A. Baier, manager of the Fort Theatre at Fort Atkinson, Wis., has been found not guilty of lottery charges in connection with the use of Bank Night at his theatre. The verdict was returned by a six-man jury.

Shirley Affair Tomorrow

CHICAGO, June 28.—Plans for a dinner to Sam Shirley have been changed and the retiring M-G-M district manager instead will be guest of honor at a luncheon to be held Thursday in the Blackstone Hotel. It is expected that 200 will attend.

Para. Makes Shifts In Caribbean Area

Several Paramount assignments in Central America and the Caribbean, under the general direction of A. L. Pratchett, were made known yesterday by John W. Hicks, foreign distribution head.

Robert L. Graham will leave New York on the *Oriente* Saturday for a short stay in Cuba and then will proceed to Panama for a permanent assignment. Mr. Graham recently returned here following two years as special representative in Australia.

Saul Jacobs, formerly Guatemala manager, has left for Trinidad to assume the managership there. Henry Gordon, former Trinidad manager, is en route to Panama and will be assigned to another territory.

Carolina Meet Closes

MYRTLE BEACH, S. C., June 28.—Various forms of recreation occupied the attention of the more than 150 members of the Theatre Owners of North and South Carolina on this, the final day of their annual summer convention. Those who did not go deep sea fishing or golfing were escorted on a visit to the Brookgreen Gardens, 20 miles south of this city.

The board of directors will meet at a later date to set a time and place for the winter convention.

Sign Firm Charges Patent Infringemen

CHICAGO, June 28.—The Adler Si Letter Co. here, and its associat firm, Ben Adler Signs, Inc., has fil suit in the U. S. District Court h against Wagner Sign Service, In also a local company, charging i fringement of an Adler patent on a traction boards and changeable si letters, according to Ben Adler, pre dent of both Adler companies

The suit follows court action ing infringement brought last Mar against the Adler company by Wa ner. The most recent suit, accordi to Mr. Adler, "is directed primari against the Wagner 'three-in-one' co struction, whether there is a single multiple line of letters in one ope ing, or whether one or several siz of letters are used in the same sig and also against the Wagner straig side, beveled and cove-edged lette used with such sign construction."

Conn Will Ask Court Permit for Reissue

LOS ANGELES, June 28.—The r issuing of films will become a Feder court topic here on August 29 wh Trustee Clinton E. Miller, for Ar bassador Pictures, Inc., and Co Pictures, Inc., undergoing section 77 reorganization for the last eig months, will present to Federal Jud George Cosgrave a plan to reiss 32 pictures which the corporatio headed by Maurice Conn, produc during their lifetime as active orga zations.

Mr. Miller will propose that t films be resold and the accumulat revenue from the bookings be us to liquidate debts as far as possibl following which the companies will disbanded.

Dismiss Warner Suits

N. Y. Supreme Court Justice Pet Schmuck yesterday dismissed tw stockholders' suits against Warne and directors for failure to prosecut The first suit, brought by Jac Weintraub, as alleged stockholde named as defendant besides the com pany, and its directors, Renraw, Inc and the second, brought by Adol Greenberg, as alleged stockholder, i cluded McClure, Jones & Co., ar Goldman, Sachs & Co. as defendant in addition to those named in the fir suit. Both actions, started in 193 charged the defendants with "was and mismanagement," in conductin the affairs of the company.

Allied Units May Join

Allied Theatre Owners of Ne York may meet with Allied of Ne Jersey at its annual convention i Atlantic City late in September. Ma A. Cohen, head of the New Yor group, said that a combined conve tion is being discussed. The unit ha planned to hold its first convention i Saratoga Springs in the fall.

M. P. League Results

Latest results of M. P. Baseba League games are C. F. I., 4; Loew M-G-M, 2. Jim McCloskey, CF pitcher struck out 10 men of the o posing team. Skouras defeated Sin plex, 9-3, for its fifth straight vi tory. RKO moved up among the lea ers by defeating Columbia, 6-1.

MOTION PICTURE
DAILY

New Cohan Theatre Depends Upon Sale

While it is proposed to build a theatre on the site of the present George M. Cohan in Times Square, no plans have been formulated and the project hinges on the ironing out of a number of factors, it was said yesterday by Max A. Cohen, head of the Cinema Circuit, present lessee of the theatre.

The Fitzgerald Building, which [illegible]ses the theatre, was recently sold at foreclosure to the New York Life Insurance Co. It is understood that a buyer for the property is being sought and construction plans will depend on the new owner.

Ascap Washington Case Is Dismissed

(*Continued from page* 1)

for dismissal was entered after the hearing.

Louis D. Frolich and H. Finkelstein, New York lawyers, representing Ascap, had several prominent members of the society in the courtroom to give testimony, but the decision kept them from the stand. Among those in court were Gene Buck, Edgar Leslie, Carrie Jacobs Bond and E. Claud Mills.

Art Director Found Dead

Hollywood, June 28.—The body of N. W. Timchenko, unit art director at Universal, was found today hanging from the inside of a set on the back lot. He had been with Universal two and half years. He leaves a widow, Elsie Timchenko.

Five to Close at Denver

Denver, June 28.—Five theatres are to be closed for the summer, planning to reopen Sept. 2. They include the Webber, Tivoli, Park, Alameda and Mission. All are neighborhood houses with the exception of the Tivoli, downtown.

Wall Street

Stock Increases Prevail

	Open	High	Low	Close	Net Change
Col.	12¾	12⅞	12¾	12⅞	+ ½
Col. pfd. ..	33	33	33	33	— ½
E. K.	168½	168½	166	166	—2
E. K. pfd...	164	164	163	163	+1
G. T. E...	12	12	11⅞	11⅞	— ⅛
Loew	47¾	48½	47½	48¼	.....
Para.	9¾	9⅞	9½	9½	— ¼
Para. 1.....	88	90	88	90	—1
Para. 2.....	10⅝	10⅞	10⅝	10⅝	+ ⅛
Pathe	5	5	5	5	.....
RKO	2½	2½	2¼	2¼	— ¼
20th Fox ..	23¼	23⅜	23	23	+ ⅛
20th pfd. ..	32	32	32	32	+1½
Univ. pfd...	35¾	37	35¾	37	+3
W. B.	5¾	5¾	5½	5½	— ⅛
W. B. pfd.	33	33	33	33	+1½

Little Curb Change

	Open	High	Low	Close	Net Change
G. N.	7/16	7/16	7/16	7/16	.....
Monogram	2¼	2¼	2¼	2¼	.....
Sonotone ..	1¾	1¾	1¾	1¾	.....
Tech.	23	23¼	22⅞	23	— ¼
Trans-Lux	2¼	2¼	2¼	2¼	— ⅛

Paramount Bonds Gain

	High	Low	Close	Net Change
Loew 3½s '46.....	99⅜	99¼	99¼	— ⅛
Para. B'way 3s '55	60	59¾	60	+1¼
Para. Pict. '47....	73½	73¼	73½	+1
RKO 6s '41........	66	65⅞	66	— ⅛
W. B. 6s '39......	73	72	73	.....

(Quotations at close of June 28)

New York Preview

"Shopworn Angel"

(M-G-M)

Perhaps it is true that this story is dated for some of us moderns, since it is a story of the war, with its setting in this country in 1918. However that may be, it is a heart-warming, deeply appealing story for any audience, its inherent quality most brilliantly enhanced by three performances, those of James Stewart, Margaret Sullavan and Walter Pidgeon.

Nowhere better has Stewart presented that naive charm of the lad with faith in himself and a boyish faith in others than he does here, as the young buck private from Texas, who has nothing but dreams, and who finds one dream come true in a beautiful actress whose car nearly runs him down.

Once again, following "Three Comrades," does Miss Sullavan demonstrate beyond a doubt that she is one of the leading actresses of the screen. As the devil-may-care girl to whom war and marching soldiers are merely causes of headache, but who learns the meaning of love and faith and purposefulness through her encounter with the boy, she offers a delicately shaded performance of real power.

Walter Pidgeon, seen but little lately, offers a restrained and solid performance as the man in love with Miss Sullavan, who never realized how much he loved her until the boy came, and proves himself really a big man by stepping aside. He permits her to marry the boy as he sails for France, that his dream might come true, suddenly a far less cynical man than before. When Stewart is killed they realize that he has shown them the strength of their own love for each other.

The story was written by Dana Burnet in 1918, and appears but little altered in this second retelling for the screen. Waldo Salt made of it a well-knit, intensely appealing story, and H. C. Potter, who directed, did his job with consummate skill.

The exhibitor may well offer his patrons the performances of the three leading players, concentrating on Miss Sullavan's as a follow on her "Three Comrades" role. It is a clean, straightforward job, and appealing screen merchandise.

Running time, 85 minutes. "G."

Charles S. Aaronson

Stanley Says Whyte Salary £500 Annually

By AUBREY FLANAGAN

London, June 28.—Oliver Stanley, president of the Board of Trade, declared in the House of Commons today that Sir Frederick Whyte, chairman of the Films Council, will be paid an annual salary of £500 for his part time post.

Questioned on the quota act, Mr. Stanley said no information had been received as yet of the intention of the Governments of the various dominions to introduce legislation relative to their own or British films with regard to preferential treatment. He admitted that the Government of New South Wales had contemplated an Amendment to the laws affecting Australian films, but declared there has been no communication with the British Government as yet.

Loew-Poli Men Shifted

New Haven, June 28.—Harry F. Shaw, Loew-Poli division manager, has transferred Jack Fox, assistant at the Loew-Poli here, to the Loew-Poli, Springfield, in a similar capacity; Nat Rubin has moved from Springfield to the New Haven position. Sidney Klepper, student assistant at the Palace, Hartford, has been made assistant manager of the Palace, Meriden. He replaces Ray England, resigned.

Roscoe Ates Married

Valparaiso, Ind., June 28.—Roscoe Ates, stage and screen comedian, was married here over the weekend to Leora Bella Jumps.

Alperson Says New Plan Still Not Set

Edward Alperson, Grand National president and co-trustee with Loyd Wright in the company's reorganization, said yesterday that it was his understanding that the reorganization proposal of Herman B. Freedman and a New York financial group is still in a formulative stage.

Before a plan can be submitted to the Federal Court in Los Angeles, it must have the approval of the trustees and the consent of the majority creditors and stockholders must be obtained for final approval, Mr. Alperson pointed out. He arrived in New York from the coast this week.

He said that the proposal has been discussed with Mr. Freedman, but no formal action has as yet been requested. Mr. Freedman says that his group proposes to invest $600,000 in cash in the company immediately.

Mr. Alperson indicated that no general sales manager will be appointed for the time being. He is supervising distribution himself. Morris Saphier, coast distribution representative, is on a tour of exchanges and is expected here shortly.

Rename French Company

Paris, June 21. — Filmsonor has been selected as the new name of the French film company formerly known as Films Sonores Tobis. The change was approved by the stockholders to avoid the usual confusion between the French and German Tobis companies. Officials of the French company always have denied any connection between the two. Georges Lourau is president of the Filmsonor.

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E-7
MECHANISM

Development of the modern highway has been brought about by the tremendous advance of the automobile. Coordinated progress is essential.

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MUST
MODERNIZE

To meet the increasing demands of their patrons for a picture and sound as Hollywood intended them to be seen and heard, Exhibitors must also modernize.

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MECHANISM

An assurance that the picture will show on the screen the way Hollywood put it on the film.

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MOTION PICTURE DAILY'S HANDY BOOKING CHART

Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	G. B.
June 3		Three Comrades (G) (D) *Robt. Taylor* (832)		You and Me (G) (D) *Raft* *Sidney* (3742)	Desert Patrol (O) *Bob Steele* (7127)	The Saint in New York (G) (D) *Hayward* (830)	Josette (G) (C) *Simon* *Ameche* (839)		Wives Under Suspicion (G) (D) *Warren William* (2010)	Little Miss Thoroughbred (G) (D) *Janet Chapman* (219)	The Show Goes On (D) *Neagle* *Carminati* (June 17)
June 10		The Toy Wife (G) (D) *Rainer* *Douglas* (836)	Marines Are Here (D) *June Travis* *Gordon Oliver* (3712)		Ladies in Distress (G) (C) *Skipworth* (7012)	King Kong (reissue) *Wray* (870)	One Wild Night (G) (C) *June Lang* *Lyle Talbot* (850)			Gold Diggers in Paris (G) (M) *Rudy Vallee* (206)	3 on a Week End (G) (D) *Lockwood* *John Lodge* (July 1)
June 17	Holiday (G) (D) *Hepburn* *Cary Grant*	Woman Against Woman *Bruce* *Marshall* (838)		Prison Farm (D) *Lloyd Nolan* *Carlisle* (3743)	Riders of the Black Hills (O) *3 Mesquiteers* (7117)	Blond Cheat *Fontaine* *DeMarney* (831)	Three Blind Mice (G) (C) *Loretta Young* *Joel McCrea* (851)	Blockade (A) (D) *Madeleine Carroll* *Fonda*		When Were You Born? (G) (D) *Anna Wong*	Crime Over London *Margot Grahame* *Paul Cavanaugh* (July 15)
June 24	Stagecoach Days (O) *Luden* Highway Patrol (G) (D) *Wells*	Lord Jeff (G) (D) *Bartholomew* (837)	Romance of the Limberlost (G) (D) *Jean Parker* (3702)	Bar 20 Justice (G) (O) *Boyd* (3758)	Gold Mine in the Sky (O) *Gene Autry*	Border G-Man (G) (O) *O'Brien* (882)	Mr. Moto Takes a Chance (G) (D) *Lorre* (819)		Young Fugitives *Robt. Wilcox* *Dorothea Kent*	White Banners (A) (D) *Claude Rains* (208)	Evergreen (G) (M) (reissue) *Jessie Matthews* (Aug. 1)
July 1	City Streets (D) *Carrillo* West of Cheyenne (O)	Shopworn Angel (D) *Sullavan* *Stewart* (835)		Tropic Holiday (G) (C) *Bob Burns* *Martha Raye* (3744)	Army Girl (D) *Madge Evans* *Preston Foster*	Having Wonderful Time (A) (C) *Rogers* (819)	Always Goodbye (D) *Stanwyck* *Marshall* (852)	South Riding (A) (D) *Edna Best* *Edmund Gwenn*	Danger on the Air (D) The Rage of Paris (G) (C) *Darrieux*	Men Are Such Fools (G) (D) *Wayne Morris* *Priscilla Lane*	
July 8		Fast Company *Florence Rice* *Melvyn Douglas*	Man's Country (O) *Jack Randall*	Pride of the West (O) *Boyd* (3854)	Durango Valley Raiders (O) *Bob Steele*	Crime Ring *Allan Lane* (836) Little Women (871)	Panamint's Bad Man (O) *Noah Beery* *Smith Ballew* (853)			My Bill (G) (D) *Kay Francis* *John Litel* (215)	**G. N.** Held for Ransom (D) (222) (June 17)
July 15	Pioneer Trail (O) *Jack Luden* *Joan Barclay*	Crowd Roars *Taylor* *O'Sullivan* *Frank Morgan*		Professor Beware (C) *Harold Lloyd* *Phyllis Welch*		Mother Carey's Chickens *Ruby Keeler* *Anne Shirley* (833)	Passport Husband *Pauline Moore* *Stuart Erwin* (854)			Racket Busters (D) *Brent* *Bogart* (213)	I Married a Spy (D) (225) (July 1)
July 22	Reformatory (G) (D) *Jack Holt* *Charlotte* *Wynters*	Love Finds Andy Hardy *Rooney* *Stone* *Parker*		Booloo (O) *Colin Tapley*		I'm from the City (C) *Joe Penner* (834)	I'll Give a Million *Warner Baxter* *Marjorie Weaver* (855)	Algiers (D) *Boyer* *Gurie* *Lamarr*	Prison Break *Glenda Farrell* *MacLane*		Rollin' Plains (O) (226) (July 8)
July 29	South of Arizona (O) *Starrett* *Meredith*			Orphan Annie Detective		Sky Giant *Richard Dix* (835)	Little Miss Broadway *Shirley Temple* (856)	Young in Heart *Gaynor* *Fairbanks, Jr.* *Goddard*	Letter of Introduction *Leeds* *Bergen-McCarthy*	Amazing Dr. Clitterhouse (D) *Robinson* *Trevor* (276)	High Command (D) (227) (July 15)
Aug. 5		Too Hot to Handle *Gable* *Loy*	Barefoot Boy *Jackie Moran* *Claire* *Windsor*	Give Me a Sailor (C) *Martha Raye* *Bob Hope*			Alexander's Ragtime Band (G) (M) *Power*		Little Tough Guy *"Dead End" Kids*	Mr. Chump (C) *John Davis* *Lola Lane*	Renfrew on White Trail (228) (July 22)

Kent to Head New Move for Conciliation

(*Continued from page 1*)

are organized for action we will get in touch with them and arrange our program jointly with them from that point on."

Mr. Kent has been consistently in favor of some form of industry conciliation since the 5-5-5 conferences several years ago. On March 14 he reiterated this stand in an interview with a MOTION PICTURE DAILY correspondent at Chicago, saying that while legal departments of some major companies considered concerted moves for conciliation a violation of the anti-trust law he did not think so and was ready to go ahead.

A short time later, on April 5, he repeated this stand, but told MOTION PICTURE DAILY that he did not feel that his health would permit him to lead the movement.

"I would like to see such a move started," he said at that time. "If someone will step out in front and have everyone sit around the table to talk things over, I think something could be accomplished."

Considered by M. P. P. D. A.

Developments designed to stir up action on the plan have come swiftly since the adjournment of Congress. Ed Kuykendall, head of the M. P. T. O. A., issued a strong statement last Wednesday, warning that Federal control would come if the industry did not act before the next session of Congress. He repeated this in different form Monday in a talk before the Theatre Owners of North and South Carolina at Myrtle Beach, S. C.

The directors of the Motion Picture Producers and Distributors of America are understood to have discussed the problem last Wednesday, and the impression prevails that this was one of the subjects touched upon at the conference of industry leaders with President Roosevelt at the White House Saturday.

The attitude of Allied States toward the new conciliation move will not be known until its board of directors acts. The problem was left up to the board at the Pittsburgh convention, stated Abram F. Myers, general counsel, in Washington yesterday.

Launch "Sheik" Contest

Cash prizes totaling $250 will be offered by Artcinema Associates for the best exploitation and advertising campaigns on playdates of "Son of the Sheik." Theatres throughout the country are entitled to compete, provided their playing dates fall between July 1 and Sept. 30. Judges will be A-Mike Vogel of MOTION PICTURE HERALD, Jack Alicoate of *Film Daily*, "Red" Kann of *Box-Office*, Epes Sargent of *Variety* and Bob Sidman of Artcinema. Winners will be announced after Oct. 15.

King Seeking Locations

DALLAS, June 28.—Henry King, 20th Century-Fox director, has left Dallas in his own plane for Bartlesville following his inspection of the local area in a search for locations to be used in "Jesse James."

The Newsreel Parade

Movietone News
Vol. 20, No. 83
(*20th Century-Fox*)

The Rooseveltian smile of welcome beams on Swedish royalty and Swedish-Finnish descendants come to see America's acceptance of statue marking the settlement of Wilmington 300 years ago.

In the Philippines, Mount Mayan, silent for 10 years, belches smoke and flames to terrify Filipino residents who flee to the water's edge. In New York, aviation expert Anthony Fokker's yacht-like-a-plane takes to the water. The shocking wreck of the Olympian, second accident in a week to overtake this crack train on a road noted for a 10-year safety record, is shown in Montana. Florida contributes underwater views of its new marine studios, Chicago clicks into the news with its typewriting speed contest, and Prague shows the strength of its youth in a mass drill.

Royalty in the news presents two kins, George of Greece, visiting the French fleet at Athens, and the beloved, hearty Gustav of Sweden celebrating his 80th birthday galloping like a youth on his horse. England's royal princesses in Girl Guide outfits join up.

"Early Bird" Lew Lehr throws English around in his inimitable fashion with the story of Jack Wilson and his pet alarm-clock crow, French aviation shows its stuff with a six-motored seaplane which is the model for a leviathan of the air.

Sports clips have an international flavor with America contributing a thrilling victory for Harvard over Yale, the first time in 22 years, England's fashionables turning out in a plethora of gray toppers for the Hunt meet at Ascot, and France providing the most spectacular horse race shot in some time with a riderless horse at the Auteuil Grand Steeplechase, running the course and spilling the favorite. Speed and variety. Running time, 10 mins. I.K.

News of the Day
Vol. 9, No. 281
(*M-G-M*)

Terrifying shots of the Mayan volcano eruption, 200 miles southeast of Manila, open this reel with added clips of the aftermath of destruction of a similar eruption a decade ago and aerial views of today's mountain monster in action. Roosevelt, in the rain, welcomes Swedish royalty, come to Wilmington to present a statue commemorating the 300-year-old Swedish-Finnish settlement and unbroken peace and friendship.

News snapshots show the clicking typewriter marathon in Chicago, with a smiling male winner, Italy's king inspecting supersubs, and the intricate designs worked out in flower petals carpeting the streets of the Italian town Genzano for the feast of Corpus Christi.

Touching scenes of family reunion in Castellon as Franco's troops change bullets for bread in the famished captured Loyalist stronghold and 32,000 Czech children in gymnastic revue show the dark and light sides of Europe.

The sporting page shows the thrilling race between Harvard and Yale with the Crimson victorious and an American victory abroad when William Woodward's colt "Flares" breaks the 56-year-old record to take the Ascot Gold Cup while royalty and Mayfair look on. Diversified entertainment. Running time 9½ mins. I. K.

Paramount News
No. 94
(*Paramount*)

A variety of topics capably handled makes for an interesting reel. Starting with the colorful crowds, including royalty, at England's Ascot races, the scene shifts to the various strata of American Jews voting on a collective security stand, with shots of balloting in Los Angeles, the New York ghetto and Park Ave.

The Eucharistic mass in Quebec is impressive, and the World War is recalled in an Italian ceremony attended by King Victor. Vice-President Garner tries his hand at cranking a camera. President Roosevelt and the Swedish representatives are shown at the Wilmington celebration. Both Loyalist and insurgent clips of the Spanish war are included. Undersea monsters are shown in St. Augustine's new marine studio. The reel ends on a light note with kids registering delight that "school's out." Running time, 9 mins. F.

RKO Pathe News
Vol. 9, No. 98
(*RKO*)

Most striking and moderately startling event offered in this issue is a story on Norman Thomas speaking in Newark. The Socialist leader in public speaking is given to facial dramatics and interesting variations of voice. What he has to say about Mayor Hague is of the pungent variety. Thomas has his chance here to strike back at Hague.

The other material in the reel is a well-balanced selection that covers the celebration of the 300th anniversary of the arrival of Swedes in Delaware with President Roosevelt and Prince Bertil speaking; a demonstration coal mine is opened for tourist inspection at Pocahontas, Va.; the British Royal Family reviews a Girl Guides parade; the Griffith Observatory in Los Angeles contributes a total eclipse of the sun with its Zeiss Planetarium Projector, a working model of a French transatlantic flying boat is tested on the Seine; Walt Disney is seen at the Harvard commencement ceremonies in cap and gown and the concluding sporting note offers scenes of the French Grand Steeplechase at Auteuil with a spectacular spill at the last water jump. Running time, 8½ mins. P.

Universal Newsreel
Vol. 10, No. 679
(*Universal*)

A collection of miscellaneous news items, none sensational but all interesting, is included in this reel, starting with the dedication of the Swedish monument at Wilmington. The President defends his activity in state primaries in a fireside chat, dressed informally in his shirt sleeves. There is entertainment in the annual field day of "old grads" at the Harvard Stadium, and significance in the pictures of the ceremonies attending the launching of a flock of new Italian submarines.

The Eucharistic Congress in Quebec makes an impressive picture, and the colorful ceremony of strewing the streets of Genzano, Italy, with flower petals in various designs is pictured. In Kansas City, the True Vow Keepers' Club includes couples married at least 50 years; on the Isle of Man is pictured the annual motorcycle race; in England is seen Captain Eyston's new racing car.

A soccer match for the European championship in France between Hungary and Italy provides sporting action, and the close race in the Yale-Harvard regatta at New London, won by Harvard, closes the reel. Running time, 9 mins. A.

French Import Decree Favors US Companies

(*Continued from page 1*)

for import under the French law during each half-year already had been approved. Many of them were old and cheap pictures.

More than 94 films already have been registered for visas on dubbing during the second half of 1938, which means that the quota for this period already has been exhausted before the period has begun. The new two-year provision for dubbed product will go into effect on Jan. 1, 1939. Exceptions will be made in the case of pictures of outstanding artistic merit or technical interest.

Other provisions are that registration for dubbing visas may be had only after the dubbing work has been completed, that the distribution of visas among importing countries may be decided by ministerial decree, that films not fulfilling the provisions of the new decree and already registered for the second half of 1938 will not be given visas, and that French language films made in other countries must carry the name of the country of origin, the name of the studio and the technicians employed on the film.

Shelve Plans for Short

Plans of M-G-M to produce a two-reel short on the Bill of Rights, that part of the Constitution guaranteeing freedom of speech, press and assembly, have been shelved, it is learned. The reason given is that while certain groups have approved the idea, it is feared that others may express their opposition to certain phases of such a film and that it may become the center of controversy. If a course can be found to avoid controversy, the film may yet be made, it was said.

Censor Decision Reserved

ALBANY, June 28.—Supreme Court Justice Gilbert V. Schenck has reserved decision after listening to arguments on behalf of Jewel Productions, Inc., and Samuel Cummins on application for an injunction against Irwin Esmond, censor head, for recent revocation of a permit to exhibit a Government-made film "Animated Diagrams of the Human Body."

Hearing Ends With Plea for Present Power

WASHINGTON, June 28.—Presentation of inquiry views on proposed new regulations for broadcasting stations was concluded today before the Federal Communications Commission with a plea by the National Independent Broadcasters Association for retention of the present power maxima.

With industry testimony out of the way, experts of the commission were called to the stand to discuss the 55 financial, employment and program exhibits prepared from station answers to questionnaires and letters sent out by the accounting division.

Representing the independent group, E. C. Page, radio consultant, told the commission that far better service could be secured with present power limits by a reallocation designed to reduce cross-talk. Complete coverage of the country, he said, could be secured with even fewer clear channel stations than now operate, but under no arrangement of frequencies could all cross-talk be eliminated.

Suggests Duplicate Operation

Retention of the present 50 kilowatt maximum for clear channel stations was urged by Mr. Page, who also suggested that more than one station be put on such of those frequencies as could accommodate duplicate operation without interference. Maximum use should be made of all facilities, he urged, pointing out that duplication would give improved service to many areas from which complaints are now received.

Admitting that not all freqencies would permit the assignment of more than one station, he declared that a reallocation could be made which would enable two or more stations to operate on a number of the clear channels, but said that in each instance the decision as to duplication should be made on the merit alone.

Mr. Page developed the theory that the appropriate power for a station is that which will give the best signal within its area. He admitted that in summer the southern stations should have a higher signal power level than those in northern latitudes less affected by static, but pointed out that under no circumstances is it possible to give rural listeners, scattered over a large area, service equal to that given in urban areas.

Super-Power Study Scheduled in July

(*Continued from page* 1)

for authority to experiment with that power.

The commission has announced that hearing on the super-power applications will open July 18, probably extending over several days.

Considerable data regarding WLW's operations with 500 kilowatts was secured by the commission during its hearings on new broadcasting rules, but counsel for the commission was prevented from going into details of the station's finances by objections from its counsel.

Teatro al Dia Program Is Short-Waved to Argentina

In honor of the forthcoming celebration of the anniversary of Argentina's independence which will be observed in that country on July 9, the Columbia Broadcasting System, in conjunction with *Teatro al Dia,* the Quigley Publishing Co. Spanish-language publication, last night broadcast what was probably the most elaborate short wave program to be presented from this country, over W2XE, Columbia's international station, from 9:30 to 10:15 P. M., E.D.S.T. The program was beamed toward Argentine but was heard throughout South America. The short wave transmission was picked up and rebroadcast via long wave by Radio Belgrado, Argentina's foremost radio station.

Last night's *Teatro al Dia* CBS program marked the first time that an international broadcast in this country has been presented by a major network from a radio theatre with an audience in attendance. CBS Playhouse No. 3, formerly the Hammerstein Theatre, was the origination point of the special broadcast. A capacity audience was in attendance.

Entertainers a Feature

A cast of noted Spanish entertainers and Dr. Conrado Traverso, consul general of Argentina; Major Frederick Herron of the Hays office, Roberto Socas, New York correspondent of *La Nacion;* H. L. Alban-Mestanza, editor of *Teatro al Dia,* and Terry Ramsaye, editor of *Motion Picture Herald,* appeared on the program. Eddie LeBaron's Rainbow Room orchestra furnished the musical background.

The entertainers included the "Los Pamperos Trio," "Chela and Freddie," in a comedy sketch; Eliseo Grenet, Cuban composer, and Adelita Varela, coloratura soprano.

Mr. Socas delivered a message from Dr. L. S. Rowe, director of the Pan American Union in Washington, conveying Dr. Rowe's felicitations to the Argentine nation.

Major Herron, commenting on the cordial relations existing between Argentina and the United States, said, "I like to think that motion pictures, as ambassadors of good will, have done their full part to bring about a closer understanding between our nations. It is such understanding of each others' ideas and problems which makes good neighbors."

Terry Ramsaye Speaks

Mr. Ramsaye said, "A motion picture is an institution of the new world, the world of the Americas," and added that it is a most effective medium for the recreation of events. In conclusion he said, "In many lands of the Old World, motion pictures have been made the voices of special interests, of factions, of selfishness. Let us hope that always, in all the Americas, the screen may be preserved for the whole people, to serve them in their happiness."

Congratulatory telegrams were received from Arthur Loew, vice-president of Loew's, Inc., and from N. Bruski, Quigley Publishing Co. correspondent in Buenos Aires. Mr. Loew said, "May your broadcast cement even more closely the great friendship which M-G-M and its stars have for the Argentine and the sister republics of the Latin Americas." Mr. Bruski cabled that the program reception in Argentina was excellent.

Elizabeth Anne Tucker, CBS short wave director, handled last night's broadcast. Joseph Hill directed and Gene Heit was in charge of production.

A reception for the guests was given by the Quigliey publication at the Bryant Hotel, adjoining Playhouse No. 3, following the broadcast.

Newsreels of the broadcast were taken by M-G-M and Paramount.

NEA Delegates Hear Special NBC Program

(*Continued from page* 1)

also heard addresses by Dr. James Rowland Angell, educational counselor of NBC, and Dr. Joseph Jastrow famous psychologist, and greetings from London by Lord Stanhope, president of the British Board of Education, and Jean Zay, French Minister of Education. The greetings from the European ministers were received by short-wave from the Continent and piped into the theatre. The only feature of the event broadcast by NBC was an address by Dr. Walter Damrosch.

Meanwhile, CBS and Mutual yesterday carried talks by members of the educational association and distinguished speakers not connected with the NEA, at various times during the day and night.

Hold Hearings Today On State Radio Plan

ALBANY, June 28.—Public hearing will be held today in the Senate Chamber here on Senator John T. McCall's proposal to put radio and other industries coming within the "furnishing of facilities" purview under jurisdiction of the Public Service Commission.

The New York State Association of Broadcasters will be represented at the hearing, with many of the station executives scheduled to appear in person before the Public Utilities Committee of the Constitutional Convention.

The McCall amendment would add a new section to Article 5 of the state constitution, providing that "the Department of Public Service shall exercise general regulation, supervision and control over all matters incidental to the organization, financing, franchising, licensing and operation" of all forms of communication, radio, telegraphy, etc. In effect, adoption of the McCall amendment would mean from $8,000,000 to $9,000,000 annually in franchise taxes, according to the estimate of its sponsor, who also introduced a similar measure in the 1938 legislative session.

Miss Bennett Lux Guest

Constance Bennett will be the guest on the final Lux "Radio Theatre" program over CBS July 4. She will play the title role in "I Found Stella Parrish." Lux will resume its radio presentations Sept. 12.

Goodman Goes on Air Over CKAC, Montreal

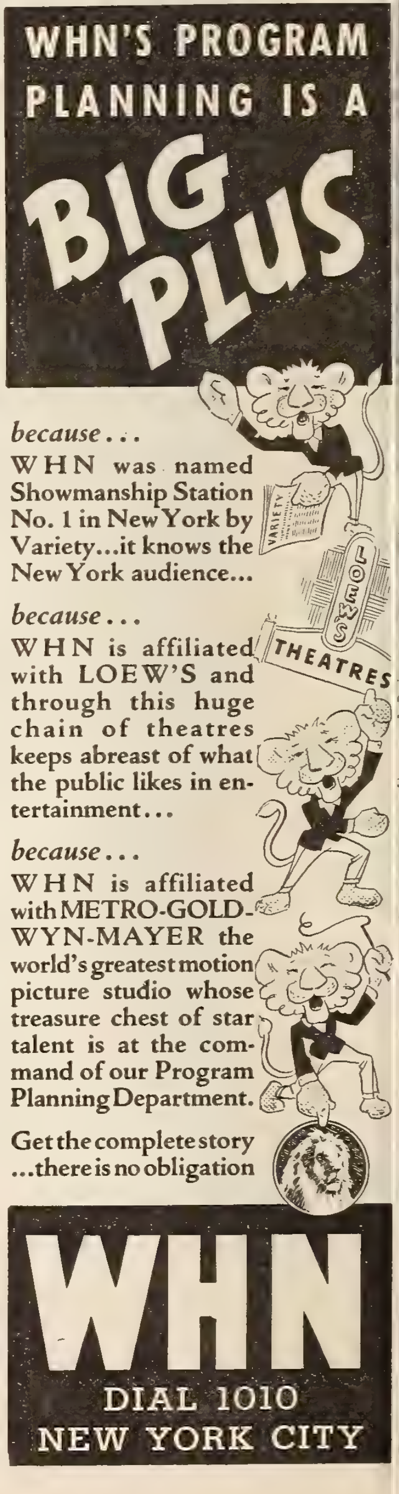
MONTREAL, June 28.—Benny Goodman shifted the locale of his regular Tuesday program tonight, broadcasting from Montreal where he is at present playing a personal appearance.

CKAC, local affiliate of CBS, aired the show at 9:30 P.M., piping it to WABC and the rest of the system.

For the event, which was staged in the Forum, Goodman brought [illegible] entire cast, including Maxine Sulli[illegible] When "trucking" in the aisles got out of hand he stopped the proceedings by playing the national anthem.

Heads Research Council

D. E. Robinson, general manager and director of research of the Federal Advertising Agency, has been elected president of the Market Research Council of New York.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London Reports Link GB, Odeon Circuits in Merger Discussion

By AUBREY FLANAGAN

London, June 29.—Persistent reports in the City, London's financial district, link the Odeon Circuit, headed by Oscar Deutsch, and Gaumont British theatres, headed by the Ostrer Brothers, in a combination move. They are two of the largest circuits in England.

The reports associate the names of the Ostrers, Arthur Rank and Philip Hill. It is said that talks have been undertaken relative to the combination spoken of. It is understood also that other interests are involved in the reported negotiations, but the parties concerned are unwilling to commit themselves to a definite confirmation of the reports. However, it is the general opinion in informed quarters in the City that the matter has been under discussion. Mr. Hill is chairman of the board of Philip Hill & Partners, which sponsored the Odeon issue of £1,840,000 not long ago.

Unions Debate Proposals for Cuts in Wages

Thompson Awaits Reply To Circuit Requests

Major L. E. Thompson, labor rela-ons executive for RKO, is awaiting ord from the unions in response to s request for wage concessions to eet present business conditions.

Recently he addressed a letter to e stagehands' unions in Manhattan id Brooklyn and operators' Local 6 pointing out that it would be to ieir advantage as well as the theatres agree to cuts. The request was ade on behalf of the major circuits, cluding RKO, Loew's, Paramount, arners and Skouras and for Broad-ay first runs as well as neighborhood eatres.

Decision of RKO, Loew's and kouras to close a number of the-tres in New York for the summer

(Continued on page 6)

Spent $55,804,564 On Air Ads in '37

Results of an analysis by the ureau of Advertising of the Ameri-an Newspaper Publishers' Associa-on, covering 422 advertisers and their xpenditures in 1937, show the total

Additional developments in radio yesterday on page 7.

dvertising expenditures of these ac-ounts to be $299,058,674 in the three edia. Newspapers received $158,695,-00, or 53.1 per cent; magazines,

(Continued on page 7)

Joe's a "Daddy"

When Joe Moskowitz of 20th Century-Fox entered his cabin on the *Normandie* yesterday, he found suspended from the ceiling a bouquet of balloons—five of them. Imprinted on each was the farewell message, "We will miss our Daddy Joe," and the names, Marie, Annette, Cecile, Emilie and Yvonne.

Irving Hoffman, a friend, later broke down and confessed that he was responsible for it all. Mr. Moskowitz returned from Callander last week, where he supervised the shooting on the new Dionne quintuplets' feature, "Five of a Kind."

Guild's Fight Not Yet Won, Is Coast View

HOLLYWOOD, June 29.—Although the Screen Writers' Guild won over the Screen Playwrights, Inc., as the collective bargaining agency for film writers except in one instance, where the results still are doubtful, indications today were that the campaign of the guild, affiliate of the Authors' League of America, to displace the Playwrights, which now has a contract with the producers, has far to go before such a goal even is within sight.

The election of Tuesday which gave the guild a majority at all studio units except Paramount is only one of the primary steps in the anticipated long series of legal maneuvers which in all probability will end before the Supreme Court of the United States.

The attitude of John Lee Mahin, Playwrights' president and other officers of the organization is, "We've just begun to fight." The attitude of producers who have stated through their attorneys their adamant position that writers are not employes under the Wagner Act and that the film in-

(Continued on page 6)

Loew Franchise Is Signed by Columbia

Columbia has closed a two-year franchise deal with Loew's, Inc., A. Montague, general sales manager, disclosed yesterday. The contract includes the features, shorts and serials on the Columbia 1938-'39 program, and will give that product representation in 80 situations in the New

(Continued on page 6)

Alger Voices Approval of Plan for RKO

Special Master George W. Alger closed the final hearing before him yesterday on the proposed amended plan of reorganization of RKO, remarking that "the general theory of the new plan rather appeals to me," and contrasted it favorably with the original proposed plan of reorganization. He criticized the original plan for not adequately providing for fixed charges.

The special master adjourned the hearing to July 18 at 10 o'clock and expressed the opinion that he would reach a decision on the plan within two weeks, and would make known that decision July 18. He expressed disappointment in the contents of the briefs submitted on the plan, stating that they deal entirely to much with "collateral matters," such as the con-

(Continued on page 6)

New Motions Filed In Interstate Case

WASHINGTON, June 29. — George Wright, attorney for Interstate, has filed motions, to be heard by Judge W. H. Atwell, Tuesday, asking additional findings of fact and conclusions at law in the anti-trust suit recently sent back from the U. S. Supreme Court for proper findings and conclusions.

Additions asked include inclusion of dealings in the Rio Grande Valley and the city of Austin and a conclusion which finds agreements entered into between Interstate and individual distributors was not a conspiracy or violation.

Conciliation Moves to Be Made Speedily

Hope to Have Plan Ready For Exhibitors Aug. 1

With a policy of "little talk but much action," the distributors' trade practice committee headed by S. R. Kent, president of 20th Century-Fox, is determined to move with all possible speed in formulating a program that will be presented to exhibitor representatives.

When the conferences with the exhibitor committee or committees will start is at present indefinite, but it was said that the negotiations may get under way as early as Aug. 1. It was also said that formal distributor proposals may not be in shape for presentation until the fall.

The speed with which a trade practice program of concessions and local conciliation boards will be put into effect depends on how soon the distributors will agree among themselves and, then, the rapidity with which agreement can be obtained from exhibitor spokesmen.

The distributors have wide exhibitor opinion on file, from individuals and state and national organizations, on the points to be included and the concessions sought. Numerous requests have been made for local boards to adjudicate disputes. The exhibitors' recommendations have been coming in to the Hays office, distribution home offices and the national

(Continued on page 2)

Herbert Moulton Is Promoted by Gillham

HOLLYWOOD, June 29.—Robert Gillham, Paramount director of advertising and publicity, today appointed Herbert Moulton as his personal representative at the studio, making him supervisor over the studio publicity, advertising and trailer departments.

Mr. Moulton had been short subjects and trailer department head. His promotion is in line with Mr. Gillham's idea of closer coordination of advertising, publicity and exploitation campaigns between here and New York.

Cliff Lewis continues as studio advertising director and Terry De Lapp as publicity director.

No Paper Monday

***Motion Picture Daily* will not be published next Monday, Independence Day.**

My Word!

By Irene Kuhn

◆ Ann Rosenthal, another Brooklyn Law School grad who made good in motion picture work, has abandoned the distinction of being the only woman in charge of a picture company's legal department. Miss Rosenthal will leave Grand National today to set up her own offices.

◆ Tomorrow she will push off on a two-girl motor trek to Hollywood, combining business with pleasure. She'll take turns at the wheel with Dorothy Hechtlinger, Darryl Zanuck's assistant.

◆ About August 15 Miss Rosenthal will be at home in New York to clients.

◆ Mrs. Walt Disney, the attractive wife of the animated cartoon genius, will be guest of honor at luncheon today at "21" and will be entirely surrounded by fellow-eaters who are all lady authors.

◆ Her hostess, Mrs. J. P. McEvoy, who used to be a newspaperwoman and radio columnist before her marriage to Author McEvoy, has asked Princess Alexandra (*Liberty*) Kropotkin, Margaret Case (*New Yorker*) Harriman, Thyra Samter (best seller) Winslow, and Ursula ("Ex-Wife") Parrott. Others are Amy Vanderbilt whose book, "Hold That Husband," will come out next fall and "Assigned to Adventure" Irene Kuhn.

◆ Richard Abbott and Mrs. Abbott (Iris Barry) returned yesterday from attending the opening of the exhibition of American films, old and new, at the Paris Exhibition. Miss Barry reports that the French visitors to the American film show arranged by Modern Film Library knew as much as, if not more, about old films than Americans. They remembered the old players, even those in bit parts, with affection and sentiment.

◆ James Joyce, the writer, attended the opening and returned for additional views of "The River," in which he was most interested. Even Gertrude Stein showed up for the opening. . . . The *Cinematique Francaise* gave the Abbotts a gala at the Cité Universite in honor of the American exhibit and had a showing of films, old and new, from their collection.

◆ Phil Laufer, Criterion Theatre press agent and a comparative newcomer in the ranks, handed the oldtimers a challenge when he placed two enormous pictures of Monogram's star, Movita, in recent issues of metropolitan dailies. The *World-Telegram* glorified the star of "Rose of the Rio Grande" and last Saturday's *Journal-American* had a page deep picture of her standing on her shoulders.

Eshbaugh Plans Series

Ted Eshbaugh Studios, Inc., here is producing a series of animated color cartoons based on the adventures of a new character, "Peter Panda."

◂ Purely Personal ▸

I. E. LOPERT and E. M. SIMMONS, executives of Pax Films, sailed yesterday on the *Normandie* for France to close a deal for "Werther," produced by the producers of "Mayerling." MRS. LOPERT will sail Saturday on the *Champlain* and will meet her husband in Paris. The party plans to return about Aug. 15.

•

MYER and MRS. BECK have returned from Vermont where they went on a short honeymoon following their marriage late last week. MR. BECK is a member of the U. A. publicity department. The bride is the former HELEN HODE, daughter of HAL HODE, Columbia executive.

•

DAVID ROSE, who will occupy a liaison post for Paramount in England in connection with its British product, is expected at the home office from the coast at the end of the week. He is expected to sail for England shortly.

•

HELENE S. BAMBERGER, daughter of LEON S. BAMBERGER, RKO sales promotion head, will return to New York this week after spending her junior year at Reed College, Portland, Ore.

•

BERT WHEELER will sail on the *Normandie* July 13 for a European personal appearance tour. Engagements have been set for England, Scotland and Ireland.

•

EDDIE CARRIER, M-G-M exploitation representative, is conferring with BILLY FERGUSON at the home office and will leave for the coast late this week.

•

PHIL REISMAN, RKO foreign chief, returned from Latin America with a nut brown Argentine tan.

•

LOU BRANDT'S friends have received postcards from him indicating that he likes Paris very much.

•

ROBERT WILCOX, player in Universal's "Little Tough Guy," is at the St. Moritz while visiting here.

•

JESSE LASKY is en route back to the coast after a couple of weeks in New York.

SMITH BALLEW, SOL LESSER'S western star, will go on a 12-week personal appearance tour, starting in St. Louis July 8. BOB BAKER, Universal western star, will finish his personal appearance tour next week. MARTIN WAGNER of the William Morris office is handling both.

•

E. M. SAUNDERS, M-G-M division manager, left last night to attend the testimonial luncheon to SAM SHIRLEY, retiring district manager, in Chicago and will remain there until the end of the week.

•

W. C. GEHRING, 20th Century-Fox central division manager, is in Detroit and WILLIAM SUSSMAN, eastern division head, in Boston. New season product deals are being negotiated.

•

HARRY BRAND, 20th Century-Fox studio publicity chief, postponed his return to the coast until tonight. He will be accompanied by LEW POLLACK, studio song writer.

•

FRANCES DEERSTYNE has been named eastern story editor for Republic, succeeding MARGARET WAITE, who has assumed her duties as story editor on the coast.

•

AL TRAHAN is appearing in the BILL GAXTON role in "White Horse Inn" at the outdoor Municipal Opera at St. Louis.

•

GEORGE RAFT is en route to New York by train for a short vacation. He will stop at Hot Springs

•

ARTHUR LEE, vice-president of G. B. and VICTOR COCKLE, export manager, will leave for Toronto today.

•

ARTHUR GOTTLIEB of Du-Art Film Laboratories is in Canada on business and expected back next week.

•

KEN NILES has arrived in town with MRS. NILES They are staying at the Sherry-Netherland.

•

E. L. ALPERSON, Grand National president, plans to leave for the coast tomorrow.

Film Council Holds Its First Meeting

LONDON, June 29.—The first meeting of the recently appointed Films Council, acting under the provisions of the British Films Act of 1938, was held today, with Oliver Stanley, president of the Board of Trade, and Sir Frederick Whyte, chairman of the council, the chief speakers.

The agenda of the initial session was understood to have been largely formal and routine, but it did include a discussion of the procedure to be followed on films offered for quota purposes which fall below the minimum cost prescribed by the Films Act.

Ben F. Judell in Chicago

CHICAGO, June 29.—Ben F. Judell, Chicago exchange operator who recently turned producer, is here for a few days attending to business in his local exchange. Mr. Judell will return to Hollywood after July 4 to start production on his fourth picture.

Strand to Introduce "Name" Band Policy

After deliberating on a policy change for months, the Strand on Broadway on Aug. 26 will inaugurate a "name" band policy, with Ben Bernie as the headliner. "Boy Meets Girl" will be the film attraction.

A similar policy has been successful at the Paramount.

Joseph Joins Columbia

CHICAGO, June 29.—Irving Joseph is the latest addition to the local sales staff of Columbia Pictures. He will serve the country territory. Mr. Joseph supplants Irving Kaufman who resigned to take a position with Balaban & Katz.

Sauber to Columbia

HOLLYWOOD, June 29.—Harry Sauber, former producer at Republic, has been signed by Columbia as assistant to Irving Briskin and will act as story editor of the Briskin unit.

Conciliation Moves to Be Made Speedily

(*Continued from page* 1)

exhibitor groups since the NRA w invalidated in 1935.

The first step in the distributors' move is to study the problem in all its phases and reach a decision on what is to be undertaken and the procedure by which a program may be effectuated. After that is decided, the proposal will be placed before the industry for exhibitor consideration. The next move will be to reconcile the distributors' recommendations with what the exhibitors think should be accomplished.

The fact that only four companies are represented on the distributors' negotiating committee is explained by the urge for speed in completing the program and the belief that a small committee will be able to function with greater rapidity and efficiency than a larger one. The six distributor spokesmen, Mr. Kent, Nicholas M. Schenck and William F. Rodgers of M-G-M, Leo Spitz and Ned E. Depinet of RKO and Abe Montague of Columbia, will act for the other companies.

Kent Leaves Tomorrow

Mr. Kent will leave tomorrow on a vacation in Maine and will be gone at least four weeks, according to present plans. However, the committees' deliberative procedure has been set up and the absence of the committee chairman will not hold up the discussions, it was explained, since Mr. Schenck or Mr. Spitz will act as chairman while he is away.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Laemmle Says Son's Plans Not Definite

Carl Laemmle, Jr., still has no definite plans for resuming production, though he is making preparations and may become affiliated with a studio before long, according to Carl Laemmle, Sr., who sailed yesterday on the *Normandie* for a European vacation. Mr. Laemmle added he hopes [illegible] will be "soon."

Mrs. Rosabelle Bergerman, his daughter, and her husband, Stanley, formerly a Universal production executive, said goodbye to Mr. Laemmle at the pier. J. Robert Rubin, general counsel for M-G-M, also called to pay his respects.

Joseph H. Moskowitz, 20th Century-Fox executive, sailed on his first trip to Europe. J. J. Milstein, former Republic sales head, is his shipmate. The latter will negotiate distribution deals in England and France for his film, "The Fight for Peace."

Among other passengers were: Joseph P. Kennedy, ambassador to Great Britain; William Wyler, director for Samuel Goldwyn, who will study the Yorkshire countryside for backgrounds for "Wuthering Heights," forthcoming film which he will direct; Nat Kalcheim, head booker of the William Morris office and brother of Harry Kalcheim of Paramount, who sailed with his wife on a vacation; Louis Kirstein, prominent Boston merchant and banker who is well known in the trade; Sonja Henie and her mother, who will visit Paris and London and vacation in Oslo, Norway; Grace Moore, and her husband, Valentin Parera; Erik and Ludwig Charell, European producers; E. L. Lopert, president of Pax Films, who plans to arrange for importation of French films, Louise Henry and Mrs. Fernand Gravet.

CEA, KRS to Honor Murray Silverstone

LONDON, June 29.—The Cinematograph Exhibitors' Association and the Kinematograph Renters' Society (distributors) will tender a complimentary luncheon next Tuesday to Murray Silverstone, executive head of United Artists, prior to his departure for the United States.

A British and Continental sales conference of United Artists will be held this weekend, concluding with a banquet on Sunday evening. It is anticipated that Sir Frederick Whyte, chairman of the Films Council, will preside at the luncheon on Tuesday. Mr. Silverstone will leave London next week to New York.

Set CEA, KRS Meet

LONDON, June 29.—The next joint meeting of representatives of the Cinematograph Exhibitors' Association and the Kinematograph Renters' Society (distributors) has been scheduled for July 12.

Change "Sinners" Title

HOLLYWOOD, June 29.—Paramount has chosen "The Unholy Beebes" as the release title for the Bing Crosby-Fred MacMurray starring vehicle formerly called "Sing You Sinners."

Frank O. Peers Dies

CHICAGO, June 29.—Frank O. Peers, for many years an executive in various Chicago theatres, is dead here at the age of 67.

Hollywood Preview

"The Amazing Dr. Clitterhouse"

(*Warners*)

HOLLYWOOD, June 29.—This characteristic Edward G. Robinson vehicle compares to "A Slight Case of Murder" and to no other previous production. Exploitation conveying that information to the many who enjoyed the first crime comedy to the full, and to any who didn't, seems likely to fill the auditorium with precisely the right company. Then, if preview audience reaction is a reliable guide, showmen who have seen to it that the chairs are nailed down securely will take a frontal position in the foyer prepared to take a bow as the still smiling customers depart the echoing premises.

Mr. Robinson's portrayal of the distinguished professional gentleman of the title intent upon preparing a treatise on the physical and mental changes induced by criminal activity is in many respects his most impressive performance to date. The screenplay by John Wexley and John Huston from the play by Barre Lyndon shows how devotion to his thesis impels the doctor to become leader of a gang, conducting clinical tests of his followers and himself in the course of a series of robberies, and finally to murder the former leader of the band in defense of self and science. Outcome of the ensuing trial for murder is made riotously funny without sacrifice of legal or scientific authenticity.

Humphrey Bogart, Allen Jenkins, Donald Crisp, Claire Trevor, Gale Paige, Henry O'Neill, John Litel, Curt Bois, Maxie Rosenbloom, Ward Bond, Thurston Hall and Irving Bacon are among those giving colorful, capable support. Anatole Litvak directed with a nice sense of values, alternating between humorous and scientific emphasis with telling result. Robert Lord, associate producer for Hal B. Wallis, took excellent care of detail and ensemble.

Running time, 85 minutes. "G."

Lohrenz Now Acting Warner Chicago Head

Rud Lohrenz is acting Chicago district manager for Warners during the illness of Leo Blank. Chicago reports of the latter's retirement were denied by the home office yesterday. Clarence Olson is handling Mr. Lohrenz's duties as branch manager in Minneapolis during the latter's absence.

Joe Vergesslich, Atlanta branch manager, has been transferred to the Florida territory to recuperate from an illness, it was said. Ralph McCoy has been named Atlanta manager. John Bachman has resigned as Grand National manager in Philadelphia to take over the Charlotte office for Warners, formerly handled by Mr. McCoy.

Mr. Bachman has been succeeded by Maurice Sherman, formerly Philadelphia sales manager for G. N.

M-G-M Unit at Omaha

OMAHA, June 29. — Director Norman Taurog and Producer John Considine, Spencer Tracy and Mickey Rooney headed an M-G-M group which arrived here for 10 days' shooting at Boys' Town, Neb., west of Omaha. The picture is about the boys' home founded by Father Flanagan, whom Tracy will portray.

Daily Assumes Post

HOLLYWOOD, June 29.—Jack Daily, formerly with Paramount's advertising department and more recently at the Salt Lake City office, has resumed his studio post. He will handle theatre contacts and special exploitation.

Sweden Likes U. S. Films

American films were voted the first five places among foreign pictures shown in Sweden during the past season, a report by the Department of Commerce shows.

Davis Granted Year Leave by Columbia

Sidney Davis, Columbia's foreign publicity manager, has been granted a year's leave of absence by the company. He will leave Aug. 1 for the coast to enter production. Further plans will be announced on his arrival there.

Clarence J. Schneider, who has assisted Mr. Davis for the past two and a half years, will fill the vacancy. Richard Cohan of the home office will step into Mr. Schneider's post.

To Move Albany Offices

ALBANY, June 29.—Warner Theatres will move from their Film Row office to the Albany Business College building Aug. 1. A city permit amounting to $17,500 has been issued to the Brewster Investment Co. to alter and renovate the second floor of the ABC Building for occupancy on that date.

Moe A. Silver, New York State zone manager and Charles A. Smakwitz, district manager, will have their offices in the new location, which also will house executive, contact, booking and maintenance departments.

A private screening room, seating 36 persons and fully wired for sound, with new acoustical treatment, is included in the plans.

Sound Book in Schools

HOLLYWOOD, June 29.—"Motion Picture Sound Engineering," published by the Research Council of the Academy, has been adopted by the Los Angeles Board of Education as a textbook for use in city high schools and approved for purchase by the city and branch libraries.

Several hundred copies of the book are already in use by the Frank Wiggins Trade School, Los Angeles, and it is expected that other city high schools will begin to use the book next fall.

Bernstein Predicts Loew 6-Month Profit

Earnings of Loew's, Inc., for the first six months of the year will be comparable to the 1937 period, allowing, however, for present business conditions, it was said by David Bernstein, vice-president and treasurer, before sailing with Mrs. Bernstein on the *Normandie* yesterday.

While the net for the second 1938 quarter may not be as good as the first, whatever difference between the two may be shown in the final checkup will not be material, Mr. Bernstein said. On the basis of product yet to come, he predicted that the company would continue its good financial record and was optimistic for an upturn in the fall.

His trip is purely for pleasure, Mr. Bernstein said, and he plans to spend some time at the Vichy baths, returning here in about five weeks.

"Holiday" $88,000 Hit at Music Hall

Business took a strong upturn at the Music Hall this week with "Holiday" finishing the stanza with $88,000. The attraction is being held.

"Toy Wife" grossed $18,000 at the Capitol.

United Artists' first three releases for 1938-'39 have been set for Music Hall showing. "Algiers" is scheduled to open July 14; "The Young in Heart," July 28, and "Drums," Sept. 22.

"Texans" Debut July 16

Paramount has completed plans for the world premiere of "The Texans" at the Majestic, San Antonio, July 16. Gov. James V. Allred of Texas, Vice-President John N. Garner, Gov. Walter A. Huxman of Kansas, Gov. E. W. Marland of Oklahoma and a number of other officials will attend the opening.

Wall Street

Board Registers Marked Gains

	Open	High	Low	Close	Net Change
Col.	13	13⅝	13	13⅝	+ ¾
Cons	1⅜	1⅜	1⅜	1⅜	.....
Cons. pfd.	6¾	7¼	6¾	7¼	+ ⅝
E. K.	166¼	170	166¼	170	+4
E. K. pfd.	165	165	165	165	+2
G. T. E.	12	13¾	12	13¾	+1⅞
Loew	48¼	51¾	48¼	51½	+3¼
Loew pfd.	106½	106½	106⅜	106⅜	— ⅛
Pathe	5⅛	5¾	5⅛	5¼	+ ¼
Para. 1	90	95½	90	95½	+5½
Para. 2	10¾	11½	10¾	11½	+ ⅞
Pathe	5⅛	5¾	5⅛	5¼	+ ¼
RKO	2⅜	2½	2¼	2½	+ ¼
20th Fox	23	24⅞	23	24⅛	+1⅛
20th pfd.	32¼	33	32¼	33	+1
Univ. pfd.	38½	41	38½	40	+1½
W. B.	5⅝	6⅜	5⅝	6⅜	+ ⅞
W. B. pfd.	34	35	34	35	+2

Fractional Curb Increases

	Open	High	Low	Close	Net Change
G. N.	⅜	⅜	⅜	⅜	—1/16
Monogram	2⅜	2⅜	2⅜	2⅜	+ ⅛
Sonotone	1⅝	1⅝	1⅝	1⅝	+ ⅛
Tech.	23	23¾	23	23¾	+ ¾
Trans-Lux	2¼	2¼	2¼	2¼	.....
Univ. Corp.	2½	2¾	2½	2¾	+ ⅝

Bond Prices Climb

	High	Low	Close	Net Change
Loew 3½s '46	100	99½	100	+ ¾
Para. B'way 3s '55	61½	60½	61½	+1½
Para. Pict. 6s '55	93¾	93¾	93¾	+ ⅛
Para. Pict. '47	75	73½	75	+1¾
RKO 6s '41	66½	66	66½	+ ½
W. B. 6s '39	75	73	75	+2

(Quotations at close of June 29)

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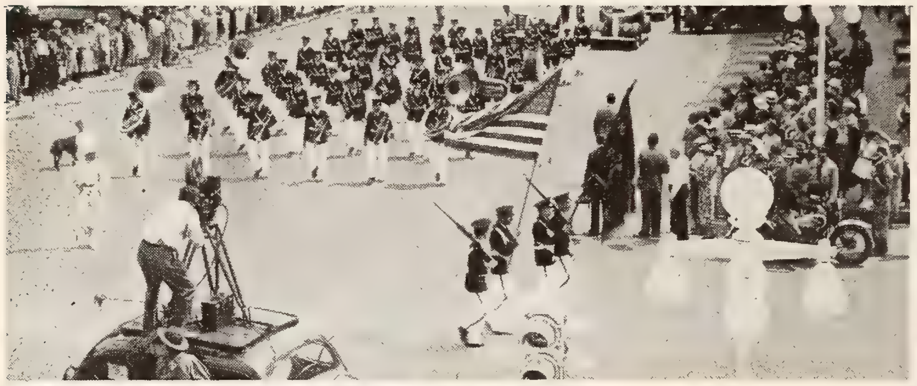

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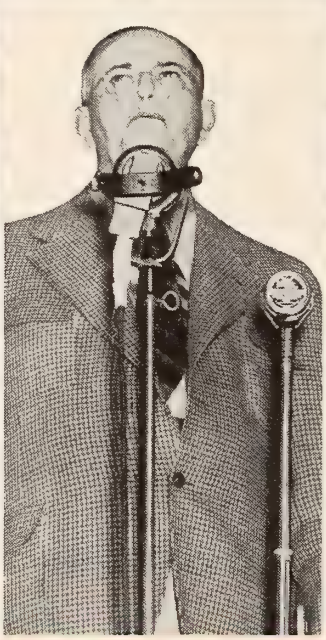

By the man who wrote 'Magnificent Obsession' and 'Green Light'—with

CLAUDE RAINS • FAY BAINTER

JACKIE COOPER • BONITA GRANVILLE

HENRY O'NEILL • KAY JOHNSON • JAMES STEPHENSON

Directed by EDMUND GOULDING

Screen Play by Lenore Coffee, Cameron Rogers & Abem Finkel • Music by Max Steine

A COSMOPOLITAN PRODUCTION

ANNERS'

HIS WEEK!

Nation-Wide Broadcast, Newsreels, All Newspaper Wire-Services Make World Premiere a National Event

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'Adverse' Gross More Than Doubled and Civic Holiday Declared at Columbia City, Ind., Birthplace of Celebrated Author Lloyd C. Douglas, As His Greatest Story Reaches Screen

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265 SIMULTANEOUS ENGAGEMENTS OPEN

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ith a blazing send-off that reaches a new mark in national advance notice, arner Bros.' 'White Banners' sweeps into general release this week. The over- helming publicity accorded the world premiere last Saturday night at the rthplace of its author, Lloyd C. ouglas, was headed by a stirring lf-hour tribute over the 89-sta- on Mutual Network.

Unprecedented press coverage in- uded wired newspaper stories by .P., A.P., and International News rvice. Newsreel cameras and rep- sentatives of *Life*, *Time* and other p-ranking publications were nong the thousands on hand for the gala occasion that marked the first film engagement of this world-famous best seller.

Already held over at N.Y. Strand and major situations from coast to coast, this stirring new drama will unquestionably prove to exhibitors the most important hit since Warner Bros.' release of 'Robin Hood' and 'Crime School'—as the world premiere has already established—as the week's key city box-office receipts will again establish!

WARNER BROS., *Proud Producers*

Guild's Fight Not Yet Won, Is Coast View

(*Continued from page* 1)

dustry is not engaged in interstate commerce remains unchanged.

While producers made no ostensible move today after results of the guild victory at the polls became known, conferences are scheduled to get under way following official certification of the guild as the writers' choice for a bargaining agency. William Robert Walsh, attorney for the Regional Labor Board office here, who handled the writer case before Trial Examiner William Ringer last fall, today said he anticipated the producers would make no moves to meet with guild officials upon their certification as the bargaining agency.

This would force the N. L. R. B. officials to cite the producers under the Wagner Act before the board for hearing on charges of failure to bargain, Walsh said. In this manner would an avenue be opened for the producers to carry the fight against the N. L. R. B. ruling that the film industry is under Wagner Act jurisdiction and that writers are employes, to the circuit court of appeals and thence to the U. S. Supreme Court.

Balloting Peaceful

No disorder marked the election held at three polling places. Of the total of 351 voting, the guild amassed 267 votes for itself. The Playwrights received a total of 57. Fourteen desired no representation. Thirteen are challenged and decision on these is up to Dr. Towne Nylander, regional N. L. R. B. director, at present out of town. Four ballots cast previously by writers who were out of town Tuesday remain uncounted. Of 18 studios named in the original petition of the guild only 14 were represented in the voting as four, Trem Carr, Grand National, Schulberg and Major are inactive.

The balloting was by studio unit under N. L. R. B. definition that the bargaining be done by separate studios. The surprise even to guild officials was the M-G-M vote, which gave the guild 63 to the Playwrights 33. M-G-M had been described in satirical election talks of Dorothy Parker and other guild leaders as the "ivory tower stronghold" of the Playwrights. Three challenged votes of the Paramount writers may cause a runoff election there. The Playwrights already have 14 votes to 17 for the guild. Two writers desired no affiliation. Should the challenged votes be allowed for the guild that organization would have a clean sweep.

Hearing on Friday

The regional office of the N.L.R.B. this afternoon stated that a hearing will be held Friday, at which time the guild and playwrights will present arguments on the ballots which were challenged during the course of the voting. Representatives of both organizations have been invited.

Following Friday's hearing, the regional officers will make an intermediate report to the N.L.R.B. which will then name the guild officially as the writers' bargaining agency under the terms of the Wagner act.

Unions Debate Proposals for Cuts in Wages

(*Continued from page* 1)

prompted the unions to consider the request seriously. Local 1, stagestagehands' union in Manhattan, took the matter up at a membership meeting Sunday and an answer may be formulated at an executive board meeting Friday.

Local 306 is scheduled to consider the proposal at a membership meeting next Wednesday and Local 4, Brooklyn stagehands, on July 11. Meanwhile, the circuits are going through with their intention to close the theatres, as announced, regardless of wage concessions. If the unions refuse the cuts, attempts will be made to negotiate concessions for the fall. Members of the operators' union have individually expressed opposition to the proposal.

Similar negotiations being conducted by the I. T. O. A., through Harry Brandt, president, are apart from the circuits. The independents so far have not received any definite indication from the union groups.

Bernhard Presides At Racine Meeting

RACINE, Wis., June 29.—Joseph Bernhard, Warner theatre general manager, attended the meeting of Warner managers from Illinois, Indiana and Wisconsin today.

The meeting inaugurated a new business drive which will get under way July 3. More than $750 in cash prizes will be awarded the winning managers with a special prize of a 10-day trip to Hollywood with all expenses paid, going to the manager whose record is the best.

Other Warner theatre executives present were: James E. Coston, zone manager here, zone supervisor Charles Ryan, Thomas Saxe, Al D. Kvool and L. F. Gran of Milwaukee.

Ecuador Bans 'Birthday'

GUAYAQUIL, Ecuador, June 29.—Exhibition of RKO's "When Is Your Birthday?" has been prohibited here at the request of the El Salvador government which has instructed its representatives in Latin America to protest the showing of the film because it is regarded as offensive to the dignity of that country.

The action taken yesterday by the Ecuadorean government in banning the film apparently is one of many pending acts. The reason given by a spokesman at the company's home office was that the picture has a jibe concerning a boxer who hailed from El Salvador. The offended country, it is reported, desired suppression elsewhere, but the film enjoyed a run within its borders.

Zanesville Shows Free

ZANESVILLE, O., June 29. — Free sound films are being offered four nights weekly at Moxahola Park here. The screen has been installed at the upper end of the midway and is visible from a large portion of the park.

Cashier Queen

It takes all kinds of publicity stunts to amuse Broadway. The latest is the selection of Helene Beck, who makes change at Loew's State, as "Queen of Broadway Cashiers." She won the "title" over entrants from other theatres, in a contest sponsored by the Hotel Piccadilly and others. The hotel will throw a midnight champagne supper for Helene tomorrow, following which she will leave via American Airlines on an expense-paid visit in Boston.

"Marco Polo" Gets $6,000; Chicago Dull

CHICAGO, June 29.—Loop box-offices went into a slump all along the line. "Adventures of Marco Polo" came within $500 of par on a take of $6,000 at the Garrick, but the others were in a bad way.

"Rage of Paris," in its second week at the Palace, with Paul Haakon on the stage, took $17,000. "Crime School," with George Jessel and Norma Talmadge on the stage at the Chicago, were weak at $25,000.

Total first run business was $76,800. Average is $104,000.

Estimated takings:

Week Ending June 23:

"HOLIDAY" (Col.)

APOLLO — (1,400), 35c-55c-65c, 7 days. **Gross:** $5,800. (Average, $6,500)

"CRIME SCHOOL" (W.B.)

CHICAGO—(4,000), 35c-55c-65c, 7 days. Stage: George Jessel and Norma Talmadge. **Gross:** $25,000. (Average, $32,000)

"ADVENTURES OF MARCO POLO" (U.A.)

GARRICK — (900), 35c-55c-75c, 7 days. **Gross:** $6,000. (Average, $6,500)

"RAGE OF PARIS" (Univ.)

PALACE—(2,509), 35c-55c-75c, 7 days, 2nd week. Stage: Paul Haakon & Co. **Gross:** $17,000. (Average, $19,000)

"NURSE FROM BROOKLYN" (Univ.)

STATE-LAKE — (2,776), 20c-40c-55c, 7 days. Stage: Toby Wing and Revue. **Gross:** $10,500. (Average, $13,000)

Week Ending June 24:

"YELLOW JACK" (M-G-M)

ROOSEVELT—(1,300), 35c-55c-75c, 5 days, 2nd week. **Gross:** $4,500. (Average, $11,000)

"TOY WIFE" (M-G-M)

UNITED ARTISTS—(1,700), 35c-55c-75c, 4 days. **Gross:** $8,000. (Average, $15,000)

Loew Circuit Moves Six House Managers

A number of Loew circuit manager changes were made known yesterday by J. R. Vogel, executive in charge of out of town theatres.

Charles Kurtzman, Capitol, Washintgon, goes to the Penn, Pittsburgh, a larger house. Mike Cullen, manager at Pittsburgh, moves up to special assignment duty. Howard Burkhardt, State, Providence, succeeds Mr. Kurtzman, with Eddie McBride, State, Syracuse, moving to Providence. Frank Murphy, Loew's, Wilmington, steps into Syracuse. Edgar J. Doob has been promoted from assistant manager at Norfolk to manager in Wilmington.

Alger Voices Approval of Plan for RKO

(*Continued from page* 1)

stitutionality of the plan, and did not sufficiently analyze the plan itself for a factual basis to demonstrate whether the plan fairly allocated the assets of RKO to the conflicting claims of debenture holders, common stockholders and unsecured creditors. He stated that his major concern in considering the plan would be the fairness of the allocations made, and told the proponents of the plan that "the burden of proof is on you to establish the fairness of the plan."

The debenture holders were entitled to preferential treatment to the extent of $4,258,722 in interest charges, the special master said, and would receive 637,925 shares of common stock at an estimated book value of $10.19 per share.

Approves Paramount Order

Federal Judge Alfred C. Coxe yesterday approved an order appointing the Empire Trust Co. as successor to the commercial National Bank & Trust Co. as special agent to Special Master John E. Joyce in the continuance of the Paramount Publix reorganization proceedings. Empire Trust will receive under the order certificates of deposit and undeposited certificates. The order will make Empire Trust act both as transfer and script agent. As of July 25, 1938, there will be 7,681 shares of certificates of deposit, and 34,544 undeposited certificates, the order indicated.

"Personal History" Delayed by Wanger

HOLLYWOOD, June 29. — Walter Wanger has postponed production of "Personal History" and will substitute Sascha Guitry's "The Illusionist" for the Vincent Sheean story on his studio schedule. Decision to postpone the film was arrived at, according to the studio, when it was determined a prior commitment to lend Henry Fonda to 20th Century-Fox for one picture would allow insufficient shooting time. The "Personal History" script and all preparations had been completed and will be held intact until such time as starting the film is practicable.

Studio spokesmen denied the experience being encountered by "Blockade" had any bearing on the postponement.

Loew Franchise Is Signed by Columbia

(*Continued from page* 1)

York Metropolitan area, and in Kansas City, Boston, Atlanta, Buffalo, Indianapolis and New Haven.

The contract with Loew's is described as being in line with the Columbia sales policy of closing franchise agreements instead of one-year product deals. Negotiations were handled by Louis Weinberg for Columbia and Charles Moskowitz and Gene Picker for the Metropolitan theatres and Joe Vogel for the Loew out-of-town houses.

Clear Channel Closing Power Is Challenged

WASHINGTON, June 29.—Presentation of testimony on proposed new [illegible]s for broadcasting stations was concluded before the Federal Communications Commission today with a challenge by Mrs. Mabel Walker Willebrandt of the commission's authority to close the clear channels to all but one station on each frequency, and the presentation of statistics showing that more than 21,000,000 people are outside the night time primary service area of any broadcasting station.

Mrs. Willebrandt's strictures were directed at the proposed new rule that only one station shall operate at night on the high-power clear channels. Her client, station WHDH, she said, has had pending for more than two years an application for experimental operation on the 830-kilocycle frequency, and the proposed rule will "pre-judge" that application adversely.

Authority Questioned

Declaring the rule to be legislation rather than regulation, she challenged the commission's right to usurp the privileges of Congress contrary to the provisions of the Communications Act instructing the F. C. C. to encourage experimentation.

Statistics prepared by commission experts showed approximately 10,000,000 people, about 1,500,000 of whom are in the urban population, are outside the primary range of any station during the day and that over 21,000,000, including less than 4,000,000 in urban centers, are outside the primary service area at night.

The dominant clear channel stations serve all but 30,000,000 of the 122,775,000 population on which the figures were based, during the day, and all but about 32,000,000 at night, it was shown. All other stations serve all but 16,650,000 of the population during the day, but at night cannot give primary service to over 50,000,000.

Coverage Limited

The primary service of all American stations—clear channel and other—however, fails to cover 8.1 per cent of the population during the day and 17.4 per cent during the night. In terms of area, 38.5 per cent of the continental United States is outside the primary service of any station during the day and 56.9 per cent is outside at night. The listeners outside the primary service areas are dependent upon such programs as they can pick up from distant stations. It was not claimed, however, that all listeners within the primary areas of any station always received satisfactory service.

"Buckaroos" on NBC

Carson Robinson's "Buckaroos" will be heard over the NBC-Blue, with the Musterole Co. as sponsor, beginning Oct. 10. The program will be carried over 34 stations Mondays from 8 to 8:30 P. M., and will be rebroadcast through recordings over WLW, Cincinnati, Tuesdays. Erwin Wasey & Co. is the agency.

▸ *Radio Personals* ◂

LUCY MONROE will be the featured vocalist at the dedication of Liberty Hall at the World's Fair on July 4 . . . Stanford Zucker, general manager of Consolidated Radio Artists, and Mrs. Zucker, are the parents of a baby daughter . . . Alma Graef, secretary to WMCA's sales manager, Bert Lebhar, will be married to Dr. William D. Harris today. She will resume her duties as secretary after a honeymoon . . . Joe Marsala has signed a personal management contract with Irving Mills . . . Cab Calloway will spend the next four weeks playing theatre dates in Texas . . . Charlotte Buchwald, WMCA's "Playgoer," was married to Lewis Harmon Tuesday. Mr. Harmon, formerly manager for Alex Yokel, is doing publicity for the Stony Creek Theatre, Conn.

+

The brother of Hollace Shaw is on his way east from the coast to direct the Fred Waring glee club. She is the CBS singer . . . Jean Antoine, director; Marcel Bleustein, operating manager, and M. Canetti, artistic director of Radio Cite, Paris broadcasting station, is returning to France on the *Normandie*.

+

Igor Gorin will head the guest cast on the RCA "Magic Key" July 3 . . . Manny Reiner, assistant to Monogram's advertising director. Lou Lifton, was interviewed over WINS yesterday by Rosalimd Sherman. He discussed motion picture ad writing . . . Jimmy Tansey, who has been playing the role of "Danny" on "The O'Neill's" since its inception five years ago, will also double in the role of "Rusty O'Brien" on "Hilltop House" over CBS, starting Monday. Al and Mrs. Pearce, Arlene Harris and husband, and "Tizzie Lish," all of the Pearce Gang," left for Hollywood yesterday.

Spent $55,804,564 On Air Aids in '37

(*Continued from page* 1)

$84,559,110, or 28.3 per cent, and chain radio, $55,804,564, or 18.6 per cent.

The study also includes a chart indicating national advertising expenditures last year in five media. This chart does not apply to accounts listed in the study because it is based on independent estimates of total expenditures by all national advertisers. The chart shows that of the total expenditure of $467,334,000 in these media last year, newspapers received $191,000,000, magazines $165,706,000, chain radio $68,828,000, outdoor $39,300,000, and car cards $2,500,000.

Ballard Plans NBC Show

Ballard & Ballard Co. will sponsor a program over split NBC Red and Blue networks for 26 weeks starting Sept. 16. Program plans are not set. Henri, Hurst & McDonald is the agency.

Closes Deal at WNEW

Carter Medicine Co. has signed for spot announcements for one year on WNEW, starting July 4. Street and Finney placed the contract.

Fairbanks Station Is Granted Permit

WASHINGTON, June 29.—Construction permit for a new broadcasting station to operate on 610 kilocycles with 1,000 watts power has been granted the Midnight Sun Broadcasting Co., Fairbanks, Alaska, by the Federal Communications Commission.

Examiners' reports have been submitted recommending the granting of applications of KUJ, Walla Walla, Wash., for change of frequency from 1,370 to 560 kilocycles and increase of power from 100 to 250 watts; WBNX, New York, for increase of day power from 1,000 to 5,000 watts; WMBG, Richmond, for increase of power from 500 watts to 1,000 watts night, 5,000 watts day, and WHBF, Rock Island, Ill., for increase of day power from 250 to 1,000 watts.

A report by Examiner George H. Hill recommended denial of an application of William H. Huffman, for a 580-kilocycle, 250-watt station at Wisconsin Rapids, Wis., and in a report on a three-cornered contest for a station at Savannah, on 1,310 kilocycles, Examiner Hill recommended granting of the application of Arthur Lucas, with Colonial Broadcasters, Inc., and Seaboard Broadcasting Corp., as second and third choices, respectively.

Examiner's Hearings Ordered

The commission has ordered examiners' hearings on a number of applications, including those of Orville W. Lyerla for a 1,310-kilocycle station at Herrin, Ill., with 100 watts night, 250 watts day; Tacoma Broadcasters, Inc., for a 1,420-kilocycle station at Tacoma, Wash., with 100 watts night, 250 watts day; Laredo Broadcasting Co., for a 630-kilocycle, 500-watt station at Laredo; W. A. Steffes for a 1,310-kilocycle, 250-watt daytime station at Minneapolis, and Radio Enterprises, Inc., for a 1,310-kilocycle station at Victoria, Tex., with 100 watts night, 250 watts day.

Hearings also have been ordered on the applications of WOV, New York, for change of frequency from 1,130 to 110 kilocycles, increase of time from day to unlimited and increase of power from 1,000 to 5,000 watts; WPG, Atlantic City, for change of frequency from 1,100 to 1,130 kilocycles; KPAC, Port Arthur, Tex., for change of frequency from 1,260 to 1,220 kilocycles, increase of time from day to unlimited; KFRO, Longview, Tex., for change of frequency from 1,370 to 1,340 kilocycles, increase of time from day to unlimited and increase of power from 250 to 1,000 watts, and WTAR, Norfolk, for increase of power from 1,000 to 5,000 watts.

WGAL to Join NBC

WGAL, Lancaster, Pa., will join NBC as its 153rd affiliate July 1. The station is owned by WGAL, Inc., and operates full time on 1,500 megacycles with daytime power of 250 watts and night power of 100 watts. J. E. Mathiot is president of the station, and Walter Miller is manager.

Will Replace "Hotel"

"Hollywood Showcase," a CBS sustainer, will replace "Hollywood Hotel" during the absence of the latter show for the summer. The "Showcase" will start July 1 and will feature Raymond Scott, Tito Guizar and Lud Gluskin's orchestra.

Convention Takes Up Gambling, Air Bills

ALBANY, June 29. — Headlining Wednesday's proceedings in the Constitutional Convention here was the beginning of discussion on possible elimination from the state laws of the ban on gambling, while in the Senate Chamber a bill of paramount importance to the radio industry received public hearing before a convention committee.

District Attorney Henry Hirshberg of Orange County moved to advance his amendment striking out prohibitions against gambling. Debate had hardly begun, however, before the matter was put over until next Wednesday, when the subject will be deliberated and voted on. An amendment to Mr. Hirshberg's proposal was introduced by Delagate John T. Dooling, and incorporated into the bill which had been reported out by the Bill of Rights Committee last week.

Committee Discusses Bills

Meanwhile, the convention's Public Utilities Committee, headed by Chairman Martin W. Deyo, Jr., held a public hearing on six bills, including a proposal of Senator John T. McCall to put all forms of communications, including radio, under rules and regulations of the state Public Service Commission.

With Senator McCall unable to attend the hearing, the bill found no backers. A statement was filed with the committee by Duel Richardson, an official of WOKO, Albany, who appeared on behalf of the State Association of Broadcasters. Vigorous opposition was expressed by the radio group to the McCall proposal.

"Woman's Page" Will Start on WOR July 5

"The Woman's Page," with Adelaide Hawley, will start over WOR July 5 from 1:05 to 1:10 P.M., and Tuesdays, Thursdays and Saturdays thereafter at the same time. Philadelphia Dairy Products will sponsor, through the Schenck agency.

"Billy Swift, Boy Detective," a transcribed series, will begin over WOR July 9, once weekly on Saturdays from 6:45 to 7:15 A.M., sponsored by California Fruit Growers Exchange through Lord & Thomas.

To File Plea in Suit

Application will be made to the Supreme Court today by Donald F. Jackson, plaintiff in a $100,000 libel suit against Remington Rand, Inc.; Time, Inc., and Columbia Broadcasting System, Inc., to strike out three defenses raised by Time and two defenses raised by Remington Rand on the grounds that they are not sufficiently stated in law. Jackson brought suit in 1937 charging that he was libeled in a broadcast on Feb. 4, 1936, over Columbia, allegedly sponsored by Remington Rand and transmitted by Time.

To Air Radio Club Meet

Mutual will broadcast two programs at the 9th annual International Radio Club convention at Halifax, Nova Scotia, July 6 and 8, from 9 to 9:30 P.M. The Canadian Broadcasting Co. will make the feeds. Angus Macdonald, Premier of Nova Scotia, will speak during the second broadcast.

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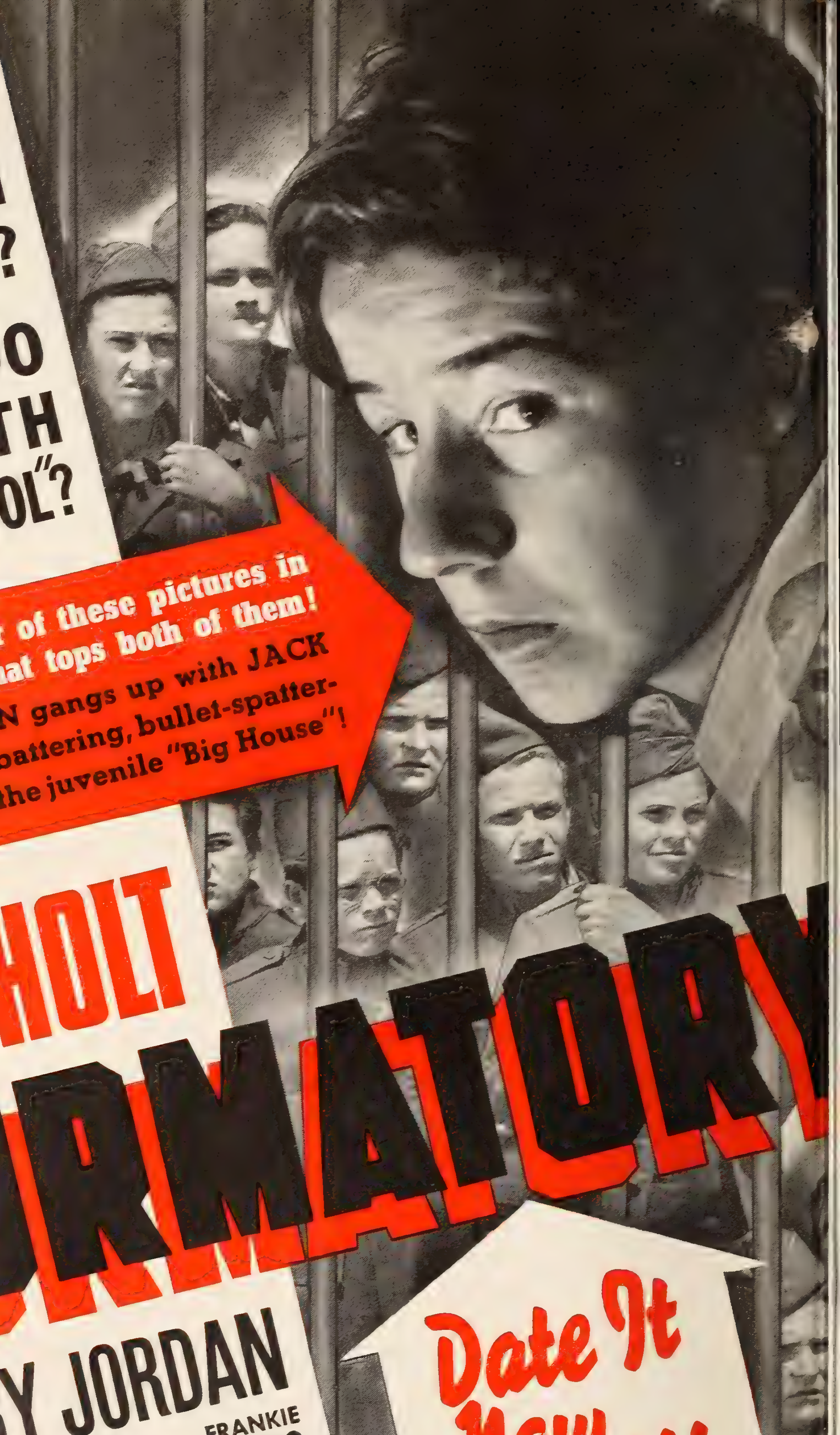
✓ DID YOU DO WELL WITH "CRIME SCHOOL"?



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